

**Subject: Application for demolition and new construction at 110 York Street,  
a property designated under Part V of the *Ontario Heritage Act* as  
part of the ByWard Market Heritage Conservation District**

**File Number: ACS2023-PRE-RHU-0045**

**Report to Built Heritage Committee on 6 November 2023**

**and the Planning and Housing Committee on 15 November 2023**

**and Council 22 November 2023**

**Submitted on October 26, 2023 by Court Curry, Manager, Right of Way, Heritage  
and Urban Design Services, Planning, Real Estate and Economic Development  
Department**

**Contact Person: Ashley Kotarba, Planner II, Heritage Planning Branch**

**613-580-2424 ext.23582, Ashley.Kotarba@ottawa.ca**

**Ward: Rideau-Vanier (12)**

**Objet: Demande de démolition et de nouvelle construction au 110, rue York,  
une propriété désignée en vertu de la partie V de la *Loi sur le  
patrimoine de l'Ontario* et située dans le district de conservation du  
patrimoine du marché By**

**Dossier: ACS2023-PRE-RHU-0045**

**Rapport au Comité du patrimoine bâti le 6 novembre 2023**

**et au Comité de la planification et du logement le 15 novembre 2023**

**et au Conseil le 22 novembre 2023**

**Soumis le 26 octobre 2023 par Court Curry, Gestionnaire, Services des emprises,  
du patrimoine et du design urbain, Direction générale de la planification, de  
l'immobilier et du développement économique**

**Personne ressource: Ashley Kotarba, Urbaniste II, Planification du Patrimoine**

**613-580-2424 ext.23582, Ashley.Kotarba@ottawa.ca**

**Quartier: Rideau-Vanier (12)**

## **REPORT RECOMMENDATIONS**

**That the Built Heritage Committee and the Planning and Housing Committee recommend that Council:**

- 1. Approve the application to demolish 110 York Street;**
- 2. Approve the application for new construction at 110 York Street according to plans prepared by Neuf Architects, dated September 18, 2023, conditional upon:**
  - a. The applicant providing samples of all final exterior materials for approval by Heritage Planning staff prior to the issuance of the building permit.**
  - b. The installation of a mural or an artistic installation on the east wall of the building as a condition of Site Plan approval.**
  - c. Minor alterations on the podium to better reflect the richly detailed architectural character of the ByWard Market Heritage Conservation District including:**
    - i. Ensuring that glazing in windows and doors is transparent to provide a more active frontage on York Street, reflecting the importance of the street as a gateway to the core of the ByWard Market HCD;**
    - ii. Refining the architectural details of the east wall of the podium through the addition of decorative brick work or similar architectural detailing to the satisfaction of Heritage Planning staff, prior to the issuance of the building permit**
- 3. Delegate the authority for minor design changes to the General Manager, Planning, Real Estate and Economic Development Department;**
- 4. Approve the issuance of the heritage permits for each application with a two-year expiry date from the date of issuance.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité du patrimoine bâti et le Comité de la planification et du logement recommandent ce qui suit au Conseil:**

- 1. Approuver la demande de démolition visant le 110, rue York;**

2. **Approuver la demande de construction au 110, rue York, selon les plans préparés par Neuf Architects et datés du 18 septembre 2023, sous réserve des conditions suivantes :**
  - a. **la soumission, par le requérant, des échantillons de tous les matériaux de revêtement extérieur à l’approbation du personnel responsable du patrimoine avant la délivrance du permis de construire;**
  - b. **la façade la réalisation d’une peinture murale ou d’une installation artistique sur la façade est de l’immeuble à titre de condition de l’approbation du plan d’implantation.**
  - c. **les modifications mineures suivantes au socle permettant de mieux refléter le caractère architectural richement détaillé du district de conservation du patrimoine du marché By:**
    - i. **veiller à ce que le vitrage des portes et des fenêtres donnant sur la rue York soit transparent afin de refléter l’importance de la rue en tant que point d’accès au cœur du district de conservation du patrimoine du marché By;**
    - ii. **parfaire les détails architecturaux du mur est du socle, grâce notamment à l’ajout de briques décoratives ou de détails architecturaux similaires, à la satisfaction du personnel responsable du patrimoine, avant la délivrance du permis de construire.**
3. **Déléguer au directeur général de Planification, Immobilier et Développement économique le pouvoir d’apporter des modifications mineures de conception;**
4. **Approuver la délivrance des permis patrimoniaux pour chaque demande avec une date d’expiration de deux ans à compter de la date de délivrance.**

## **BACKGROUND**

The building at 110 York Street is located on the south side of York Street, east of Dalhousie Street and West of Cumberland Street. The site is comprised of a two-storey red brick building constructed circa 1950 by the Union St. Joseph du Canada as office space. The Union St. Joseph du Canada had its headquarters next door, at the corner of York and Dalhousie Streets. The building was demolished in 2014 and replaced with a hotel. See Documents 1 and 2 for location map, and photos.

The subject property is partially located in the ByWard Market Heritage Conservation District (HCD), which was designated under Part V of the *Ontario Heritage Act* by the City of Ottawa in 1991. The property is located at the boundary of the district with the front half of the lot facing York Street located within the boundary and the rear half of the lot, to the south outside of the boundary (Figure 1).



Figure 1 – Eastern portion of the ByWard Market Heritage Conservation District. The property at 110 York Street is contoured in red.

At the time of designation, there was no heritage conservation district plan requirement, and therefore only a study was approved by Council which includes recommended guidelines for changes within the HCD. The *Ontario Heritage Act* was amended in 2005 to outline specific contents for all new heritage conservation district plans. In addition, the amendments also allowed municipalities to adopt HCD plans by by-law for districts designated prior to 2005. The City is currently undertaking a review and update of all existing HCDs without Plans. Both the ByWard Market and Lowertown West HCD Plans are in development, and will be brought forward for approval shortly.

As the new HCD Plan is not yet in place, this application will be evaluated using the guidelines in the 1991 ByWard Market Heritage Conservation District Study.

### **ByWard Market Heritage Conservation District**

Originally established as part of the wider area of Lowertown, the ByWard Market dates to the 1820s and was the centre of Ottawa's commercial activities. As part of the HCD

designation, each property was evaluated for its contribution to the cultural heritage value of the HCD and this building was identified as a Category 4 building, meaning it has little significant cultural heritage value. See Documents 3 and 4 for the Heritage Survey Form and Character Statement.

In 2018, a heritage permit application was submitted for a similar proposal, however the project was paused until the summer of 2023, when the applicant decided to resume the application.

This report has been prepared following receipt of an *Ontario Heritage Act* application to demolish the existing building and construct a 16-storey addition to an existing hotel building. Under the *Ontario Heritage Act*, applications for demolition and new construction in HCDs require the approval of City Council. In addition to approval under the *Ontario Heritage Act*, the subject proposal requires a Zoning Bylaw amendment to seek relief from provisions primarily related to maximum building heights and the heritage overlay. Both applications will be considered by Planning and Housing Committee and City Council concurrently.

## **DISCUSSION**

### **Project Description**

The purpose of the subject application is to permit the demolition of one non-contributing property and permit the construction of a 16-storey addition to an existing hotel building. The site plan, elevations, and renderings of the proposed building are attached to this report as Documents 5, 6, and 7.

The proposed building has a two-storey red brick volume along York Street which acts as a podium to the tower behind. The tower will be stepped back 9m from York Street, providing transition away from the low-scale volume of the streetscape. The upper floors will be clad in brick, and feature aluminum panel detailing and large windows. The footprint of the new building will occupy the entire lot, and directly abut the adjacent hotel. The building will also extend beyond the property line to the south, as the property is under the same ownership. This portion is outside of the ByWard Market HCD. Approval was given for a 22-storey residential building for the property to the south at 137 George Street in 2014.

The subject application is accompanied by a Cultural Heritage Impact Statement (CHIS), that was completed in 2012 to assess the impact of the proposed demolition and new construction on the character of the ByWard Market HCD of three sites (321 Dalhousie Street, 110 York Street and 137-141 George Street). An addendum was completed in 2019 and in 2023 to address the revised proposal for 110 York Street. The

original 2012 document and the 2023 addendum are attached to the report as Documents 8 and 9.

## **Recommendation 1**

### **ByWard Market Heritage Conservation District Plan**

Applications for demolition and new construction in the ByWard Market HCD are reviewed for consistency with the study's heritage character statement and character-defining elements. The HCD study does not have policies related to demolition, because prior to the 2005 changes to the *Ontario Heritage Act*, demolition could only be postponed, not prevented.

Heritage staff have reviewed the application to demolish 110 York Street and do not object to the demolition. The property is a Category 4 building within the ByWard Market HCD, constructed in the 1950s as an office building. It's contribution to the HCD is limited to its massing, siting and materials.

## **Recommendation 2**

The proposal includes a new building that is 16 storeys in height. While this is taller than most other buildings in the HCD, the height is pushed back from the street, and on the edge of the HCD. The HCD Study recognizes this southern border as having a different scale of development, and therefore recommends allowing some flexibility.

Several positive design interventions have been incorporated into the proposal to achieve compliance with the Infill: Commercial and Mixed Use guidelines outlined in Section 3.4 of the HCD study, thereby mitigating its impact on the HCD and contributing to its cultural heritage value. Some of the proposed building's design elements include:

- The front yard setback, which maintains the existing consistent 0 metre setback along York Street.
- Its podium height and massing, which employs a generous step back on the third storey to the tower so that the low-scale portion of the new building is similar to the existing condition. The proposed York Street frontage is compatible with the existing scale and character of this block of York Street.
- Its materiality, consisting of red brick cladding on the podium. In addition to the existing building, the north side of York Street is characterized by low-scale red brick buildings. The tower will primarily feature a different shade of brick, with aluminum panel accents, and large windows providing

a contemporary but compatible material palette. This will ensure that the podium is the prominent feature along York Street.

- The architectural expression of the podium of the building that emulates the existing building, including its mass, window pattern, and materials.

The design of the proposed building is generally compliant and consistent with the guidelines of HCD Study section 3.4 – Infill: Commercial and Mixed Use. The building will be connected to an existing hotel which is out of character for the HCD in terms of scale, however the addition will not have any further impacts as it will be shorter than the adjoining hotel. Additionally, the addition is set back from the area’s historic context, is clad in compatible materials, and includes design elements that reflect the broader character of the area, its immediate context, and the site’s existing buildings.

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

City Council adopted Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada (“Standards and Guidelines”) in 2008. This document establishes a consistent set of conservation principles and guidelines for projects involving heritage resources. Applications in the HCD are reviewed using the guidelines in the HCD Study/Plan which are more contextually specific than the Standards and Guidelines.

### **Heritage Impact Assessment**

Section 4.5.2 (2) of the City of Ottawa Official Plan requires that a Heritage Impact Assessment (HIA) be submitted where a proposed development has the potential to adversely affect a heritage resource. As this application commenced prior to the approval of the new Official Plan, a Cultural Heritage Impact Statement (CHIS) was submitted in compliance with the direction in the old Official Plan. The CHIS was prepared for this proposal by Bray Heritage in 2012 with an addendum in 2019 and 2023. Both the original 2012 and the 2023 reports are attached as Documents 8 and 9. Heritage staff have reviewed the document and have determined that it meets the requirements of the City’s Guidelines for CHISs.

The CHIS addendum concludes that:

The existing building at 110 York has no heritage significance. It was rated as Category 4 (the lowest level, thus no heritage value) in the 1990 HCD Study and the 2012 CHIS re-affirmed this evaluation. As a result, replacement of the existing building will not negatively impact the cultural heritage resource in the HCD. Relief from the provisions of the Heritage Overlay is therefore appropriate in this case.

The proposed addition to the existing hotel at 325 Dalhousie Street will have minimal visual impact on the views within the ByWard Market HCD and will have no direct impact on properties identified within the HCD Study as having heritage significance. It will have setback from York Street which allow angular views of the heritage building at 126 York Street: the setback will also lessen the addition's shadow impact on that property and on Category 1 and 2 heritage properties located on the north side of York Street.

Heritage staff generally concur with the findings of the HIA.

### **Conditions**

In order to ensure the proposal meets the goals of the ByWard Market HCD Study, the following three conditions are recommended:

- **Materials**

To ensure that the final material selection will be compatible with the character of the HCD, approval has been made conditional upon heritage staff support of the exterior cladding materials prior to the issuance of a building permit.

- **Mural**

To avoid a blank wall on the east side of the tower until a time when new development is proposed on the adjacent parking lot, heritage staff recommend that a mural be installed on the side of the building, as is shown in the renderings. This should be completed in compliance with Ottawa Mural Bylaw, and approved through the Site Plan Agreement.

- **Podium**

The door on York Street is an exit door only, however to give the appearance of an active façade, Heritage Staff recommend including windows to avoid a back-of-house feel and to ensure better compatibility with the pedestrian character of York Street as an important entrance to the core of the ByWard Market HCD. In addition to the door, heritage staff would like to ensure that the windows along York Street are active elements along the streetscape, and have therefore included them in the condition for approval. Finally, in conjunction with the mural noted above, heritage staff recommend including architectural detailing on the east wall of the podium. This may include banding or other brickwork in order to better reflect the rich architectural character of the HCD.



**Conclusion:**

Staff have reviewed the application for demolition and construction at 110 York Street against the guidelines of the ByWard Market HCD Study and staff have no objections to its approval subject to the conditions outlined above.

**Recommendation 3**

Delegate authority for minor design changes to the General Manager, Planning Real Estate and Economic Development Department.

Minor design changes may emerge during the working drawing phase of a project. This recommendation is included to allow Planning, Real Estate and Economic Development Department to approve these changes should they arise.

**Recommendation 4**

Issue the heritage permit with a two-year expiry date from the date of issuance.

The *Ontario Heritage Act* does not provide any timelines for the expiry of heritage permits. A two-year expiry date is recommended to ensure that the project is completed in a timely fashion.

**Provincial Policy Statement**

Staff have reviewed this proposal and have determined that is consistent with the Provincial Policy Statement, 2020.

**RURAL IMPLICATIONS**

There are no rural implications associated with this report.

**CONSULTATION**

Application materials were posted on the City's Development Application website on October 17, 2023.

Heritage Ottawa was notified of this application and offered the opportunity to provide comments.

The Lowertown Community Association was notified of the application on October 18, 2023.

Neighbours within 30 metres of the property were notified of this application and offered an opportunity to comment at the Built Heritage Committee meeting.

## **COMMENTS BY THE WARD COUNCILLOR(S)**

The Councillor is aware of the application related to this report.

## **LEGAL IMPLICATIONS**

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

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with this report.

## **APPLICATION PROCESS TIMELINE STATUS**

The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on January 24, 2024.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Site Photos

Document 3 Heritage Survey Form

Document 4 Statement of Cultural Heritage Value

Document 5 Proposed Site Plan

Document 6 Proposed Elevations

Document 7 Proposed Renderings

Document 8 Cultural Heritage Impact Assessment




Document 9 Cultural Heritage Impact Assessment, 2023 Addendum

**DISPOSITION**

Office of the City Clerk, Council and Committee Services, to notify the property owner and the Ontario Heritage Trust, 10 Adelaide Street East, 3<sup>rd</sup> Floor, Toronto, Ontario, M5C 1J3) of Council's decision.

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION HERITAGE / PATRIMOINE	
D09-01-YORK110	23-0909-L	 110 rue York St.	
I:\CO\2023\Heritage\York_110			
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY. ©Les données de parcelles appartiennent à Terranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2023 / 10 / 04		 NOT TO SCALE	

Document 2 – Site Photos



110 York Street, front façade



110 York Street



110 York Street



Northeast corner of Dalhousie and York Streets

Document 3 Heritage Survey Forms

CITY OF OTTAWA  
DEPARTMENT OF PLANNING & DEVELOPMENT  
COMMUNITY PLANNING BRANCH

HERITAGE SURVEY  
AND  
EVALUATION FORM

BUILDING FILE NO.  
PD 43:  
HERITAGE DISTRICT FILE NO.  
PD 4302-5-1:

Municipal Address: 108-110 York St.  
Building Name:  
Legal Description: W 1/2 SS York  
Date of Construction: 1948-1956  
Original Use: office building  
Present Use: commercial  
Present Zoning:  
Planning Area: Central Area N.E.

Lot: 19      Block: 67      Plan:  
Additions: none known  
Original Owner: Union St. Joseph du Canada  
Present Owner: as above

PHASE ONE SURVEY

Potential Significance	Considerable	Some	Limited	None
History (Date of Construction) <sup>^C</sup>	(Pre- 1880 ) 3	( 1880 to 1920 ) 2	( 1920 to 1950 ) 1	(1950 to ) 0
Architecture <sup>^C</sup>	3	2	1	0
Environment <sup>^C</sup>	3	2	1	0
(Landmark or Design compatibility				
Phase One Survey Score <sup>^C</sup> /9		Prepared By: <sup>^C</sup>		
Potential Heritage Building <sup>^C</sup> Yes/No				
Potential Heritage District <sup>^C</sup> Yes/No				



PHASE TWO EVALUATION RESULTS  
(Summarized from Page 4)  
Category<sup>^C</sup> 1 2 3 4  
Part V Definite<sup>^C</sup> Yes/No  
Part IV Potential<sup>^C</sup> Yes/No  
If PART IV, By-law/Date:  
<sup>^C</sup>  
IF PART V: <sup>^C</sup>

HERITAGE DISTRICT NAME:  
Byward Market

BY-LAW/DATE: <sup>^C</sup>

COMMENTS: <sup>^C</sup>

PHOTO DATE: <sup>^C</sup>  
VIEW: <sup>^C</sup>  
SOURCE: <sup>^C</sup>  
NEGATIVE NUMBER: <sup>^C</sup>

HISTORY

PREPARED BY: M.Carter

DATE: January 1990

Date of Construction: 1948-1956

Factual/Estimated

Sources: bracketting FIP 1948, 1956Trends:

Economic change - office building replacing double residence that had been on site since 1878

Owner - institutional - owned and built by the Union St. Joseph du Canada, part of pattern of church ownership as main form of long standing institutional ownership in market area

Owner / occupant - 2nd storey of this building was occupied by owner in 1960s and may still be

Events:Persons/Institutions:Summary/Comments On Historical Significance:

Evidence of changing trend of market development -- land occupied by old residences becomes new office building quarters.

Historical Sources (Coded): COAR 1960, 1989; COD 1960, 1988; FIP 1948, 1956=====
  
ARCHITECTURE

PREPARED BY: M.Carter / J.Smith

DATE: January 1990

Architectural Design (Plan, Storeys, Roof, Windows, Materials, Details, Etc.): 2-storey commercial block. Solid brick sidewalks with large window openings, new brick veneer front facade with window awnings and built in signage.by 1956 - 2 storey brick and steel office building with basement  
- occupies full lot frontage and half depthArchitectural Style: IndustrialDesigner/Builder/Architect:Architectural Integrity (Alterations): Reworked facade

none known



Other (Structure, Interior, Building Type, Etc.):

Summary/Comments On Architectural Significance: Nondescript building reminiscent of industrial / wholesale past.

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ENVIRONMENT

PREPARED BY: Julian Smith

DATE: February 1990

Planning Area: Central Area N.E.

Heritage Conservation District Name: Byward Market

Attach photo of  
surrounding area here:  
1 - 4 x 6

PHOTO DATE:  
VIEW: ^C  
SOURCE: ^C  
NEGATIVE NUMBER: ^C

Compatibility With Heritage Environs: Compatible in scale and materials. Changed use and detailing.

Community Context/Landmark Status: a known destination

Summary/Comments On Environmental Significance: Modest element which retains modest links with more industrial tradition of area.

## PHASE TWO EVALUATION

CRITERIA SCORING					
HISTORY CATEGORY	E	G	F	P	SCORE
1. Date of Construction			1		14
2. Trends			1		17
3. Events					0
4. Persons					0
HISTORY TOTAL	0	0	31	0	31
ARCHITECTURAL CATEGORY	E	G	F	P	SCORE
1. Design			1		10
2. Style					0
3. Designer/Builder					0
4. Architectural Integrity			1		14
ARCHITECTURAL TOTAL	0	0	24	0	24
ENVIRONMENT CATEGORY	E	G	F	P	SCORE
1. Design Compatibility		1			33
2. Landmark / Community Context		1			33
ENVIRONMENT TOTAL	0	66	0	0	66

\*Date of Construction in Byward Market area.

Excellent ( Before 1880 ), Good ( 1880 to 1920 ), Fair ( 1920 to 1950 ), Poor ( After 1950 )  
Criteria Scoring completed by: EVALUATION COMMITTEE Date: APRIL 1990

CATEGORY SCORE	DETERMINATION OF THE PHASE TWO TOTAL SCORE		
	IN A POTENTIAL HERITAGE DISTRICT	NOT IN A POTENTIAL HERITAGE DISTRICT	
History	31 x 20% =	6.2	X 40% =
Architecture	24 x 35% =	8.4	X 40% =
Environment	66 x 45% =	29.7	X 20% =
PHASE TWO TOTAL SCORE		44.3 /100	/100

HERITAGE CLASSIFICATION FOR THE BYWARD MARKET AREA.

Phase Two Total Score

Group	0	0	0	4
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PHASE TWO EVALUATION SUMMARY:

Summary Prepared By: JSS Date: APRIL 1990

#### **Document 4 – Statement of Cultural Heritage Value**

This area contains the commercial heart of Ottawa's market, established when the city's market facilities were re-oriented in the mid 1860s. Its major foci are the commercial streets of ByWard/William and York, which formed a cross on the axis created by the two market buildings and their associated hay and wood markets.

Some of the buildings in this area pre-date the formation of this market, stemming from the establishment and growth of one of Ottawa's two founding districts, Lower Town (1830-1850). Converted from residential to commercial use when the market was created, they combine with a wide variety of commercial forms constructed since that time to make up the many faces of the area.

Economically, the market has been the heart of Ottawa's vital commercial activities. Throughout its history it has housed businesses, both large and small, devoted to the wholesale and retail purchase of natural products and trade of manufactured goods and supplies. It has provided the services and sometimes the industrial support to consolidate the market's role as the centre of Ottawa commerce. Through activities based in the market, Ottawa has assumed a metropolitan role for the Ottawa Valley and the Rideau Canal area.

The market core is characterized by a low profile typical of its nineteenth century origins interspersed and largely respected by succeeding commercial development until the 1970s. Its development is extremely dense, covering full and sometimes multiple lots in many areas. Much of the space has been developed and redeveloped to provide services and support to its vital commerce. Secondary space in this area has traditionally been used for a variety of residential, storage, and office facilities. In form the architecture of this area is diverse and layered, having been renovated, renewed and reformed frequently to adjust to changing commercial needs and priorities.