

**Subject: Application to alter 359 Kent Street, 436 and 444 MacLaren Street,
properties designated under Part V of the Ontario Heritage Act as
part of the Centretown Heritage Conservation District**

File Number: ACS2023-PRE-RHU-0047

Report to Planning and Housing Committee on 15 November 2023

And Built Heritage Committee on 12 December 2023

and Council 19 December 2023

**Submitted on October 19, 2023 by Court Curry, Manager, Right of Way, Heritage
and Urban Design Services, Planning, Real Estate and Economic Development
Department**

Contact Person: Anne Fitzpatrick, Planner III, Heritage Planning Branch

613-580-2424 ext.25651, Anne.Fitzpatrick@ottawa.ca

Ward: Somerset (14)

**Objet: Demande de modification du 359, rue Kent, du 436 et 444, rue
MacLaren, des biens-fonds désignés aux termes de la partie V
de la *Loi sur le patrimoine de l'Ontario* et situés
dans le district de conservation du patrimoine du centre-ville**

Dossier : ACS2023-PRE-RHU-0047

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

Comité du patrimoine bâti le 12 Décembre 2023

et au Conseil le 19 décembre 2023

**Soumis le 19 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: Anne Fitzpatrick, Urbaniste III, Planification du Patrimoine

613-580-2424 ext.25651, Anne.Fitzpatrick@ottawa.ca

Quartier: Somerset (14)

REPORT RECOMMENDATIONS

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

1. Approve the application to alter 359 Kent Street and 436 and 444 MacLaren Street according to plans prepared by Hobin Architecture Incorporated, dated July 28, 2023, conditional upon:
 - a) The approval of the associated Official Plan Amendment and Zoning By-law Amendment applications (ACS2023-PRE-PS-0123) and the approval of the associated Site Plan Control application.
 - b) The applicant providing financial securities through a Letter of Credit to ensure the protection, conservation, and restoration of the building at 359 Kent Street prior to the issuance of a building or demolition permit related to the deconstruction.
 - c) Issuance of a heritage permit under the *Ontario Heritage Act* through the delegated authority heritage permit process for the final design of the tower portion of the proposal.
 - d) The implementation of the conservation measures identified in the Conservation Plan attached as Document 10, which will be monitored through ongoing reports submitted by the applicant in consultation with their heritage consultant to the satisfaction of Heritage Planning Staff, commencing prior to the issuance of a building or demolition permit related to the deconstruction of the building at 359 Kent Street.
 - e) The applicant providing samples of all final exterior materials, for approval by Heritage Planning staff prior to the issuance of the building permit.
 - f) The applicant providing a Documentation and Salvage Plan to the satisfaction of staff in Heritage Planning that describes the documentation process for the building and identifies opportunities for the retention of existing building material where possible.
2. Delegate the authority for minor design changes to the General Manager, Planning, Real Estate and Economic Development Department;

3. **Approve the issuance of a heritage permit with a four year expiry date from the date of issuance unless otherwise extended by Council.**

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 visant à modifier le 359, rue Kent, ainsi que les 436 et 444, rue MacLaren, conformément aux plans préparés par Hobin Architecture Incorporated, en date du 28 juillet 2023, sous réserve des conditions suivantes :**
 - a) **L’approbation des demandes connexes de modification du Plan officiel et du Règlement de zonage (ACS2023-PRE-PS-0123) et l’approbation de la demande connexe de réglementation du plan d’implantation.**
 - b) **Que le requérant fournisse des garanties financières au moyen d’une lettre de crédit pour assurer la protection, la conservation et la restauration du bâtiment situé au 359, rue Kent, avant la délivrance d’un permis de construire ou d’un permis de démolition relatif au démantèlement.**
 - c) **La délivrance d’un permis patrimonial, aux termes de la *Loi sur le patrimoine de l’Ontario*, dans le cadre des pouvoirs délégués du processus de délivrance de permis patrimoniaux, pour la conception définitive de la tour devant être érigée.**
 - d) **La mise en œuvre des mesures de conservation définies dans le plan de conservation ci-joint à titre de document 10, lequel sera surveillé par l’entremise de rapports constants soumis par le demandeur en consultation avec son expert-conseil du patrimoine à la satisfaction du personnel de la Planification du patrimoine, commençant avant la délivrance d’un permis de construire ou de démolition relativement à la déconstruction du bâtiment du 359, rue Kent.**
 - e) **Que le requérant fournisse des échantillons de tous les matériaux de revêtement extérieur définitifs, à l’approbation du personnel de la Planification du patrimoine avant la délivrance du permis de construire.**

- f) **Que le requérant fournisse de la documentation et un plan de sauvetage à la satisfaction du personnel de la Planification du patrimoine qui décrivent le processus de documentation relatif au bâtiment et font état de la conservation, dans la mesure du possible, des matériaux du bâtiment existant.**
2. **Déléguer au directeur général de la Direction générale de Planification, Immobilier et Développement économique le pouvoir d'apporter des changements mineurs de conception;**
3. **Approuver la délivrance d'un permis en matière de patrimoine dont la date d'expiration est fixée à quatre ans à compter de la date de délivrance, sauf si la période de validité du permis est prolongée par le Conseil municipal.**

EXECUTIVE SUMMARY

The department recommends approval of the application to alter the properties at 359 Kent Street, 436 and 444 MacLaren Street, which are designated under Part V of the *Ontario Heritage Act* as part of the Centretown Heritage Conservation District. The proposed development includes the construction of a 27-storey building that will be integrated with the building at 359 Kent Street, known as the Legion House. The Legion House will be dismantled and reconstructed on the same footprint. The south and west facades will be reconstructed, using existing material, while the east and north façade will be reinterpreted using new material and a contemporary, compatible design. The proposal also includes the retention and restoration of the two properties at 436 and 444 MacLaren Street and the integration of these buildings into the overall landscaping and site design. This report has been prepared as applications for alteration under the *Ontario Heritage Act* require City Council approval. The proposal meets applicable policies in the Centretown and Minto Park Heritage Conservation District Plan.

RÉSUMÉ

La Direction générale recommande d'approuver la demande de modification des biens-fonds situés au 359, rue Kent Street, 436 et 444, rue MacLaren, lesquels sont désignés aux termes de la partie V de la *Loi sur le patrimoine de l'Ontario* comme faisant partie du district de conservation du patrimoine du centre-ville. L'aménagement proposé comprend la construction d'un bâtiment de 27 étages qui sera intégré au bâtiment situé au 359, rue Kent, connu sous le nom de la Maison de la Légion. La Maison de la Légion sera démantelée et reconstruite sur la même emprise. Les façades sud et ouest seront reconstruites, en utilisant le matériel existant, alors que les façades

est et nord seront réinterprétées en utilisant de nouveaux matériaux et une conception contemporaine compatible. La proposition comprend également le maintien et la restauration des deux biens-fonds situés au 436 et 444, rue MacLaren, ainsi que l'intégration de ces bâtiments dans l'ensemble de l'aménagement paysager et de conception du site. Le présent rapport a été élaboré, car les demandes de modification présentées en vertu de la *Loi sur le patrimoine de l'Ontario* requièrent une approbation du Conseil municipal. La proposition est conforme aux politiques applicables dans le Plan des districts de conservation du patrimoine du centre-ville et du parc Minto.

BACKGROUND

This report has been prepared because the alteration of a property designated under Part V of the *Ontario Heritage Act* requires the approval of City Council. The subject application is to permit the dismantling and reconstruction of the building at 359 Kent Street, the conservation and integration of the buildings at 436 and 444 MacLaren Street, and the construction of a new high-rise building. The location map, site plan, elevations, and renderings of the proposed building are attached as Documents 1 - 4.

Description of site and surroundings

The subject site consists of three properties: 359 Kent Street, 436 MacLaren Street, and 444 MacLaren Street (see Document 5 for site photos). The site is 3,603 square metres in area with frontage on Kent Street to the west, MacLaren Street to the north, and Gilmour Street to the south. The site includes a six-storey office building and surface parking at 359 Kent Street and two, two-and-a-half storey former residential buildings, currently being used for offices, with rear yard surface parking at 436 and 444 MacLaren Street.

Cultural Heritage Value of the Site

The properties at 359 Kent Street, 436 and 444 MacLaren Street are located in the Centretown Heritage Conservation District (HCD) and are designated under Part V of the *Ontario Heritage Act* (OHA). The Centretown HCD was designated under Part V of the OHA in 1997. In 2022 a new HCD Plan, applying to both the Centretown HCD and the Minto Park HCD, was approved by Council following the conclusion of the Centretown Heritage Study. This HCD Plan replaces the original management guidelines for the Centretown HCD and is in full force and effect as of October 18, 2022.

The cultural heritage value of the Centretown HCD lies in its role as an early residential neighbourhood within the larger area of Centretown. The HCD features a mix of housing

types including large architect-designed houses, high style and vernacular detached dwellings, row houses, apartment buildings, and small dwellings. Further cultural heritage value is derived from its associated commercial corridors and institutions. For a complete description of the HCD's cultural heritage value, refer to Document 6 – Statement of Cultural Heritage Value.

The properties at 436 and 444 MacLaren were constructed c.1879-1901 in the Queen Anne Vernacular Style and Georgian Revival Style respectively. The building at 359 Kent Street, known as Legion House, is a six-storey, office building with a flat roof. It was constructed as the headquarters for the Royal Canadian Legion's Dominion Command. It provided administrative offices for the Service Bureau as well as offices for the Canadian Legion publication: *The Legionary*. It was designed by the architect J.L. Kingston and was built in two phases: the first three-storeys were completed in 1956, and the second three storeys were completed circa 1958. It features a rectilinear composition with a smooth, ashlar surface on the primary façades, horizontal window bands and vertical feature windows on the Kent and Gilmour facades.

Planning Act Applications

Associated Official Plan Amendment and Zoning By-law Amendment applications have been submitted to amend the current zoning to facilitate the development of a 27-storey Landmark Building containing 289 residential units, with institutional or community uses in the podium and four levels of underground parking. The development of Landmark Buildings is contemplated in both the Central and East Downtown Core Secondary Plan and the Centretown HCD Plan subject to specific criteria.

To permit the proposed Landmark Building, the Official Plan Amendment will add two site-specific policies to the Central and East Downtown Core Secondary Plan and the Zoning By-law Amendment will rezone the site from Residential Fourth Density (R4) to a General Mixed Use (GM). A site-specific exception will prohibit surface parking, increase the minimum bicycling parking requirement, detail maximum building heights and minimum yard setbacks, and implement a Holding Symbol. The Holding Symbol will require that the Landmark Building policies in the secondary plan are met, such as the provision of a privately-owned public space and institutional uses, the requirement for sustainable building and construction methods, and the requirement for heritage permits where necessary.

As detailed in the staff report (ACS2023-PRE-PS-0123), Development Review Staff are recommending approval of the Official Plan and Zoning By-Law Amendment application as the proposed development meets the criteria for Landmark Buildings as outlined in

the Central and East Downtown Core Secondary Plan, including frontage on three streets, the provision of a significant institutional use, retention of existing heritage resources on the site, reconstruction and integration of a significant heritage resource into the Landmark Building design, appropriate transition to the surrounding neighbourhood, commitment to a sustainable design and construction methods, and architectural design that has undergone specialized design review. The OPA and ZBLA is being considered concurrently with the application under the *Ontario Heritage Act*.

Summary of Proposed Development

The Landmark Building, which is the 27 storey high-rise, is proposed to be primarily residential with approximately 289 dwelling units and will consist of a four- and five-storey podium with a tower oriented to the southwest corner of the site at Kent Street and Gilmour Street. The existing five storey Legion House will be dismantled and reconstructed on the same footprint. The south and west facades will be reconstructed, using existing material, while the east and north façade will be reinterpreted using new material, with a contemporary, compatible design. The five-storey Legion House podium, will transition into a new four-storey, red-brick podium to the east of the site fronting on Gilmour Street.

The reconstructed Legion House will have an institutional or community use located along the Kent Street frontage and residential uses will be located within the four-storey portion along Gilmour Street. The privately-owned public space (POPS) on the north side will use pedestrian and open space connections to connect the Legion House with 436 and 444 MacLaren Street. The POPS will also replace the existing surface parking at the rear of 436 MacLaren Street. The retained building at 436 MacLaren Street is intended to be used for local community-based organizations and the building at 444 MacLaren Street is expected to remain either as an office or may be used for a restaurant.

Vehicular and service access to the proposed Landmark Building will be provided at the east end of the building from Gilmour Street. A total of 207 parking spaces are proposed within four levels of underground parking. Bicycle parking will be provided at ground level and within the underground garage.

DISCUSSION

Recommendation 1: Approve the application to alter the buildings at 436 and 444 MacLaren Street and 359 Kent Street

Heritage staff recommend approval of the proposal for the following reasons:

1. The proposal retains and conserves 436 and 444 MacLaren Street

The buildings at 436 and 444 MacLaren Street will be retained and incorporated into the overall development. The buildings will be integrated into the site design and linked to the Landmark Building through the privately-owned public space, complementary uses and the landscape design of the site. Staff are including these two buildings as part of the heritage permit, because the retention, conservation and integration of these building is fundamental to the overall site redevelopment and its ability to respect and maintain the historic residential character of the neighbourhood. More detailed plans for the restoration work and any future alterations to the properties will be submitted as part of the site plan control application and will require a heritage permit application.

2. The conservation approach for the Legion House is appropriate and the cultural heritage value of 359 Kent Street is conserved

The proposed conservation approach for the Legion House is to dismantle and reconstruct the limestone cladding of the primary facades (west and south) on a new back-up wall. The north and east facades will be reconstructed on the same footprint but will be redesigned using new material, in a contemporary and compatible manner. The north and east facades of the Legion House are clad in brick instead of limestone and have less notable architectural detailing.

The 1997 Centretown HCD Plan did not identify 359 Kent Street as a contributing building, and the original submission from the applicant for a Landmark Building on this site did not propose its retention. Heritage Staff undertook a Cultural Heritage Evaluation Report of the property and determined that the property had cultural heritage value and should be retained. Constructed c.1956-1958 and influenced by the International Style, the building exhibits a subtle architectural expression through its horizontal window arrangement and varied masonry textures. It was built for the Royal Canadian Legion in Canada as the new headquarters for their Dominion Command, whose primary purpose was to support veterans who were returning from scenes of intense conflict and trying to readjust to civilian life and postwar society. The Legion House yields information that contributes to an understanding of the role of the Royal Canadian Legion in Canada, and the development of veteran culture following the Second World War. Legion House is physically and historically linked to its surroundings as a purpose-built national headquarters building, located in Ottawa and in Centretown. Its location on Kent Street is associated with Centretown's clusters of embassies,

national headquarters, and consulates that reinforce Ottawa's role as the national capital.

After reviewing the information and undertaking a preliminary analysis of the property under 09/06 of the Ontario Heritage Act, Heritage Staff indicated that they would proceed with designation of the Legion House under Part IV of the Ontario Heritage Act. Following discussions between Heritage Staff and the applicant, the applicant agreed to integrate the Legion House into the proposal. Since then, the property has been identified as a contributing building in the updated Centretown HCD Plan, which was approved by Council in 2022.

The reconstruction of the facades at 359 Kent Street is a major intervention, which is appropriate in this instance based on a structural, architectural and heritage considerations of the building and through the establishment of a detailed Conservation Plan.

Structural and Architectural

Having established the Legion House has cultural heritage value, the next step was to determine the appropriate conservation approach. Initially Heritage Staff's recommendation was to retain the Legion House in-situ. As part of the development of the conservation approach the applicant submitted a Conservation Feasibility Review by Hobin Architecture and a Structural Engineering Feasibility Review by Cunliffe and Associates (Documents 7 and 8). The Legion House was constructed using a steel structure with poured concrete floors supported by open web steel joists. The south and west exterior walls are composed of a limestone masonry finish and supported by block masonry wall behind. The architectural study identified concerns with retention of the existing facades, including:

- the existing limestone panel masonry ties likely being in poor condition given their material and age,
- the integrity of the limestone panels during blasting activities for rock excavation
- exterior wall assembly components and the overall environmental performance of the building facades.

The engineering study, concluded that:

In our opinion the shoring costs and safety risks associated with retention of the existing façade walls on the Kent and Gilmour facades should be avoided. It

would be in-keeping with the modernist philosophy of structural simplicity to remove the facades and re-create them to conserve the community history. We recommend the careful removal and recording of the veneer units and incorporation into a new insulated wall, designed with rain screen principals, is the appropriate solution. The re-assembly of the limestone veneer with appropriate insulation and stainless steel anchors would secure the façade for generations to come.

Heritage

Through staff analysis and the Heritage Impact Assessment (attached as Document 9), the heritage attributes identified for the Legion House were identified as its:

- Six-storey massing
- Limestone cladding on the Kent and Gilmour facades
- Horizontal window bands
- Limestone and granite window surrounds and limestone sills
- Granite cladding and carved dedication stone at the Gilmour Street entrance
- The feature windows above the Gilmour Street entrance and along the Kent Street façade
- The prominent location on the building at the corner of Kent and Gilmour

This analysis led to the determination that the heritage attributes of the building are primarily located on the Kent and Gilmour facades.

The applicant submitted a detailed Conservation Plan attached as Document 10, that outlines the approach and methodology for the documentation, removal, storage, and reinstallation of the character defining features and materials to form the Kent and Gilmour façades of the new podium. Staff have reviewed the Conservation Plan and agree with its approach, which generally includes the following elements:

Dismantling

- The approximately 1,200 limestone cladding units will be removed in reverse order to the installation, from the top down.

- The cladding unit will then be photographed, general condition noted, and a unique identification number assigned.

Crating and Storage

- Limestone cladding panels will be stored on edge vertically on a wooden pallet, with spacers separating the units.

Reassembly

- The limestone stone cladding will be secured with stainless steel masonry anchors to a steel stud or concrete block back-up wall in a manner similar to the existing installation method; one anchor per stone set at the midpoint of the stone panel width in existing holes.

Conservation

- Most of the conservation treatment, such as the descaling of delaminated stones can be undertaken following reassembly. Cleaning of the stone would occur prior to the completion of the finish pointing.

The reconstructed walls will be updated to meet current building code and will receive new masonry components to increase the lifespan of the structure. There are some alterations proposed to the reconstructed facades, which are outlined in detail in the Conservation Plan and include:

- Alterations to the horizontal windows and limestone bands on the first and second storeys to remove the sunken half storey and accommodate new floor levels and increased ceiling height,
- The granite cladding on the Gilmour Street entrance will be replaced in-kind,
- The windows and mullions will be replaced with compatible material,
- The deteriorated limestone sills will be replaced with pre-cast concrete sill that will match in dimension form and colour.
- The brick cladding on the north and east façades and the windowsills will be salvaged and reused where possible.
- The existing cornice is not original and will be replaced in-kind.

Staff are of the opinion that these modifications maintain the cultural heritage value of the building. While the Centretown HCD Plan does not permit the construction of a “facsimile” as part of a Landmark Building application, staff are of the opinion that this proposal is not a reproduction but rather a reconstruction. The reconstruction was determined to be an appropriate intervention based on a structural, architectural and heritage considerations of the building and through the establishment of a detailed Conservation Plan.

3. The new proposal meets the Centretown HCD Plan

Centretown and Minto Park HCD Plan

Applications for alterations to buildings in the Centretown HCD are reviewed for consistency with the HCD Plan’s Statement of Objectives, Statement of Cultural Heritage Value and identified heritage attributes. The associated development applications were submitted in advance of the new Centretown HCD Plan being in force and effect, however, the heritage permit application was submitted following the approval of the new Centretown HCD Plan. As such, the proposal must comply with the policies and guidelines established by the plan. The following sections of the HCD plan set out guidelines and policies specifically relevant to the subject proposal:

- Section 9.0: New Construction
- Section 9.2: Incorporating Contributing Buildings
- Section 9.3 Midrise and High-rise Buildings
- Section 9.5: Landmark Buildings
- Section 11.1 Street Trees

The HCD plan identifies the subject properties as “contributing”, accordingly the policies and guidelines in the HCD Plan specific to contributing properties apply. The HCD Plan incorporates the principles of the Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada (“Standards and Guidelines”), which were adopted by Council in 2008.

Podium and Site Design

The proposal conserves the cultural heritage value of the Centretown HCD through the conservation and adaptive reuse of the two historic buildings along MacLaren Street and the reconstructed Legion House. These buildings have a significant historic

connection to the area's character and their retention ensures that the overall site design and podium are sympathetic to the surrounding HCD.

The retention of the two buildings on MacLaren in their entirety, including the front entrances and lawns, help retain the historic street pattern along MacLaren Street. The proposed adaptive reuse ensures that minimal changes are required to the character defining elements of the historic buildings. The landscape plan (see Document 11) includes the reintroduction of street trees along Gilmour and a midblock POPS on Kent that creates an extensive integrated landscape around the two historic homes.

The Legion House will be reconstructed on the footprint of the original building and will serve as the podium for the high-rise development. The south and west facades will be subject to a rigorous conservation approach, as detailed above. The contemporary expression on the north façade is compatible with the existing building in design and materiality. The location of the entrance for the new residential use on the north side allows for minimal changes to the more prominent street facing façades. The east façade features limestone returns and the new four storey red brick podium addition. The volume and original massing of the Legion House is conserved and remains legible as a three-dimensional volume through this proposal. Reconstructing the building in its current location maintains its prominence on the southwest corner of the site and conserve its contextual value.

The tower portion of the proposal is set back approximately 2.5m from the Gilmour Street façade and 3m from the Kent Street facade, which ensures that the Legion House remains the dominant feature on the site. The four-storey, red brick podium to the east provides a sensitive transition to the residential character of Gilmour Street. The height, massing and architectural expression of the eastern portion of the podium reflect the historic character of Centertown, notably through the use of red-brick, the articulation of the façade and the cornice line.

Tower

The construction of a high-rise building in a Heritage Conservation District has the potential to create a conflict in scale. This proposal mitigates the impact of the height through the retention of the three heritage buildings, which establishes a pedestrian base for the proposal that is grounded in the historic character of Centertown. This also allows for a more contemporary expression in the high-rise portion of the site. The tower portion of the development is subordinate from the Legion House through its setback and is distinct from the heritage building as it is contemporary in design and materials. The tower is articulated with vertical elements which are intended to complement the

Legion building. The tower itself is separated from the historic building by a band of glazing which provides a clear distinction.

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. A HIA was prepared for this proposal by Commonwealth Historic Resource Management (Document 9). Heritage staff have reviewed the document and have determined that it meets the requirements of the City's Guidelines for HIAs.

The HIA concludes that:

This is a complex project with a number of objectives for this site aimed at developing the site as a 27- storey landmark tower, designed as the beacon. Its dramatic shape not only acts as a guide to the downtown core but will also be visible as a new iconic piece in the Ottawa skyline from the Queensway.

The slender shape of the tower with its sculpted facades, is designed to create visual interest from far and near. A large shroud crowns the building and flows upwards to capture the top of the tower. It bisects the building mass to emphasize the verticality of the tower and creates possibilities for outdoor spaces on the upper floors.

The two, Part V designated historic houses 444 and 436 MacLaren will be restored and integrated as an active part of the development. The intent is to lease 436 to a deserving community group and transform the house on the corner 444 MacLaren to a highly animated use. Both would maintain their primary entrances off MacLaren, with renewed landscapes to create spaces that transition into the new development and front lawns that maintain the east-west streetscape character.

Heritage staff generally concur with the findings of the HIA.

Conditions

A number of conditions are recommended as part of the approval:

- a) The approval of the Official Plan Amendment and Zoning By-law Amendment and Site Plan Control application

The proposal requires Official Plan Amendment, Zoning By-Law Amendment and Site Plan Control applications. A Holding Symbol is also being applied through the Zoning By-Law Amendment to ensure that the Landmark Building policies are implemented through the required final Site Plan Control process. The Landmark Policies in the Centretown and Minto Park HCD Plan were used to evaluate the proposal and as such the heritage permit is conditional upon the Planning Act approvals.

b) The applicant providing financial securities

Staff recommend that the owner be required to provide a Letter of Credit to the City in an amount equal to the estimated cost to conserve, restore and protect the Legion House. This Letter of Credit would be required prior to the issuance of any permits under the *Building Code Act* related to the deconstruction and would be held by the City until the conservation work on the historic building is completed. The amount of this security and the details of the agreement will be determined through negotiations between Heritage and Legal staff and the applicant.

c) Submission of final elevations of the high-rise portion of the proposal

In accordance with the Landmark Building policies of the Central Area and East Downtown Core Secondary Plan, a Landmark Building must be of exceptional design. The proposed development has been reviewed by a Special Design Review Panel (SDRP) on three occasions throughout the course of the Official Plan Amendment and Zoning By-law Amendment application processes.

As part of Site Plan Control, the application will again be reviewed by the SDRP, with a focus on the refinement of the tower design and materiality in response to the recommendations of the SDRP from April 14, 2023, as well as on the detailed design of the required privately-owned public space and sustainable design measures.

While Heritage staff believe that the current proposal meets the policies in the Minto Park and Centretown HCD Plan, staff are supportive of an additional review from the SDRP. Heritage staff believe that the architectural expression of the tower portion of the design could be more compatible with the Legion House and the Centretown HCD as a whole. Heritage Staff acknowledge that there is more flexibility in architectural expression of the upper floors of the proposed development, which have less of an impact on the public realm and character of the HCD. The recommendation is that the applicant submit a subsequent heritage permit application to be processed through the delegated authority process for the the final elevations of the tower portion of the design..

- d) The implementation of the conservation measures identified in the Conservation Plan

The Conservation Plan attached as Document 10 contains detailed conservation measures, which are to be implemented throughout the development process. To monitor the implementation, reports will be submitted by the applicant in consultation with their heritage consultant to the satisfaction of Heritage Planning Staff. The frequency and duration of the reports will be determined in consultation with Heritage Planning. This condition has been included to ensure that the building and its important attributes will be protected and conserved during the construction process.

- e) The applicant providing samples of all final exterior materials, including details for approval by Heritage Planning staff prior to the issuance of the building permit.

Staff have included a condition of approval to provide final material samples for heritage staff's approval, prior to the issuance of the building permit. As some of the materials have not yet been finalized, this condition will ensure that the final chosen products will be consistent with the HCD.

f) The applicant providing a Documentation and Salvage Plan

Staff have included a condition that the applicant be required to submit a Documentation and Salvage Plan to the satisfaction of Staff in Heritage Planning. The Documentation Plan will describe the documentation of the building that will be undertaken prior to the deconstruction. The documentation of the building will be submitted to the City of Ottawa Archives. The Salvage Plan will identify opportunities for salvaging or reuse of existing building materials.

Conclusion:

The Department recommends approval of the application to alter the buildings at 359 Kent Street, 344 and 346 MacLaren Street. The proposal conserves the existing heritage resources on the site, which maintains the cultural heritage value of both the buildings and the HCD. The proposal meets the applicable Policies and Guidelines in the Minto Park and Centretown HCD Plan by retaining the existing heritage buildings on MacLaren in their entirety; making the reconstructed Legion building a focal point of the development; setting back the height of the new building from the front façade and establishing a four-storey red brick podium to provide an appropriate transition to the residential streetscape to the east. The proposed conditions recommended in this report

will help ensure that the proposed work will be undertaken in a manner that conserves the heritage value of the building.

Recommendation 2: 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 3

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

The *Ontario Heritage Act* does not provide any timelines for the expiry of heritage permits. Given the scale, complexity and scope of the project, a four-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 19, 2023.

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

The Centretown Community Association was notified of the application on October 20, 2023.

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

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.

FINANCIAL IMPLICATIONS

The owner will be required to provide financial securities through a Letter of Credit in an amount equal to the cost to conserve, restore and protect 359 Kent Street prior to the issuance of any permits under the Building Code Act related to the deconstruction. The securities would be held by the City until the conservation work on the historic building is completed. The amount will be determined through negotiations between Heritage and Legal staff and the applicant.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

Servicing capacity requirements to be confirmed at time of site plan. No information provided to validate capacity.

APPLICATION PROCESS TIMELINE STATUS

The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on December 31, 2023.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Site Plan

Document 3 Elevations

Document 4 Renderings

Document 5 Site Photos

Document 6 Statement of Cultural Heritage Value HCD

Document 7 Structural Engineering Feasibility Review, Cunliffe and Associates

Document 8 Conservation Feasibility Review, Hobin Architecture

Document 9 Heritage Impact Assessment (on file with the Office of the City Clerk)

Document 10 Conservation Plan (on file with the Office of the City Clerk)


Document 11 Landscape Plan

DISPOSITION

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.

Document 1 – Location Map



	
D09-01KENT359	23-0737-D
I:\CO\2023\Heritage\Kent_359_MacLaren_436	
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>	
<small>Les données de parcelles appartiennent à Teranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE N'EST PAS UN PLAN D'ARPENTAGE.</small>	
REVISION / RÉVISION - 2023 / 08 / 15	

LOCATION MAP / PLAN DE LOCALISATION
HERITAGE / PATRIMOINE



359 rue Kent Street
436,444 rue MacLaren Street



Document 5 – Site Photos







