

August 1, 2024

File No.: 600651-1

SENT VIA E-MAIL (CityClerk-HeritageObjections@ottawa.ca)

Ms. Caitlin Salter MacDonald
Office of the City Clerk
City of Ottawa
110 Laurier Avenue West
Ottawa, Ontario, K1P 1J1

Dear Ms. Salter MacDonald:

Re: Notice of Objection for the Designation of 156 Rideau Street (152, 156-158 and 160 Rideau Street) under Part IV of the *Ontario Heritage Act*

1. We are counsel for Maniplex Investments Limited ("**Maniplex**"), which is the registered owner of the properties municipally known as 152, 156-158 Rideau Street, Ottawa, Ontario (the "**Property**").
2. We have reviewed the City of Ottawa's issued Notice of Intention to Designate and the subsequent City Council decision of June 25, 2024, and have significant concerns with respect to the aspects of the identified heritage attributes of the Property (the "**Heritage Attributes**").
3. Although Maniplex recognizes that the heritage designation of the Property may satisfy the criteria for determining cultural heritage value or interest, as set out in O. Reg. 9/06 under the *Ontario Heritage Act* (the "**Act**"), it has comments and concerns with respect to the identified Heritage Attributes that do not comply with the requirements under the *Act*. The City's standard practice is to utilize the Heritage Attributes to describe what shall be protected in the designating heritage by-law, and object on the basis that the Heritage Attributes as defined do not conform with the City's Official Plan policies.
4. On behalf of our client, we hereby object to the proposed designation of the Property pursuant to Section 29(5) of the *Act*. Set out below are the relevant facts and the reasons for this Notice of Objection.

Relevant Facts

Background on Property

5. The Property is located within a commercial block on the southwest corner of Dalhousie and Rideau streets in the Lowertown neighbourhood. The Property is comprised of three-buildings: 152 Rideau Street and 156-158 Rideau Street. 152 Rideau Street is a mixed-use, three-storey building and 156-158 Rideau Street is a mixed-use, two-storey building. 152 and 156-158 Rideau Street are all currently utilized for commercial use.

6. The Property is not adjacent to a property on the City's Heritage Register or to a Heritage Conservation District, and is designated as a Mainstreet in the Official Plan, recognizing the need for intensification. The Property has "as of right" permissions for high density mixed use. Further, the Property is in a state of disrepair, which negatively impacts the heritage value of the Property.
7. The Heritage Attributes proposed by the City are inconsistent with the City's planning policies that promote redevelopment of the site and intensification.

Reasons for Objection

8. ManiPLEX recognizes that the Property identified in the Notice of Intention to Designate may satisfy the criteria for designation on the basis of cultural heritage value or interest in accordance with the Act; however, several Heritage Attributes (Three-Storey Massing, Two-Storey Massing, and Flat roof) for the Property are unclear and/or overly broad. In particular:
 - a. Revise the Heritage Attributes noted as either "Key exterior attributes that contribute to the cultural heritage value of 152 Rideau Street as a good example of the Romanesque Revival style" or "Key exterior attributes that contribute to the cultural heritage value of 156-158 Rideau Street as a representative example of an early 20th century commercial building with Art Deco elements" to note that they are found on the north elevation, given that this is the portion of the building that is legible along the street;
 - b. Delete "Flat roof", as it is not visible from the street and does not support the identified criteria;
 - c. For Heritage Attributes noted as "Presence of a ground level storefront with display windows" it is unclear how the brick and aluminum storefront at the ground floor contribute to the value. These portions of the buildings are not original; the existing condition is not reflective of the original design or the commercial storefront vocabulary. Revise the attribute to, "At the ground level, storefront character and typical elements such as display windows";
 - d. Revise the Heritage Attributes noted as "The property's location on Rideau Street" to "The building's location fronting on Rideau Street"; and
 - e. Specifically for 152 Rideau Street, add to the Heritage Attribute noted as "Brick-cladding with carved stone accents" that this is found above the ground floor.
9. The manner in which many of the Heritage Attributes have been drafted by the City could adversely impact ManiPLEX's current and future operations of the Property. Furthermore, as defined the Three-Storey Massing, Two-Storey Massing, and Flat roof may severely and unjustifiably limit development potential of the Property (whether by ManiPLEX or a future owner) which will deplete the potential for intensification on a Mainstreet and contrary to the City's Official Plan policies.
10. Although ManiPLEX recognizes that the heritage designation of the Property is appropriate (as detailed by ERA) ManiPLEX must respectfully object to this unclear and overly generalized designation adopted by the City, which is not merited under the Act.

11. Should you require any further information with respect to this matter, kindly contact the undersigned.

Yours truly,

Dentons Canada LLP



Roberto Aburto
Partner

RDA/rnk

cc: Schuyleur Seccaspina, Property Owner (schuyler@gmail.com)
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