

Statement from Julie Harris, Professional Member, Canadian Association of Heritage Professionals (CAHP)

Date: 21 May 2024

RE: Designation of 501 Cole Avenue, Ottawa, ON by the City of Ottawa under subsection 29(11) of the *Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended*

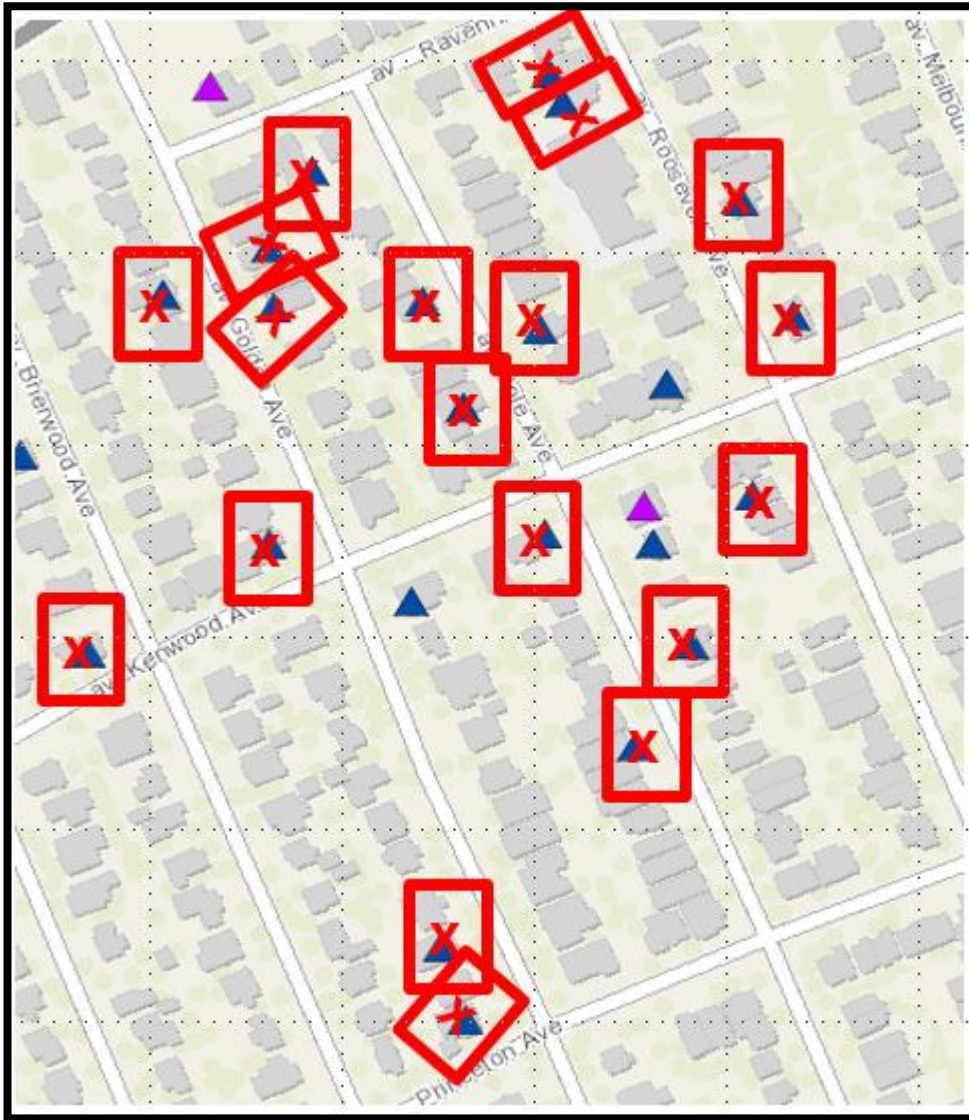
1 Background

- 1.1 In 2021, the Westboro Community Association requested that the property be designated based on the Association's claim that the property had "contextual value for its role in the early development of the Highland Park neighbourhood".
- 1.2 A Heritage Survey and Evaluation Form was prepared on 8 June 2022 by City of Ottawa staff and submitted for consideration by the Built Heritage Sub-Committee (as it was called at that time) for its meeting on 20 June 2022.
- 1.3 Staff researched and evaluated the property using the criteria in Ontario Regulation 09/06 for designation under the OHA. At that time (June 2022), a property could be designated under Part IV of the OHA if it met at least one (1) of nine (9) criteria.
- 1.4 As of January 1, 2023, a property may only be designated under Part IV of the OHA if it satisfies at least two of the criteria listed in O. Reg 9/06.
- 1.5 The staff report concluded that:
 - the property (specifically, the house) was of "limited" design or physical value;
 - the property was of "limited" associative (historical) value;
 - the property met two contextual values because it "supports the historic character of Highland Park" and is "visually and historically linked to its surroundings."; and
 - the property should not be designated because "the property's designation under Part IV of the Ontario Heritage Act would not contribute meaningfully to the City's designation program nor address any gaps in regard to associative or community histories not yet represented through heritage designation."
- 1.6 The staff report discussed, but did not provide evidence about, the subdivision being founded on a "vision" articulated and expressed by John E. Cole for a suburb that would be "affluent, cohesive, suburban." Cole was a property owner and developer who lived nearby and who likely aimed to have aimed to fill the subdivision with neighbours similar to himself – Protestant, of English ancestry, and with business or professional backgrounds – but no evidence, other than marketing literature, supports a specific "vision".
- 1.7 Staff asserted that the "property's large lot, general front lawn, mature trees, significant setback, and material palette" directly reflect Cole's vision. Some properties of the same era use different setbacks and other materials, so the vision was either unclear or not followed.

- 1.8 In his decision on the appeal of the property's designation under Part IV of the OHA, the OLT Member agreed that there was no evidence presented that the house was "physically, functionally, visually or historically linked to its surroundings" so this criterion was not discussed in the OLT Decision and is not a factor to be considered in writing the Statement of Cultural Heritage Value.
- 1.9 The sole criterion selected by the OLT Member to support designation was O. Reg., criterion 7 (of 9), namely, the Property "is important in defining, maintaining or supporting the character of an area", with the area being described by the Member as "roughly nine blocks in size."
- 1.10 The "character" described in the OLT Decision is the predominance of houses that are "modest in form or massing" [58] with "mature trees" [56] and "generous setbacks" [56]. No reference is made in the Decision to other materials, style or features of the property.
- 1.11 The By-law for the Designation of 501 Cole Avenue includes a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property.
- 1.12 For 501 Cole Avenue, the precise character of the Highland Park as the "area in question" [53] with a "definable sense of place" [60] is important to ensure that the By-law accurately reflects the reasons for the Designation. Unless the property "defines" the character of an area (which is not shown to be the case in the Decision), the attributes or characteristics of the area guide the choice of attributes assigned to the designated property. The only characteristics noted in the Decision about "the area in question" are that it features some early 20th century homes [58] that are "modest residential properties most being of one-and-half to two-storeys tall, with mature trees, and generous setbacks" [56].
- 1.13 The meaning of "generous setback" as a heritage attribute is not defined or described by the Member. The setback from the property line for the house at 501 Cole Avenue is about 5.7 m. The setback of houses on properties that had been listed on the Heritage Register vary but include 8.1 m (534 Golden Avenue); 8.8 m (536 Golden Avenue); 8.9 m (520 Cole Avenue); and 5.4 m (513 Cole Avenue). New houses (built within the past few years) also have general setbacks, such as the 8.1 m setback from 520 Cole Avenue. Many older houses have shorter setbacks than 501 Cole Avenue, such as 519 Cole Avenue (5.4 m).
- 1.1 The Member decided [64] that the property "has contextual value as it helps define, support, and maintain the character of the area in question." Elsewhere, however, the Decision states that the subject property "is an early 20th century home set in this early suburb, together with many other such residential homes. Thus, it clearly maintains and supports the character of the area" [58]. The word "defines" is omitted.
- 1.2 The Member supported the Decision by stating "There are many listed and designated properties in and around the area, and indeed, an important designated home immediately beside the Property" [60]. Today (May 2024), however, the house beside 501 Cole Avenue, known as Cobble Cottage, is still designated, but the number of properties on the Heritage Register has dropped from 23 to 3 since the Decision was published (See: Report to the Built Heritage Committee, 9 April 2024 and Council 17 April 2024, online

at [Subject matter - Report to Committee \(escribemeetings.com\)](http://Subject%20matter%20-%20Report%20to%20Committee%20(escribemeetings.com))).

- 1.3 The illustration below shows properties that were listed on the Ottawa Heritage Register when the OLT Decision was published, with red boxes around the properties that have been removed from the Register. One property – the former church at 415 Kenwood Avenue, (which met five (5) of nine (9) O. Reg. 9/06 criteria) – has been fully designated.



- 1.4 It remains my opinion that the property does not satisfy any of the criteria listed in O. Reg 9/06 other than criterion 7.

2 Review of the By-law and Statement of Cultural Heritage Value and Description of Heritage Attributes, By-law 2022-348 (1 May 2024)

Current (1 May 2024) Version	Recommended Revisions
<p>Description of Property: 501 Cole Avenue, Ottawa</p> <p>The house located at 501 Cole Avenue is a two-and-one-half storey, red brick clad building with a truncated hip roof constructed in 1913. The property is located south of Kenwood Avenue on the east side of Cole Avenue in the Highland Park neighbourhood in Ottawa’s west end.</p>	<p>Description of Property: 501 Cole Avenue, Ottawa</p> <p>The property* located at 501 Cole Avenue includes a two-and-one-half storey, red brick clad building with a truncated hip roof constructed in 1913. The property is located south of Kenwood Avenue on the east side of Cole Avenue in the Highland Park neighbourhood in Ottawa’s west end.</p> <p>(* designation refers to a property.)</p>
<p>Statement of Cultural Heritage Value or Interest</p> <p>501 Cole Avenue has contextual value because it helps to define, maintain, and support the character of Highland Park. It is an archetypal example of a house in Highland Park, one of Ottawa’s oldest suburbs. Highland Park was established in 1898 after dairy farmer John E. Cole subdivided his lands for sale as residential properties. The area is generally characterized by houses like 501 Cole Avenue; modest residential properties, typically one-and-a-half to two-storeys tall, with generous setbacks and mature trees.</p>	<p>Statement of Cultural Heritage Value or Interest</p> <p>501 Cole Avenue has contextual value because it helps to maintain and support the character of Highland Park.** It is an example of a house in Highland Park, one of Ottawa’s oldest suburbs. Highland Park was established in 1898 after dairy farmer John E. Cole subdivided his lands for sale as residential properties. The area is generally characterized by houses like 501 Cole Avenue; modest residential properties, typically one-and-a-half to two-storeys tall, with generous setbacks and mature trees.</p> <p>(** The Decision explicitly states that the property maintains and supports the character of the area in question. The word “defines” is omitted.)</p>
<p>Description of Heritage Attributes</p> <p>Key attributes that express the contextual value of 501 Cole Avenue are:</p> <ul style="list-style-type: none"> • The two-and-one-half-storey massing of the house with a hipped roof, red brick cladding and open two storey front porch; • The generous setback of the house 	<p>Description of Heritage Attributes</p> <p>Key attributes that express the contextual value of 501 Cole Avenue are:</p> <ul style="list-style-type: none"> • The two-and-one-half-storey house;*** • The generous setback of the house from Cole Avenue; and

<p>from Cole Avenue;</p> <ul style="list-style-type: none">• The green front lawn fronting Cole Avenue; and,• The mature trees situated along the property lines.	<ul style="list-style-type: none">• The property's mature trees.**** <p>(*** No construction material is identified as being relevant to the character of the area. A similar house rendered a combination of wood, stucco and brick, for example, would also be of heritage value.</p> <p>**** Changed for clarity to focus on the designated property.)</p>
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