

**Subject: Adoption of new Heritage Conservation District Plans: ByWard Market
and Lowertown West Heritage Conservation Districts**

File Number: ACS2024-PDB-RHU-0003

**Report to Built Heritage Committee on 8 October 2024
and Council 16 October 2024**

**Submitted on September 26, 2024 by Court Curry, Manager, Right of Way,
Heritage, and Urban Design Services, Planning, Development and Building
Services**

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Ward: Rideau-Vanier (12)

**Objet: Adoption de nouveaux plans de districts de conservation du patrimoine:
Districts de conservation du patrimoine du marché By et de la
Basse-Ville Ouest**

Dossier : ACS2024-PDB-RHU-0003

Rapport au Comité du patrimoine bâti

le 8 octobre 2024

et au Conseil le 16 octobre 2024

**Soumis le 26 septembre par Court Curry, Gestionnaire, Services des emprises,
du patrimoine, et du design urbain, Direction générale des services de la
planification, de l'aménagement et du bâtiment**

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Quartier : Rideau-Vanier (12)

REPORT RECOMMENDATIONS

That the Built Heritage Committee recommend that Council:

1. Adopt the proposed Heritage Conservation District Plan for the ByWard Market Heritage Conservation District by-law, as shown in Document 1;
2. Adopt the proposed Heritage Conservation District Plan for the Lowertown West Heritage Conservation District by by-law, as shown in Document 2;
3. Direct Legal staff not to list the by-laws to adopt the Heritage Conservation District Plans for the ByWard Market and Lowertown West HCDs until after the Provincial Planning Statement, 2024 comes into force;
4. Direct Heritage Planning staff with Legal Services staff to register the designation by-law for the ByWard Market HCD or the Lowertown West HCD (as applicable), on title for the individually designated properties listed in Document 4;
5. Direct Heritage Planning staff with Legal Services staff to review the property parcels within the existing ByWard Market HCD and the Lowertown West HCD boundaries to identify any parcel anomalies and delegate authority to staff to correct said anomalies by preparing an amending designation by-law for the applicable HCD to be registered on title;
6. Direct Building Code Services and Heritage Planning Staff to continue to review the Permanent Signs on Private Property By-law in the context of the proposed ByWard Market or Lowertown West HCD Plans and bring forward amendments necessary.

RECOMMANDATIONS DU RAPPORT

Que le Comité du patrimoine bâti recommande au Conseil :

1. D'adopter le plan de district de conservation du patrimoine proposé pour le règlement sur le District de conservation du patrimoine du marché By, comme le montre le document 1;
2. D'adopter le plan de district de conservation du patrimoine proposé pour le règlement sur le District de conservation du patrimoine de la Basse-Ville Ouest, comme le montre le document 2;

- 3. De demander au personnel des Services juridiques d'attendre que la Déclaration provinciale sur la planification de 2024 entre en vigueur pour inscrire les règlements en vue d'adopter les plans des districts de conservation du patrimoine (DCP) pour les DCP du marché By et de la Basse-Ville Ouest;**
- 4. De demander au personnel de la Planification du patrimoine et le personnel des Services juridiques d'enregistrer le règlement sur la désignation pour le DCP du marché By ou le DCP de la Basse-Ville Ouest (selon le cas), sur les titres des propriétés désignées individuellement qui sont énumérées dans le document 4;**
- 5. De demander au personnel de la Planification du patrimoine et le personnel des Services juridiques d'examiner les parcelles de terrain à l'intérieur des limites existantes du DCP du marché By et du DCP de la Basse-Ville Ouest afin de relever d'éventuelles anomalies dans ces parcelles et de déléguer au personnel le pouvoir de corriger les anomalies en préparant un règlement de désignation modificateur pour le DCP applicable à enregistrer sur les titres de propriété;**
- 6. De demander au personnel des Services du Code du bâtiment et de la Planification du patrimoine de continuer à examiner le Règlement régissant les enseignes permanentes sur les propriétés privées dans le contexte des plans proposés pour le DCP du marché By ou de la Basse-Ville Ouest et de présenter les modifications nécessaires.**

EXECUTIVE SUMMARY

This report recommends the adoption of Heritage Conservation District (HCD) Plans for the ByWard Market HCD and for the Lowertown West HCD. The HCD Plans have been prepared in accordance with the requirements of the *Ontario Heritage Act* (OHA), which if adopted by Council, will provide the direction to help conserve their cultural heritage resources and manage change within the HCDs. If the proposed HCD Plans are adopted by City Council, they will replace the existing previously-approved guidelines and a by-law for each HCD will be prepared for Council approval.

The Ward Councillor is aware of this report. Heritage Ottawa, the Lowertown Community Association, individuals who had previously indicated interest in the project and all property owners within the boundaries of each HCD were notified of this report.

RÉSUMÉ

Le présent rapport recommande l'adoption des plans de districts de conservation du patrimoine (DCP) pour le DCP du marché By et le DCP de la Basse-Ville Ouest. Les plans de DCP ont été préparés conformément aux exigences de la *Loi sur le patrimoine de l'Ontario* (LPO). S'ils sont adoptés par le Conseil, ces plans fourniront les directives permettant de conserver les ressources du patrimoine culturel s'y trouvant et de gérer les changements dans les DCP. Si les plans de DCP proposés sont adoptés par le Conseil municipal, ils remplaceront les lignes de conduite existantes ayant été précédemment approuvées et un règlement sera préparé pour chaque DCP en vue d'être approuvé par le Conseil.

La conseillère du quartier est au courant de ce rapport. Patrimoine Ottawa, l'Association communautaire de la Basse-Ville, les personnes qui avaient manifesté leur intérêt pour ce projet et tous les propriétaires à l'intérieur des limites de chaque DCP ont été avisés de l'élaboration du présent rapport.

BACKGROUND

The ByWard Market HCD was designated under Part V of the *Ontario Heritage Act* in 1991 through By-law 61-91 and includes approximately 145 properties. The Lowertown West HCD was designated in 1994 through By-law 192-94 and includes approximately 560 properties. At the time of their designation, City Council adopted a set of guidelines for each HCD in order to manage how the areas should evolve and change over time.

In 2005, the OHA was revised to require heritage conservation district plans for new HCDs. There is no requirement to update older HCDs to include heritage conservation district plans; however, Section 41.1 (2) of the OHA provides the ability for Council to pass a new by-law adopting an HCD plan for existing HCDs. An HCD plan, adopted by by-law, provides tools to manage change in an HCD and a greater level of protection for the cultural heritage character of an HCD. The City has been working to adopt HCD plans for all districts designated before 2005.

The Heritage Planning Branch initiated the project to update the Lowertown West and ByWard Market HCDs in 2021. The study included three goals:

1. Analyze the properties located outside the ByWard Market Heritage Conservation District, between Dalhousie Street, Rideau Street, King Edward Avenue and Murray Street to determine candidacy for Part IV designation.

2. Update the heritage inventory of properties located within the Lowertown West and ByWard Market Heritage Conservation Districts.
3. Develop a Heritage Conservation District Plan for the existing Lowertown West and ByWard Market Heritage Conservation Districts.

To address the first goal, staff have reviewed and evaluated the properties outside of the HCDs as noted above and since January 1, 2024, Council has recommended 10 properties for designation ([ACS2024-PRE-RHU-0038](#), [ACS2024-PDB-RHU-0048](#), [ACS2024-PDB-RHU-0058](#), [ACS2024-PRE-RHU-0010](#), [ACS2024-PRE-RHU-0026](#)) under Part IV of the *Ontario Heritage Act*.

In 2021, the City retained Sally Coutts Heritage Consulting Inc. to undertake a review of all the properties within the boundaries of both HCDs and prepare a heritage conservation district plan for each HCD. No changes are proposed to the current boundaries of either the ByWard Market or Lowertown West HCDs. The attached HCD Plans for the ByWard Market HCD (Document 1) and for the Lowertown West HCD (Document 2) have been prepared in accordance with the post-2005 OHA. If approved, the Plans will replace the previous guidelines for both HCDs passed by Council and achieve the remaining goals of the project.

Should City Council adopt the proposed HCD Plans for the ByWard Market and Lowertown West HCDs, staff will bring forward a by-law for adoption to City Council at a future meeting. Should Council pass the by-law, there is a 30-day appeal period during which any member of the public can appeal the by-law. Appeals are forwarded to the Ontario Land Tribunal for a hearing.

This report has been prepared as City Council approval is required to adopt HCD Plans under Part V of the OHA, after consultation with the Built Heritage Committee.

DISCUSSION

Recommendations 1 and 2

The Official Plan, Provincial Policy Statement (2020), Provincial Planning Statement (PPS 2024), and the OHA all provide policy direction related to designated properties in heritage conservation districts.

Provincial Policy Statement (2020)

Staff have determined that the proposed HCD Plans for the ByWard Market and Lowertown West HCDs are consistent with the Provincial Policy Statement (PPS), 2020.

Section 2.6.1 of the PPS stipulates that “significant cultural heritage landscapes shall be conserved.” The proposed HCD Plans provide clear direction regarding the conservation of both existing HCDs.

Provincial Planning Statement (2024)

On August 21, 2024, the Province announced that the Provincial Planning Statement (2024) will replace the existing Provincial Policy Statement (2020) and is expected to come into effect on October 20, 2024. Section 4.6.1 of the new PPS stipulates that “protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.” The proposed HCD Plans provide clear direction regarding the conservation of both existing HCDs. Accordingly, the proposed HCD Plans will also be consistent with the new PPS 2024.

Official Plan

Section 4.5 of the Official Plan (2022), “Cultural Heritage and Archaeology,” contains policies to achieve the City’s goal to protect cultural heritage resources. This section provides the authority for Council to designate and manage heritage conservation districts.

The City’s Official Plan also contains policies related to Special Districts, which are recognized as parts of the city that are,

“...important internationally, nationally and to the metropolitan area. They define the image of the city through their cultural heritage value, architecture, public realm, their roles as tourist attractions and/or as major economic generators.”

Portions of both HCDs fall within the ByWard Market Special District (Section 6.6.2.3) and the Parliament and Confederation Boulevard HCD (6.6.2.1) All of the ByWard Market HCD boundary and portions of St. Patrick Street within the Lowertown West HCD boundary fall within the ByWard Market Special District area. Portions of both HCDs are also within the Parliament and Confederation Boulevard Special District (6.6.2.1) near Sussex Drive. The policies for both Special Districts are consistent with the proposed HCD Plans; both the Official Plan and HCD Plans are intended to be read in conjunction when development is contemplated within the HCD.

Ontario Heritage Act

The *Ontario Heritage Act* allows municipalities to adopt, by by-law, an HCD plan for districts that were designated prior to 2005. Section 41.1 (5) of the OHA, notes that an HCD plan must include:

- A statement of the objectives to be achieved in designating the area as a heritage conservation district;
- A statement explaining the cultural heritage value or interest of the heritage conservation district;
- A description of the heritage attributes of the heritage conservation district and of properties in the district;
- Policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and
- A description of the alterations or classes of alterations that are minor in nature and do not require a heritage permit.

In 2022, as a result of Bill 23, the *Ontario Heritage Act* was amended to include prescribed criteria for any new HCDs. HCDs designated prior to the amendments in 2005 are not required to meet the newly prescribed criteria.

The proposed HCD Plans that have been prepared for each HCD (attached as Documents 1 and 2) meet the above requirements. They are intended to provide direction and guidance for the management of the ByWard Market and of the Lowertown West HCDs to help planners, homeowners, architects, policy makers and developers to conserve and honour the HCDs' cultural heritage values and resources into the future.

Overview of the HCD Plans

The proposed HCD Plans are very similar to each other and are organized in the same manner. Each HCD Plan is divided into four parts:

- Part A provides an overview of the policy framework that will support the HCDs and outlines their cultural heritage values, attributes and the statement of objectives of the Plan;

- Part B provides the policies and guidelines for managing conservation, repair and change in the HCDs. The policies provide direction for conserving the Districts' cultural heritage value and managing changes within them and are required components of the Plan; the guidelines provide both general guidance as well as specific technical instructions on achieving the associated policy, while acknowledging that there may be a variety of strategies for satisfying any policy.
- Part C provides an overview of how the Plan is intended to be implemented through the heritage permit process and when a heritage permit is required;
- Part D provides a glossary of defined terms used in the Plan, references, as well as Appendix A, which provides some answers to Frequently Asked Questions related to HCD designation, and Appendix B which lists the properties in each HCD and indicates their category (e.g. Contributing or Non-contributing)

A Statement of Cultural Heritage Value has been prepared for each HCD, that builds on the "Heritage Character Statements" included as part of the original HCD Studies to include some additional values raised by stakeholders through this update project not previously captured, as well as acquired values, reflecting the evolution of both areas overtime since their original designation.

Similarly to the City's other recent HCD Plans, the documents are divided into sections relating to the most common types of alterations: demolition and relocation (Section 5), conservation and repair (Section 6), alterations (Section 7), additions (Section 8), new construction (Section 9), as well as landscaping, parks and public realm considerations (Section 10). The Plans provide direction in the form of policies, being the required components, and guidelines, which provide more discretion and often technical guidance in order to achieve the policies. Some policies are enabling and outcome or impact based and are intended to support a range of methods that may be used to achieve their intent.

Given the variety of buildings and structures within the boundaries of the HCDs, the Plans provide some specific direction according to building type (e.g. commercial or mixed-use buildings that form part of the historic main streets in the HCDs) and depending on how a property contributes to the cultural heritage value of its HCD (i.e. "Contributing" and "Non-contributing").

Inventory Update: Review and Evaluation

When the HCDs were originally designated, a building-by-building inventory and evaluation was undertaken in cooperation with the community. As was the City's practice at the time, all buildings were scored individually and assigned a category from one to four (one being the most significant buildings and four being the least); Heritage Survey Forms with this evaluation are held on file with the City of Ottawa and copies are available upon request.

A full re-evaluation of all properties in the HCDs was not part of this project, however, given that 30 years have passed since the initial evaluation, the inventory was updated through a review of all buildings to determine which buildings had been altered, restored or removed since designations in the 1990s. Every building was photographed and the information compiled on the buildings and included on the original Heritage Survey Forms were transferred to a digital database. The properties were then reviewed and classified for their contribution to the cultural heritage value of their respective HCD.

Property Categories

Generally, properties that had been evaluated in the original 1990s inventories to be Categories 1, 2, or 3 became "Contributing." For the ByWard Market HCD, of the 91 previous Category 4s, four were re-classified as "Contributing"; in Lowertown West, 32 were re-classified as "Contributing." New "Property Snapshot" Forms were created for new Contributing properties. These forms are held on file and are available upon request as well.

Contributing properties have design, historic and/or associative or contextual value thereby expressing the overall cultural heritage value of the heritage conservation district; they are intended to be conserved and retained. These properties were classified as 'Contributing' if they met the following criteria:

- They were constructed during the HCD's period of highest significance;
- They feature attributes that reflect the values identified in the HCD's Statement of Cultural Heritage Value and List of Attributes.

Given the long history of the HCDs and their evolution over time, many Contributing properties have been in modified or, in some cases heavily altered. These properties may still contribute to the overall value of their HCD by virtue of their age and street presence. In Lowertown West, there may be some cases where a heavily altered

building may be contemplated for demolition, provided that certain criteria (as outlined in Section 5) can be met.

Non-contributing properties are those that do not express the areas' heritage character and may be contemplated for demolition. In the ByWard Market HCD, the community expressed a strong desire to create a third category in order to recognize properties that had been constructed following the HCD's original designation in 1991, which are highly inspired by surrounding historic buildings. Despite being contemporary, they have been designed in the style of the HCD's early buildings, in some cases where the previous building was lost to a fire. Accordingly, there are 10 properties assigned to a "Contextual" category. The design of these properties reflect philosophies about heritage conservation at the time and is a theme reflected throughout the ByWard Market HCD. For the purposes of the ByWard HCD Plan, these properties are intended to be treated similarly to those in the non-contributing category in terms of encouraging sympathetic alterations, but they may be contemplated for future demolition.

Policies and Guidelines: Conservation Approaches

The purpose of an HCD Plan is not to freeze an area in time, but instead to manage how change and development should occur sensitively and compatibly. The proposed HCD Plans seek to conserve Contributing buildings, their historic fabric and elements, carrying forward much of the technical guidance contained in the original study guidelines', including general principles for dealing with some of the very altered buildings in Lowertown West (Section 6.0).

Should owners wish or need to make alterations, the Plans outline approaches for a variety of different scenarios related to different building components or types of alterations (Section 7.0). The Plans also provide direction and guidance related to additions (Section 8.0), for how existing Contributing buildings should be incorporated into redevelopments (Section 9.1), and for how new buildings in general could be designed to fit compatibly within the HCDs and conserve their sense of place (Section 9.0). Accordingly, the Plans also contemplate locations where additional height may be less impactful:

- For the ByWard Market, the HCD Plan has have been drafted to ensure that new development conserves the HCD's important sense of place by remaining generally low-rise, ensuring the Market Building continues to be a focal point in the historic core of the HCD, and that Contributing buildings remain prominent. This could include locations away from the Market Building and the historic core of the market area, generally up to the lower-mid-rise range on Dalhousie Street.

- For the Lowertown West HCD, the Plan speaks more broadly about height recognizing the mix of building types and scale, and recommends that development take cues from the scale of existing Contributing buildings to ensure that impacts of new development on those buildings can be mitigated through design measures. For the Lowertown West HCD, this could include locations on Dalhousie Street up to the lower-mid-rise range, or on King Edward Avenue, generally up to the mid-rise range.
- Both Plans place a particular focus on ensuring the conservation of the primacy of the spires of the former St. Brigid's Church and Notre Dame Basilica.

Section 9.2 in both Plans outlines policies regarding scenarios in the locations outlined above, as well several requirements to satisfy regarding impact mitigation should those scenarios arise. Given that the boundaries of both HCDs are contiguous, where there is potential for properties or projects to span both HCDs, the Plans provide the same direction.

Additionally, the HCD Plan for Lowertown West acknowledges the concentration of larger institutional buildings within the boundaries and recognizes that many of these sites are facing a variety of often complex challenges from diminishing congregation sizes, to providing updated and accessible facilities, or finding appropriate new uses that avoid compromising their cultural heritage value and attributes. These sites are also often located on larger property parcels, that may lend themselves to redevelopment. Section 9.2 of the Plan for Lowertown West acknowledges that to address some of these challenges, there may need to be pragmatic and sometimes creative solutions, including the potential for greater height beyond the locations noted above (Policy 4), and the potential to remove the remaining structure at 287 Cumberland Street (Policy 5).

Aligning with Planning Policy

The City's Official Plan provides the following policies related to intensification and density in the context of designated properties:

3.2 13) Where development occurs on properties designated under the Ontario Heritage Act, intensification targets and minimum density requirements are encouraged to be met through context-sensitive infill that conserves cultural heritage attributes. This development shall respect Statements of Cultural Heritage Value and be consistent with applicable Heritage Conservation District guidelines.

4.5.2 3) Heritage designation is, in part, intended to ensure contextually appropriate development and is not intended to discourage intensification or limit housing choice. Elements of the built form, including height, scale and massing, of such development shall ensure that the defined cultural heritage value and attributes of the property or HCD will be conserved, while balancing the intensification objectives outlined throughout this Plan.

Section 5.1.4 policies 3 and 4 also provide direction related to Main and Minor Corridors in the Downtown Transect. Within the ByWard Market and Lowertown West HCDs, Sussex Drive and King Edward Avenue are considered Main Street Corridors, while St. Patrick and Dalhousie Streets are Minor Corridors. These policies contemplate building heights of up to nine storeys on these streets, subject to providing appropriate height transitions, incorporating stepbacks and angular planes, and satisfying criteria related to site size, building orientation and location.

Staff and the consultant have had regard for these policies in the development of the draft HCD Plans for the ByWard Market and Lowertown West HCDs and are of the opinion that they are consistent with and will support the objectives of the City's Official Plan. The proposed HCD Plans define the cultural heritage values and attributes to be conserved and the Plans, as proposed, contemplate adding density and intensifying within the HCDs through compatibly-designed additions to existing buildings (Section 8), through the development of vacant lots or replacement of Non-contributing properties with new contextually-sensitive infill (Section 9.0 and 9.2) and by incorporating Contributing buildings into bigger redevelopment projects (Section 9.1).

Further, the department is currently in the process of preparing a new Zoning By-Law to implement the Official Plan approved in 2022. Heritage and Planning Policy Staff are working closely to review the first draft and specific zoning designations proposed in HCDs will be reviewed internally as part of subsequent drafts.

Recommendation 3

The new Provincial Planning Statement (PPS 2024) is expected to come in to effect on October 20, 2024. Should Recommendations 1 and 2 be approved, staff are seeking direction to bring the associated by-laws forward for enactment, after the PPS 2024 comes into effect to ensure these documents remain consistent.

Recommendation 4 and 5- Designation by-law registration on title

The ByWard Market and Lowertown West HCDs were designated under Part V of the OHA in 1991 and 1994 respectively. In addition, both HCDs feature several heritage

resources that have been recognized for their significance individually under Part IV of the OHA in addition to the contribution they make to the HCDs. Prior to amendments in 2005, the OHA did not permit properties to be both designated individually under Parts IV and V of the OHA. As such, the HCD designation bylaw would not have been registered on the title of any properties within the boundaries of either HCD that were already designated under Part IV. Today, Section 41 (2.2) provides the mechanism for properties to be designated under both Parts of the *Act*. To ensure accuracy of the title records, direction is being sought to ensure that the original designation by-laws for the relevant HCD are registered correctly on title for properties within the HCDs' boundaries, and to undertake the registration of the designation by-law for any properties that were individually designated prior to the designation of the HCDs.

Recommendation 6- Review and update of the Permanent Signs on Private Property By-law

Section 40 (2) (d) of the OHA permits municipalities to make recommendations related to changes that may be required to the Official Plan, Zoning By-law or other by-laws in order to implement an HCD Plan. The draft HCD Plans have been reviewed by a range of internal departments for consistency with other City documents, bylaws and programs and to ensure they are as resilient as possible.

The draft Plans for ByWard Market and Lowertown West have sections related to signage. Staff have reviewed the by-law against the proposed HCD Plans and are of the opinion that they are aligned. However, there may be updates to the Permanent Signs on Private Property By-law (2016-326) that could allow for increased efficiency and streamlined processing of sign permits. Accordingly, a recommendation has been included seeking direction to reassess the heritage-related provisions in the Sign By-law in the context of the proposed HCD Plans, and bring forward amendments as necessary.

Conclusion

The Heritage Planning Branch recommends the adoption of the new HCD plans for the ByWard Market HCD and for the Lowertown West HCD as they comply with the requirements of a plan enumerated in the OHA. The HCD Plans will provide a stronger framework for the protection of the HCDs' cultural heritage values and resources into the future, in a manner that aligns with the current Planning framework currently in place. The adoption of the proposed HCD Plans will achieve the City's priority to update two pre-2005 HCDs. Staff also recommend the approval of the aforementioned

technical recommendations to ensure alignment with related policy and bylaw documents as well as accuracy of title details.

FINANCIAL IMPLICATIONS

There are no direct financial implications. The work associated with implementing the recommendations are within existing resources.

LEGAL IMPLICATIONS

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

CONSULTATION

Consultation with the community is an important part of the Heritage Planning Branch's designation program. The project to update the ByWard Market and Lowertown West HCDs and the preparation of the HCD Plans have benefited from several public consultation components beyond the requirements outlined in the OHA to engage with residents and stakeholders. This has included establishing a working group for each HCD made up of members with a range of backgrounds and interests, an online survey, briefings with the Lowertown Community Association, "Pop-up" kiosks in George Street Plaza and Bingham Park, as well as a mix of virtual and in person public information meetings. A summary of the consultation process and each component as well as a summary table of the comments received on the draft HCD Plans have been provided in Document 3.

Consultation Requirements

Section 41.1 (6) of the OHA requires public consultation prior to City Council passing a by-law adopting an HCD Plan. As per Section 41.1 (6), the municipality must ensure that:

- a) Information related to the proposed heritage conservation district including a copy of the plan is made available to the public;
- b) At least one public meeting is held with respect to the proposed Heritage Conservation District Plan; and
- c) If the council of a municipality has established a municipal heritage committee under Section 28, the committee is consulted with respect to the proposed heritage conservation district plan.

Section 41.1 (7) and (8) require that notice of the public meeting be provided to anyone who may have an interest in the plan, at least 20 days prior to the meeting. The October 8, 2024 Built Heritage Committee (BHC) meeting will serve as the public meeting required by the OHA. All property owners within the boundaries of each HCD were notified of the meeting by mail on August 19, 2024 and August 26, 2024.

The Lowertown Community Association, Heritage Ottawa, and members of the public who previously expressed interest in the project were also notified of this report. Copies of an early version of the draft HCD Plans were posted on the City's project page for review and feedback in June 2023 to correspond with two open house sessions; revised drafts were circulated to stakeholders in August 2024 and posted on the project page in the beginning of September 2024.

Should the Plans be approved by by-law by Council, notices of Council's decision will be served on property owners in the boundaries of appropriate HCD. Per by-law 2002-522, as amended, the Notice of Passing of the bylaws will be published online on the City's website in both official languages.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor has been advised of this report.

ACCESSIBILITY IMPACTS

One of the objectives included in both of the proposed HCD Plans is to promote awareness of and to celebrate the cultural heritage values of the ByWard Market and Lowertown West HCDs for everyone. The Plans also encourage the adaptive reuse of buildings so that current and future generations can continue to enjoy them.

Accordingly, the proposed HCD Plans includes policies and guidelines to guide how buildings and spaces can change and adapt for all users, while still conserving the Districts' history and significance.

ASSET MANAGEMENT IMPLICATIONS

A number of City-owned properties fall within the boundaries of the subject HCDs. Given that the designation remains unchanged, there will be no new implications associated with recommendations of this report.

ENVIRONMENTAL/ CLIMATE IMPLICATIONS

The prepared HCD Plans seek to conserve and protect historic buildings and structures and the embodied carbon they contain. The proposed policies and guidelines provide

direction to repair elements before considering replacement, encourage salvaging historic material when possible, and generally discourage demolition. The Plans also provide appropriate flexibility for owners to explore opportunities to retrofit their properties and improve energy efficiency, while providing guidance to do in ways that are sensitive to the cultural heritage value of the HCDs.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

SUPPORTING DOCUMENTATION

Document 1 Heritage Conservation District Plan for the ByWard Market Heritage Conservation District

Document 2 Heritage Conservation District Plan for the Lowertown West Heritage Conservation District.

Document 3 Consultation Summary and Comments Received

Document 4 List of Individually Designated Properties

DISPOSITION

Following consultation with the Built Heritage Committee (BHC) and should Council adopt the HCD Plans for the ByWard Market and Lowertown West HCDs as outlined in Documents 1 and 2, the Heritage Planning Branch and Legal Services, to prepare the appropriate by-laws under Section 41.1 of the *Ontario Heritage Act* to submit to City Council for enactment.

Should Council pass the above noted by-laws, the Heritage Planning Branch, Planning, Development and Building Services Department together with the Office of the City Clerk, Council and Committee Services to cause Notice of Passage of the by-laws to be served on each property owner and on the Ontario Heritage Trust of Council's decision to adopt the Heritage Conservation District Plans for the ByWard Market and Lowertown West HCDs.

Heritage Planning Branch, Planning, Building and Development Department to ensure publication of the Notice of the Passage of the By-laws according to the requirements under Section 41 of the *Ontario Heritage Act*.

Should Council adopt the proposed HCD Plans for the ByWard Market and Lowertown West HCDs, Legal Services with Planning, Development and Building Services Department, shall, for the individually designated properties located within the applicable HCD boundary as listed in Document 4, ensure that a copy of the designating by-law for the appropriate HCD (i.e. ByWard Market HCD By-law 61-91 or Lowertown West HCD By-law 192-94) be registered, in the appropriate land registry office.

Should anomalies related to parcels within the boundaries of either HCD be identified and require correction, Heritage Planning Branch and Legal Services, to prepare the appropriate amending by-laws as necessary to submit to City Council for enactment.

Should Council pass the above noted amending by-laws, the Heritage Planning Branch, Planning, Development and Building Services Department together with the Office of the City Clerk, Council and Committee Services to cause Notice of Passage of the by-laws to be served on each property owner impacted by the amendment and on the Ontario Heritage Trust of Council's decision.

Document 4 - List of Individually Designated Properties

ByWard Market HCD		
<i>PIN</i>	<i>Municipal Address</i>	<i>Name</i>
42150117	55 By Ward Market Square	ByWard Market Building
042150090	38 Clarence Street	Former City Hotel
42150148	74 George Street	Former 63-64 William Street
42800134	555 Mackenzie Avenue	Connaught Building
42150058	55 Murray Street	Martineau's Hotel
42150055	89 Murray Street	89-91 Murray Street
42150024	419 Sussex Drive	
42150114	18 York Street	
42150107	41 York Street	St. Louis Hotel
42150256	54 York Street	
42150135	62 York Street	

Lowertown West HCD		
<i>PIN</i>	<i>Municipal Address</i>	<i>Name</i>
042160017	42 Bolton Street	McCloy House
042170011	163 Bolton Street	
042170010	165 Bolton Street	
042160195	9 Bruyère Street	Maison Mère, Soeurs Grises de la Croix
042170458	193 Cumberland Street	Rathier House
042170457	193 / Cumberland Street	
042170459	195 Cumberland Street	
042170460		
042170436	174 King Edward Avenue	Green House
042170437	176 King Edward Avenue	
155920000	159 Murray Street	École Guigues
042160082	117 St. Andrew Street	Maison Joseph Archambeault
042170169	188 St. Andrew Street	Foisey House
042170387	221 St. Andrew Street 223 St. Andrew Street	Maison Odillon Archambeault
042150024	138 St. Patrick Street	Rochon Residence
042150024	142 St. Patrick Street	Valade Residence
042150001	143 St. Patrick Street	Archbishop's Palace
042150026	150 St. Patrick Street	
042140161	310 St. Patrick Street	Former St. Brigid's Church
042150038	204 St. Patrick Street	Residence Brousseau
042150039	206 St. Patrick Street	
042150040	208 St. Patrick Street	
042150041	210 St. Patrick Street	
042140006	288 St. Patrick Street	Brûlé House

	290 St. Patrick Street	
042150001	385 Sussex Drive	Notre Dame Cathedral