

**Subject: Application for demolition at 267 O'Connor Street, a property designated under Part V of the *Ontario Heritage Act* as part of the Centretown Heritage Conservation District**

**File Number: ACS2024-PDB-RHU-0044**

**Report to Built Heritage Committee on 14 May 2024**

**and Council 29 May 2024**

**Submitted on May 3, 2024 by Court Curry, Manager, Right of Way, Heritage, and Urban Design Services, Planning, Development and Building Services**

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

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

**Ward: Somerset (14)**

**Objet: Demande de démolition au 267, rue O'Connor, une propriété désignée en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario* et située dans le district de conservation du patrimoine du centre-ville**

**Dossier : ACS2024-PDB-RHU-0044**

**Rapport au Comité du patrimoine bâti**

**le 14 mai 2024**

**et au Conseil le 29 mai 2024**

**Soumis le 3 mai 2024 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**

**Personne ressource: Anne Fitzpatrick, Urbaniste III, Planification du Patrimoine**

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

**Quartier: Somerset (14)**

## **REPORT RECOMMENDATION(S)**

**That the Built Heritage Committee recommend that Council:**

- 1. Approve the application to demolish the building at 267 O'Connor Street conditional upon:
 
  - a. The applicant constructing a Privately Owned Public Space in accordance with the requirements attached in Document 6.****
- 2. Delegate the authority to the General Manager, Planning, Development and Building Services Department to negotiate and execute a Development Agreement with the applicant for the design and construction of a temporary Privately Owned Public Space.**
- 3. Delegate the authority for minor design changes to the Program Manager, Heritage Planning, Planning, Development and Building Services.**
- 4. Approve the issuance of the heritage permit with a three-year expiry date from the date of the Development Agreement registration unless otherwise extended by Council.**

## **RECOMMANDATION(S) DU RAPPORT**

**Que le Comité du patrimoine bâti recommande au Conseil:**

- 1. D'approuver la demande de démolition du bâtiment situé au 267, rue O'Connor, sous réserve de la condition suivante:
 
  - a. Que le demandeur construise un espace public appartenant à des intérêts privés, conformément aux exigences décrites dans le document 6 ci-joint.****
- 2. De déléguer au directeur général, Direction générale des services de la planification, de l'aménagement et du bâtiment le pouvoir de négocier et d'exécuter une entente d'aménagement avec le demandeur en vue de concevoir et de construire un espace public temporaire appartenant à des intérêts privés.**
- 3. De déléguer au gestionnaire de programme, Planification du patrimoine, Direction générale des services de la planification, de l'aménagement et du bâtiment, le pouvoir d'apporter des changements mineurs de conception.**
- 4. D'approuver la délivrance d'un permis patrimonial d'une validité de trois ans, qui entrera en vigueur à la date d'enregistrement de l'entente**

**d'aménagement, sauf si la validité en est prolongée par le Conseil municipal.**

## **BACKGROUND**

### **Context**

This report has been prepared because the demolition of a building located on a property designated under Part V of the *Ontario Heritage Act* requires the approval of City Council. The application is for the demolition of the building at 267 O'Connor Street and the construction of a Privately Owned Public Space (POPS) as an interim measure in advance of a future development. The location map, site photos, and site plan for the POPS are attached as Documents 1, 2 and 3.

### **Description of site and surroundings**

The property is located on the east side of O'Connor Street between MacLaren and Gilmour Streets. The property contains a six-storey medical office building and a surface parking lot.

### **Cultural Heritage Value of the Site**

The Centretown Heritage Conservation District (HCD) was designated under Part V of the *Ontario Heritage Act* (OHA) in 1997. In 2022 an HCD Plan, applying to both the Centretown HCD and the Minto Park HCD, was approved by Council.

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, please refer to Document 4 - Statement of Cultural Heritage Value.

The property at 267 O'Connor Street is designated under Part V of the *Ontario Heritage Act* (OHA). The six-storey brick-clad building, which is located on the northwest corner of the property, was constructed as a medical office in 1958. The building is considered a non-contributing property within the Centretown Heritage Conservation District (HCD). The Heritage Survey form for the property is attached as Document 5.

## Planning Act Applications

There are no planning applications associated with the current application to demolish the building at 267 O'Connor Street. The building is a non-residential property and as such Demolition Control does not apply.

There are planning applications for the future redevelopment of the site. The City has received applications for an Official Plan Amendment ([D02-20-0101](#)) and a Zoning By-law Amendment ([D01-01-20-0019](#)) to facilitate the development of a proposed Landmark Building on the site. The proposed future development on the site will require a heritage permit application that will require the approval of City Council after consultation with the Built Heritage Committee.

The demolition of the building will require the removal of eight City-owned trees along MacLaren Street. The removal of these trees will require a permit and compensation, and will be coordinated with Forestry Services. A comprehensive landscape plan for the property will be submitted as part of the Landmark Building proposal, which must include tree planting in all Right of Ways surrounding this property.

## DISCUSSION

### **Recommendation 1: Approve the demolition of the building at 267 O'Connor Street**

The applicant's rationale for demolition is that the current leasing market and the building's existing conditions make it uneconomical to continue to operate and the building would remain vacant until it was redeveloped. The applicant has indicated that the target date for redevelopment of the property is 2026-2027. Heritage staff recommend approval of the demolition for the following reasons:

1. The building at 267 O'Connor Street is a non-contributing building in the HCD

The HCD plan identifies the subject property as "non-contributing", which means that the structure does not express or reflect the area's heritage character. The plan contemplates the demolition of non-contributing buildings, but a heritage permit is required. The demolition of the building at 267 O'Connor Street will not impact the cultural heritage value of the Centretown HCD.

2. The proposal meets the Centretown HCD Plan

Applications to demolish 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. Section 5.2 of the Centretown HCD Plan states:

Any application to demolish an existing building must be accompanied by plans for its replacement. ...In the rare instances when a replacement building is not proposed immediately, the proponent should submit plans for greening the property until its redevelopment.

In this instance, a replacement building is not proposed immediately and as such the applicant has submitted plans to temporarily green the property, through the construction of a Privately Owned Public Space (POPS). The POPS is a landscaped area, with grass, a pathway and two benches, located at the northwest corner of the site. The POPS will extend approximately 15.2 metres along O'Connor Street and 12.2 metres along MacLaren Street. Concrete barriers surrounding the footprint of the existing building will be installed to ensure the surface parking lot is not extended.

The submitted planning applications demonstrate progress towards the intended redevelopment of the site. It is important to note that the planning application received remain active and the proposed Landmark development is subject to change. The POPS will work as an interim condition for the site in advance of the redevelopment.

### **Conditions**

A condition is recommended as part of the approval:

**a) The applicant constructing a Privately Owned Public Space in accordance with the requirements attached in Document 6.**

The POPS will be executed through a development agreement between the City and Document 6 details the requirements for that Development Agreement. The POPS will be designed in accordance with the site plan prepared by Hobin Architecture Inc. and attached as Document 3. The construction of a POPS on the site will improve the condition of the property as a temporary measure in advance of a development and meets the policies in the Centertown and Minto Park HCD Plan.

The proposed POPS represents a small portion of the footprint of the existing building. Heritage Staff have accepted the reduced size of the POPS as the applicant has indicated that the existing building will not be demolished until the end of 2024, and they intend to start construction on the new development in 2026-2027. The Development Agreement will indicate that should a building permit for the new building not be issued by April 1, 2027, the applicant will increase the POPS to 50 per cent coverage of the existing footprint of the building. This condition was added to ensure the direction in the HCD Plan is met.

**Conclusion:**

Staff have reviewed the application for demolition of 267 O'Connor Street against the policies and guidelines of the Centretown and Minto Park HCD Plan. The Department recommends approval of the application to demolish the building at 267 O'Connor Street and construct a temporary POPS on the site. The building is a non-contributing property in the HCD and its demolition will not negatively impact the cultural heritage value of the HCD. The proposed condition recommended in this report will help ensure that the proposed work will be undertaken in a timely manner that conserves the heritage value of the HCD. The future development on the site will require an application under the *Ontario Heritage Act* to ensure it is compatible with the Centretown HCD.

**Recommendation 2:**

**Delegate the authority to negotiate and execute a development agreement with the applicant for the design and construction of a temporary Privately Owned Public Space.**

This recommendation is included to allow the General Manager of Planning, Development and Building Services to negotiate and execute a development agreement for the POPS.

**Recommendation 3:**

**Delegate authority for minor design changes to the Program Manager, Heritage Planning, Planning, Development and Building Services.**

Minor design changes may emerge during the working drawing phase of a project. This recommendation is included to allow the Heritage Planning Branch to approve these changes should they arise.

**Recommendation 4**

**Issue the heritage permit with a three-year expiry date from the registration of the Development Agreement.**

The *Ontario Heritage Act* does not provide any timelines for the expiry of heritage permits. Given the scope of the project and the associated timelines established through the conditions, a three-year expiry date is recommended.

**Provincial Policy Statement**

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

**FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**LEGAL IMPLICATIONS**

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

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

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

**CONSULTATION**

Application materials were posted on the City's Development Application website on April 10, 2024.

Heritage Ottawa was notified of this application and offered the opportunity to provide comments on April 10, 2024.

The Centretown Community Association was notified of the application on April 10, 2024.

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

**ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

**RURAL IMPLICATIONS**

There are no rural implications associated with this report.

**APPLICATION PROCESS TIMELINE STATUS**

The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on June 26, 2024

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Site Photos

Document 3 Site Plan

Document 4 HCD Statement of Cultural Heritage Value

Document 5 Heritage Survey Form

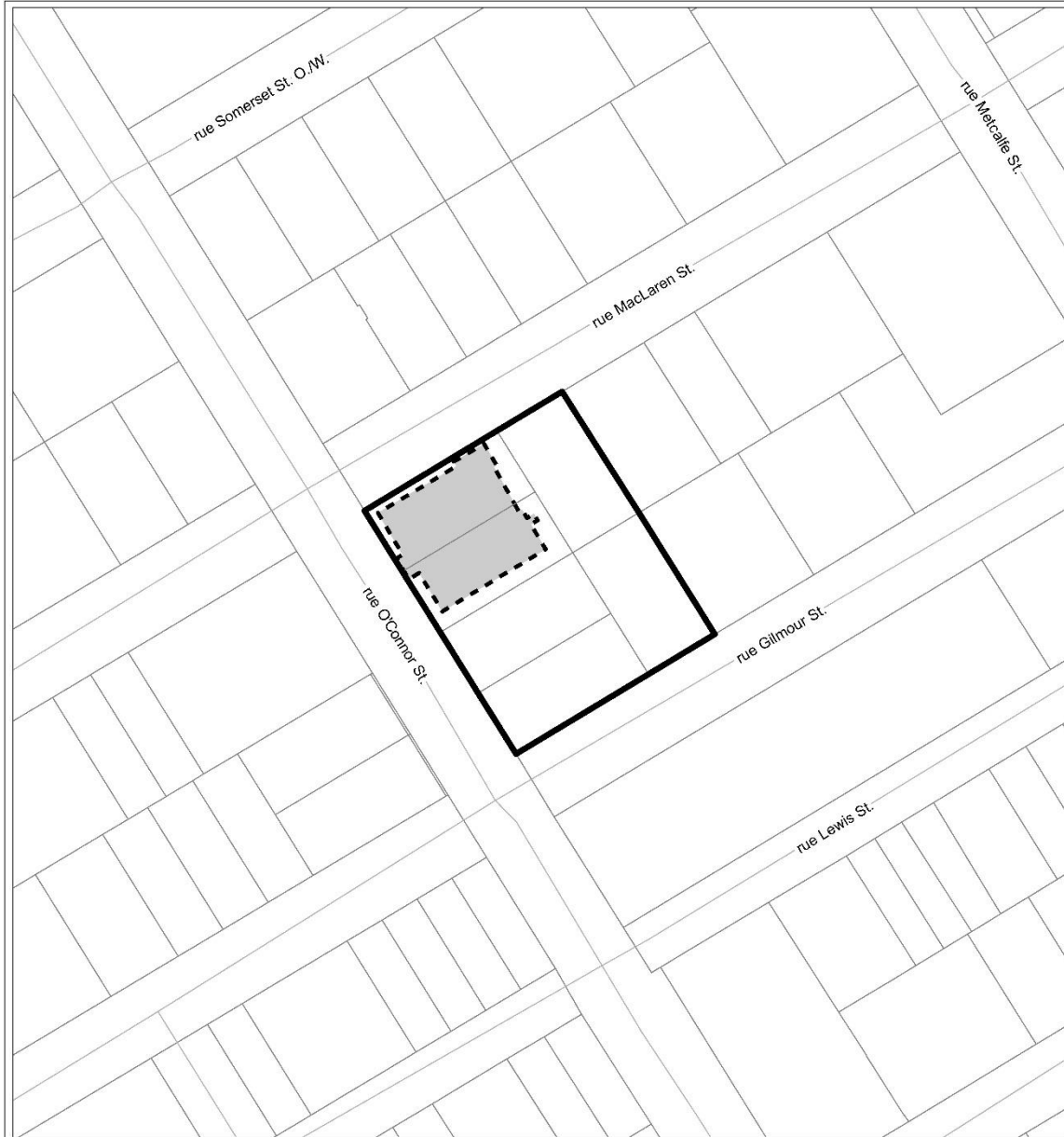
Document 6 – Development Agreement Requirements




## **DISPOSITION**

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



Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION HERITAGE / PATRIMOINE	
D09-01-OCONN267	24-0368-L	 267 rue O'Connor St.	
I:\CO\2024\Heritage\OConnor_267			
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REVISION / RÉVISION - 2024 / 04 / 04		 <small>NOT TO SCALE</small>	

Document 2 Site Photos







## **Document 6 – Development Agreement Requirements**

**The Development Agreement for the POPS shall include, but not be limited to, the following key principles:**

- 1. The Publicly Owned Private Space will be designed in accordance with the site plan prepared by Hobin Architecture Inc. dated February 26, 2024 and attached to the staff report ACS2024-PRE-RHU-0044 as Document 3.**
- 2. The applicant will enter into a Development Agreement with the City for the Publicly Owned Private Space. The Development Agreement must be Registered by October 31, 2024.**
- 3. The Publicly Owned Private Space will be constructed by May 31, 2025.**
- 4. In the event a building permit has not been issued for the replacement building by April 1, 2027, the applicant shall provide a new site plan showing an increase to the Privately Owned Public Space to a minimum of 50 per cent coverage of the footprint of the existing building for approval by the General Manager, Planning, Development and Building Services department. The applicant shall implement the revised site plan within 30 days of the approval.**