

**Subject: Additions to the Heritage Register**

**File Number: ACS2022-PIE-RHU-0019**

**Report to Built Heritage Sub-Committee on 20 June 2022**

**and Council 6 July 2022**

**Submitted on June 8, 2022 by Court Curry, Manager, Right of Way, Heritage and Urban Design Services, Planning, Real Estate and Economic Development Department**

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**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE**

**Objet : Ajouts au Registre du patrimoine**

**Dossier : ACS2022-PIE-RHU-0019**

**Rapport au Sous-comité du patrimoine bâti**

**le 20 juin 2022**

**et au Conseil le 6 juillet 2022**

**Soumis le 8 juin 2022 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**

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**Quartier : À l'échelle de la ville**

## **REPORT RECOMMENDATION**

**That the Built Heritage Sub-Committee recommend that Council approve the addition of the properties listed in Document 1 to the City of Ottawa’s Heritage Register, in accordance with Section 27 of the *Ontario Heritage Act*.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Sous-Comité du patrimoine bâti recommande au Conseil d’approuver l’ajout des propriétés énumérées dans le document 1 au Registre du patrimoine de la Ville d’Ottawa, conformément à l’article 27 de la *Loi sur le patrimoine de l’Ontario*.**

## **BACKGROUND**

Ottawa is a historic city known for its remarkable buildings and vibrant streetscapes and our built heritage offers a deeper understanding of our city’s past and allows for an appreciation of our local identity.

The Heritage Register is the City of Ottawa’s official list of properties with cultural heritage value or interest. It contains both designated and non-designated heritage properties.

By maintaining a comprehensive and up-to-date Heritage Register, the City provides reliable data about cultural heritage properties to owners, to community associations and to representatives in real estate and development. The Heritage Register is used as a monitoring tool that staff and the public may consult when reviewing development proposals or permit applications. It is a publicly accessible source of information about cultural heritage properties in Ottawa.

In recent years, additions to the Heritage Register were the result of large studies such as the Heritage Inventory Project and the Centretown Heritage Study. While these studies are complete, the Heritage Register is not meant to be a static document. Staff recommend changes to the non-designated listings on the Heritage Register through reports at least once each year. With these changes, the Heritage Register will continue to evolve to better reflect Ottawa’s buildings, histories and communities.

Subsection 27(3) of the *Ontario Heritage Act* allows municipalities to list non-designated properties of cultural heritage value or interest on a municipal heritage register.

According to Subsection 27(3), the requirement to list a property on the Heritage Register is that “the council of the municipality believes [the property] to be of cultural

heritage value or interest and shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property.”

The City’s Official Plan (2003) provides in Subsection 2.5.5(13) that “the City will maintain a heritage register according to the *Ontario Heritage Act*.”

Subsection 4.5.1(7) of the City’s new Official Plan (2021) provides that “the City shall maintain a Heritage Register of properties of cultural heritage value or interest. The Register will include properties that have been designated under Part IV or Part V or listed under Section 27 of the *Ontario Heritage Act*.”

Council adopted the Heritage Register procedures on May 11, 2016 ([ACS2016-PAI-PGM-0056](#)). The procedures provide that:

“Properties will be identified for listing on the Heritage Register in various ways including but not limited to heritage inventories, property owner requests, and heritage conservation district studies. In all instances, staff will prepare a report for Council approval after consultation with the Built Heritage Sub-Committee according to Section 27(4) of the *Ontario Heritage Act*.”

This report has been prepared to meet the requirement of the Heritage Register procedures as well as Subsection 27(4) of the *Ontario Heritage Act*, which provides that listing a non-designated property on the Heritage Register requires the approval of Council after consultation with its Municipal Heritage Committee.

## **DISCUSSION**

### **Recommendation**

This report recommends adding 52 properties to the Heritage Register as non-designated listings under Subsection 27(3) of the *Ontario Heritage Act*. The properties are listed in Document 1.

The properties in this report reflect a mix of Ottawa’s building types and styles from the 19<sup>th</sup> and 20<sup>th</sup> centuries. The properties are located in Wards 1, 2, 4, 5, 7, 12, 13, 14, 15, 16, 17, 19 and 21. A break down of properties by ward is included as Document 2.

In keeping with the Heritage Register Procedures, these properties were identified for listing on the Heritage Register in several ways, including requests from community associations and councillors as well as by Heritage Planning staff.

Heritage Planning staff conducted an initial review of each identified property and considered its design, history and context. Properties believed to contain cultural heritage value or interest are included in Document 1 and are recommended as additions to the Heritage Register.

A summary of cultural heritage value is provided for each property in a Heritage Property Information Sheet, included as Documents 3 and 4. The Heritage Property Information Sheet includes a brief statement explaining why the property is believed to have cultural heritage value or interest as well as a photo and description that is sufficient to readily ascertain the property.

### **Implications of Listing on the Heritage Register**

The only *Ontario Heritage Act* requirement relates to demolition:

If a property owner wishes to demolish a building or structure on a property listed on the Heritage Register, Subsection 27(9) of the *Ontario Heritage Act* requires that they provide 60 days' notice in writing of their intent to demolish. As per the City's Council-approved Heritage Register Procedures, staff may use the 60 days to further assess the property's cultural heritage value to determine if it merits designation under Part IV of the *Ontario Heritage Act*. Following expiry of the 60 days, if the related demolition permit application is compliant with applicable law, a demolition permit may be issued.

There are no *Ontario Heritage Act* requirements for alterations to non-designated properties listed on the Heritage Register. Listing a property on the Heritage Register does not prevent owners from making repairs, alterations, or additions to their properties. No heritage approvals are required for alterations to non-designated heritage properties. There is no requirement to restore the property.

Listing on the Heritage Register does not impact property tax or MPAC property assessment. Heritage Register listing is not included on property title and there is no related by-law.

Heritage Register listings are published on [ottawa.ca](http://ottawa.ca) and on [GeoOttawa](http://GeoOttawa).

### **Conclusion**

The Ministry of Heritage, Sport, Tourism, and Culture Industries notes that identifying properties of cultural heritage value or interest is an essential part of a municipality's role in heritage conservation. Listing properties on the Heritage Register is an

important tool in planning for the conservation of heritage properties and provides interim protection from demolition.

Heritage Planning staff recommend listing the 52 properties in Document 1 on the Heritage Register for their cultural heritage value and interest. Adding these properties in wards across the city increases the overall quality of Ottawa's Heritage Register.

### **Provincial Policy Statement**

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

### **RURAL IMPLICATIONS**

This report identifies five properties located outside the Urban Boundary:

1764 Colonial Road           Ward 19

3125 Diamondview Road   Ward 5

6435 Fernbank Road       Ward 21

131 Gourlay Lane           Ward 5

8735 McCaffrey Trail       Ward 21

The addition of rural properties to the Heritage Register allows the City of Ottawa to acknowledge our important rural history and to better monitor rural cultural heritage resources.

### **CONSULTATION**

Impacted owners were mailed a notice in advance of this report that explained the process and implications, how to participate in decision-making and included a copy of the Heritage Property Information Sheet. Impacted ward councillors were emailed a notice in advance of this report. Heritage Ottawa was notified by email in advance of this report.

### **COMMENTS BY THE WARD COUNCILLORS**

This is a city-wide report – not applicable.

## **LEGAL IMPLICATIONS**

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

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendation in this report.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendation in this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with the recommendation in this report.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- HC4 – Support Arts, Heritage, and Culture

## **SUPPORTING DOCUMENTATION**

Document 1 List of Properties

Document 2 Properties by Ward

Document 3 Heritage Property Information Sheets

Document 4 Fiches de renseignements sur les biens patrimoniaux

## **DISPOSITION**

Heritage Planning staff administer the Heritage Register according to the Heritage Register procedures approved by Council and according to Section 27 of the *Ontario Heritage Act*.

In 2021, through Bill 108, the *More Homes, More Choice Act*, changes to the *Ontario Heritage Act* were implemented that formalize the notice and objection period for additions to municipal heritage registers.

After Council decides to add a non-designated property to the Heritage Register, staff in the Heritage Planning Branch, Planning, Real Estate and Economic Development Department shall provide the owner of the property with notice that the property is listed on the Heritage Register.

The notice will be sent within 30 days of Council's decision and must include the following information:

1. A statement explaining why the council of the municipality believes the property to be of cultural heritage value or interest.
2. A description of the property that is sufficient to readily ascertain the property.
3. A statement that if the owner of the property objects to the property being included in the register, the owner may object to the property's inclusion by serving on the clerk of the municipality a notice of objection setting out the reasons for the objection and all the relevant facts.
4. An explanation of the 60-day written notice requirement in advance of the demolition or removal of a building or structure on the property.

The owner of a property who objects to the property being listed on the Heritage Register shall serve on the Office of the City Clerk a notice of objection setting out the reasons for the objection and all relevant facts.

If the City Clerk receives a Notice of Objection under Section 27(7) of the *Ontario Heritage Act*, Heritage Planning staff prepare a report regarding the objection for Council to consider and to decide whether the property should continue to be included in the register or whether it should be removed; and provide notice of Council's decision to the owner of the property within 90 days after the decision.

Pursuant to the *Delegation of Authority By-law* (By-law No. 2022-29), Schedule "C", Section 7, the City Clerk has authorized the correction of minor errors in this report to reflect the correct version of Document 3 (Heritage Property Information Sheets). The correct Document 3 is identical to the French version (Document 4) approved by the Built Heritage Sub-Committee on June 20. The Built Heritage Sub-Committee Report

28A, published with the Council Agenda on June 30, for the meeting of July 6, includes the correct version of Document 3.