
Designation of 860 Colonel By Drive under Part IV of the Ontario Heritage Act

ACS2020-PIE-RHU-0013

Capital (17)

Motion N° PLC 2020-25/1

Moved by Vice-chair Gower

WHEREAS report ACS2020-PIE-RHU-0013 (Designation of 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*), was considered by the Built Heritage Sub-committee (BHSC) at its meeting on June 9, 2020; and

WHEREAS the BHSC's Terms of Reference allow the Sub-committee to consider and make recommendations directly to Council on approval of a staff recommendation for Part IV designations where there are no associated *Planning Act* applications; and

WHEREAS the BHSC defeated the staff recommendation; and

WHEREAS the 60-day notice period required under the *Ontario Heritage Act* expires on June 27, 2020;

THEREFORE BE IT RESOLVED that, in accordance with the BHSC Terms of Reference and in order to give timely consideration so as to meet the 60-day timeline required under the *Ontario Heritage Act*, the Planning Committee approve the addition of report ACS2020-PIE-RHU-0013 to the agenda for consideration by the Committee at this meeting, pursuant to Section 89(3) of the Procedure By-Law; and

BE IT FURTHER RESOLVED that the Planning Committee consider the staff recommendation, as follows:

That Planning Committee recommend that Council not proceed with the issuance of a Notice of Intention to Designate 860 Colonel By Drive under Part

IV of the Ontario Heritage Act.

CARRIED on a division of 9 yeas and 0 nays and, as follows:

YEAS (9): Councillors, L. Dudas, T. Tierney, J. Leiper, R. Brockington S. Moffatt, A. Hubley, E. El-Chantiry (ex officio), Vice-chair G. Gower, Chair J. Harder

NAYS (0):

Designation of 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*

ACS2020-PIE-RHU-0013

Capital (17)

REPORT RECOMMENDATION

That the Built Heritage Sub-Committee recommend that Council not proceed with the issuance of a Notice of Intention to Designate 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*.

The Built Heritage Sub-committee (BHSC) considered this report at its meeting on June 9, 2020. The Sub-committee heard delegations and received correspondence as noted in the Minutes of that meeting. The BHSC rejected the staff recommendation on a division of 6 nays and 1 yea. The Sub-committee did not advance any counter recommendation.

Planning Committee heard eight delegations on the matter, as follows:

- Anna Cuyllits¹ suggested that the existing building meets the criteria for designation. She provided background information on the community's efforts to get the heritage overlay established in 2013 and to protect against 'Hobinesque Built Form' architecture in the area.

¹ Submission on file

- Laura Urrechaga, Ottawa South Community Association*² described the existing house, noting it is one of the oldest homes of this type in the area and is a valuable heritage resource that meets the criteria for designation
- Joy Morrow*³ suggested the house, along with the others along this ceremonial route within the heritage overlay, contributes to heritage of the area, should be protected from demolition and designated
- Susan Brousseau spoke to the history of community interest in the property and suggested it should be designated, noting there is no need to demolish the existing house as there is sufficient room at the back of the property to expand
- Mark Thompson Brandt, Sr Conservation Architect & Urbanist, MTBA Associates Inc.*⁴, reiterated points made by previous in support of designation and provided additional background on the architectural and contextual value of the house. He also noted that the heritage overlay and heritage registrar are ineffective in protecting certain properties like this.
- Shane Currey, property owner*⁵, provided background on his decision to replace the existing house with a single-family home for himself, noting that the City had not previously indicated any desire or plan to designate the house, and that he would not have purchased the property for redevelopment if that had been the case. He indicated that designation of the house would impede his right to build and improve the property.
- John Stewart, Commonwealth Historic Resource Management*⁶, spoke in support of the staff recommendation to not proceed with notice of intent to designate the house, indicating it is a 'pattern book' example of architecture in the Edwardian Classicism style, of which there are far better examples, in better condition, throughout the city. He referenced previous independent and City assessments of the property, and a decision by the Local Planning Appeal Tribunal to allow a variance in the heritage overlay, prior to this fourth assessment by City staff that the property is not a strong candidate for designation. He noted his client, Mr. Currey, has diligently followed the City's development process and should be permitted to proceed with the proposal,

² Submission on file

³ Submission on file

⁴ Submission on file

⁵ Submission on file

⁶ Submission on file

which has no adverse impact, is in keeping with existing zoning and will contribute to the heritage overlay.

- Barry Hobin, Hobin Architecture Inc.*⁷, raised concerns about due process, heritage, and role of architecture as this plays out. He noted that the previous property owner could have built two semi-detached houses on the property but did not proceed once the heritage overlay came into existence. He suggested it is unfortunate to be at this stage, with proposals fully vetted, to deal with designation aspects, when there have been no interventions or plans for designation up to this point.

In addition to that previously noted, and to that provided to the BHSC, the following correspondence was provided to the committee coordinator between June 9 (the date the report was considered by the BHSC) and the time it was considered on June 11, a copy of which is held on file:

- Email dated June 10 from Michael Lynch
- Email dated June 10 from Matthew Semple & Tara Nigam
- Email dated June 10 from Nigel R. Harris
- Email dated June 10 from Dr. Eva Tomiak
- Email dated June 10 from Gerry and Barb Leduc
- Email dated June 10 from Dorothy Rogers

The following staff responded to questions:

- Planning, Infrastructure and Economic Development department:
 - ❖ Lesley Collins, Program Manager, Heritage Planning
 - ❖ Court Curry, Manager, Right-of-Way, Heritage & Urban Design Services
- Innovative Client Services department:
 - ❖ Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate

⁷ Submission on file

Motion N° PLC 2020-25/2

Moved by Councillor R. Brockington (on behalf of Councillor S. Menard)

WHEREAS the Old Ottawa South and the Glebe communities have identified that the conservation of buildings along the Rideau Canal World Heritage Site is a priority; and

WHEREAS the Heritage Overlay applies to the properties situated on Colonel By Drive between Bank Street and Bronson Avenue; and

WHEREAS the Heritage Overlay applies to the properties situated on Queen Elizabeth Driveway between Broadway Avenue and Bronson Avenue; and

WHEREAS 25 properties in these areas were listed on the City of Ottawa Heritage Register as properties of cultural heritage value or interest as part of the Heritage Inventory Project.

THEREFORE BE IT RESOLVED that staff in Heritage Planning explore options for enhanced heritage protection for the areas covered by the Heritage Overlay on both Colonel By Drive and Queen Elizabeth Driveway;

AND BE IT FURTHER RESOLVED that the timing of this work be listed as part of the Planning Infrastructure and Economic Development Departmental 2021 workplan report which is to be considered by BHSC in Q1 2021.

CARRIED

The Committee considered the staff recommendation, as follows:

That Planning Committee recommend that Council not proceed with the issuance of a Notice of Intention to Designate 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*.

CARRIED on a division of 8 yeas and 0 nays and, as follows:

YEAS (8): Councillors L. Dudas, T. Tierney, J. Leiper, S. Moffatt, A. Hubley, E. El-Chantiry (ex officio), Vice-chair G. Gower, Chair J. Harder

NAYS (0):