

4. APPLICATION FOR DEMOLITION AND NEW CONSTRUCTION AT 565 AND 575 OLD PROSPECT ROAD, PROPERTIES DESIGNATED UNDER PART V OF THE *ONTARIO HERITAGE ACT* AND LOCATED IN THE ROCKCLIFFE PARK HERITAGE CONSERVATION DISTRICT
- DEMANDE DE DÉMOLITION ET DE NOUVELLE CONSTRUCTION AUX 565 ET 575, CHEMIN OLD PROSPECT, DES PROPRIÉTÉS DÉSIGNÉES EN VERTU DE LA PARTIE V DE LA *LOI SUR LE PATRIMOINE DE L'ONTARIO* ET SITUÉES DANS LE DISTRICT DE CONSERVATION DU PATRIMOINE DE ROCKCLIFFE PARK

COMMITTEE RECOMMENDATION AS AMENDED

That Council

1. Approve the application for new construction at 565 Old Prospect Road according to plans prepared by Barry J. Hobin & Associates Architects submitted on May 9, 2016, and attached as Document 3 and 4;
2. Issue the heritage permit with an expiry date of either:
 - a) Two years from the date of issuance; or
 - b) Two years from the date that decisions under the *Planning Act* and other applicable legislation are final and binding, whichever is later; and
3. Delegate authority for minor design changes to the General Manager, Planning and Growth Management Department.

RECOMMANDATION DU COMITÉ, TELLE QUE MODIFIÉE

Que le Conseil :

1. approuve la demande de nouvelle construction au 565, chemin old prospect, conformément aux plans préparés par barry j. Hobin &

associates architects et présentés le 9 mai 2016, ci-joints en tant que documents 3 et 4;

2. délivre un permis en matière de patrimoine, d'une validité :
 - a) soit de deux ans à partir de la date de délivrance; ou
 - b) soit de deux ans à partir de la date à laquelle les décisions rendues en vertu de la *Loi sur l'aménagement du territoire* et de toute autre loi applicable deviennent exécutoires et sans appel, si cette date est ultérieure à la date de délivrance; et
3. délègue au directeur général d'urbanisme et gestion de la croissance le pouvoir d'apporter des changements mineurs de conception.

DOCUMENTATION / DOCUMENTATION

1. Acting Deputy City Manager's Report, Planning and Infrastructure, dated 31 May 2016 (ACS2016-PAI-PGM-0106).

Rapport du Directeur municipal adjoint par intérim, Urbanisme et infrastructure, daté le 31 mai 2016 (ACS2016-PAI-PGM-0106).

2. Extract of draft Minutes, Built Heritage Sub-committee, 9 June 2016

Extrait de l'ébauche du procès-verbal, Sous-comité du patrimoine bâti, le 9 juin 2016

3. Extract of draft Minutes, Planning Committee, 28 June 2016

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 juin 2016.

**Report to
Rapport au:**

**Built Heritage Sub-Committee / Sous-comité du patrimoine bâti
June 9, 2016 / 9 juin 2016**

and / et

**Planning Committee / Comité de l'urbanisme
June 28, 2016 / 28 juin 2016**

**and Council / et au Conseil
July 13, 2016 / 13 juillet 2016**

**Submitted on May 31, 2016
Soumis le 31 mai 2016**

**Submitted by
Soumis par:**

John L. Moser,

**Acting Deputy City Manager / Directeur municipal adjoint par intérim,
Planning and Infrastructure / Urbanisme et Infrastructure**

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SUBJECT: Application for Demolition and New Construction at 565 and 575 Old Prospect Road, properties designated under Part V of the *Ontario Heritage Act* and located in the Rockcliffe Park Heritage Conservation District

OBJET: Demande de démolition et de nouvelle construction aux 565 et 575, chemin Old Prospect, des propriétés désignées en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario* et situées dans le district de conservation du patrimoine de Rockcliffe Park

REPORT RECOMMENDATIONS

That the Built Heritage Sub-Committee recommend that Planning Committee recommend that Council:

1. Approve the application for demolition of the existing house at 575 Old Prospect Road;
2. Approve the application for new construction at 575 Old Prospect Road according to plans prepared by Barry J. Hobin & Associates Architects submitted on May 9, 2016 and attached as Document 3 and 4;
3. Approve the application for new construction at 565 Old Prospect Road according to plans prepared by Barry J. Hobin & Associates Architects submitted on May 9, 2016, and attached as Document 3 and 4;
4. Issue the heritage permit with a two-year expiry date from the date of the resolution of the proceedings in relation to Ontario Municipal Board Case Number PL141486; and
5. Delegate authority for minor design changes to the General Manager, Planning and Growth Management department.

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on August 7, 2016.)

(Note: Approval to alter this property under the *Ontario Heritage Act* must not be construed to meet the requirements for the issuance of a building permit.)

RECOMMANDATIONS DU RAPPORT

Que le Sous-comité du patrimoine bâti recommande au Comité de l'urbanisme de recommander à son tour au Conseil :

1. d'approuver la demande de démolition de la maison située au 575, chemin Old Prospect;
2. d'approuver la demande de nouvelle construction au 575, chemin Old Prospect, conformément aux plans préparés par Barry J. Hobin & Associates Architects et présentés le 9 mai 2016, ci-joints en tant que documents 3 et 4;
3. d'approuver la demande de nouvelle construction au 565, chemin Old Prospect, conformément aux plans préparés par Barry J. Hobin & Associates Architects et présentés le 9 mai 2016, ci-joints en tant que documents 3 et 4;
4. de délivrer un permis en matière de patrimoine, d'une validité de deux ans à partir de la date de règlement de la procédure entourant le dossier no PL141486 de la Commission des affaires municipales de l'Ontario;
5. de déléguer au directeur général d'Urbanisme et Gestion de la croissance le pouvoir d'apporter des changements mineurs de conception.

(Nota : Le délai réglementaire de 90 jours d'examen de cette demande, exigé en vertu de la *Loi sur le patrimoine de l'Ontario*, prendra fin le 7 août 2016.)

Nota : L'approbation de la demande de modification aux termes de la *Loi sur le patrimoine de l'Ontario* ne signifie pas pour autant qu'elle satisfait aux conditions de délivrance d'un permis de construire.)

BACKGROUND

The house at 575 Old Prospect Road is a stucco-clad bungalow with a hipped roof on a large lot at the corner of Old Prospect Road and Lansdowne Road in the Rockcliffe Park Heritage Conservation District (see Documents 1 and 2). The Rockcliffe Park Heritage Conservation District was designated in 1997 under Part V of the *Ontario Heritage Act*.

In July 2014, Council approved an application to demolish the house and construct two single detached houses on the property. The plans submitted for this application are the same as the previous Council-approved plans. The property owner also applied to the Committee of Adjustment for consent-to-sever the property and minor variances. The

Committee of Adjustment granted the severance and minor variances in November 2014. The decision of the Committee of Adjustment was appealed by members of the community and the Rockcliffe Park Residents Association and an Ontario Municipal Board (OMB) hearing took place in September 2015. The OMB Order was issued in January 2016 and the severance and minor variances were allowed, subject to conditions related to landscaping that are to be resolved between the property owner and the Planning and Growth Management department prior to the severance.

The property owner has submitted this new application for a heritage permit because the existing permit will expire in July 2016. The application is the same as the previously approved version.

This application is to demolish the existing single detached house at 575 Old Prospect Road and construct two single detached houses. This report has been prepared because Council approval is required for all applications for demolition and new construction in heritage conservation districts.

A new Rockcliffe Park Heritage Conservation District Plan by-law was passed by Council in March 2016 but has been appealed to the Ontario Municipal Board, therefore, this proposal was evaluated using the 1997 Rockcliffe Park Heritage Conservation District Management Guidelines.

DISCUSSION

The Rockcliffe Park Heritage Conservation District (HCD) was designated for its cultural heritage value as an early planned residential community first laid out by Thomas Keefer in 1864. The district is also important for its historical associations with Keefer and his father-in-law, Thomas MacKay, the founder of New Edinburgh and the original owner of Rideau Hall. The picturesque nature of the village also contributes significantly to its cultural heritage value. The Statement of Heritage Character (see Document 6) notes that today the "Village of Rockcliffe Park is a distinctive community of private homes and related institutional properties within a park setting."

Recommendation 1

The existing house at 575 Old Prospect Road is a one-storey house with a concrete foundation and stucco cladding at the corner of Lansdowne Road and Old Prospect Road. It was designed by a local architect, J.L. Kingston, for Colonel Henry Willis O'Connor and his family in 1956. The house is surrounded by a mature cedar hedge

and the front door of the house faces neither Lansdowne Road nor Old Prospect Road. (see Documents 2 and 7).

There are several historic buildings in the immediate vicinity that rated highly during the evaluation process for the Rockcliffe Park HCD including Hart Massey house at 400 Lansdowne Road, winner of the Governor General's Award for Architecture, 551 Fairview Avenue and another house owned by Henry Willis O'Connor in the 1930s at 412 Lansdowne Road, now the Israeli ambassador's residence.

The Rockcliffe Park Heritage Conservation District Study (HCD) includes guidelines for the management of change in the district. They are intended to guide the evolution of the village as a picturesque landscape of buildings set in informal grounds. The following guideline is applicable to the application to demolish the existing house:

Any application to demolish an existing building should be reviewed, with consideration of its historical and architectural significance, its contribution to the streetscape, and the appropriateness of the proposed development. Demolition should be recommended for approval only where the existing building is of little significance and the proposed redevelopment is sympathetic to the surrounding environment.

The existing property features a number of significant landscape features including a mature cedar hedge but the building itself is not of any particular historical or architectural value. For this reason, the department has no objection to the demolition of the existing house at 575 Old Prospect Road.

Recommendations 2 and 3:

The Rockcliffe Park HCD Study also contains guidelines for the management of development in the district. The guidelines related to buildings applicable to this proposal are as follows:

Section iv) Buildings

4. Any application to construct a new building or addition should be reviewed with consideration of its potential to enhance the heritage character of the Village. New construction should be recommended for approval only where the siting, form, materials and detailing are sympathetic to the surrounding natural and cultural environment.

5. New buildings and additions should be of their own time, but should also harmonize with the existing cultural landscape. They should be sited and designed so as to retain the existing topography. The use of natural materials should be encouraged.

575 Old Prospect Road

The house proposed for 575 Old Prospect Road is a two-storey dwelling with a partial third storey. It is contemporary in style and reflects the International Style of the Massey House directly across the street. The proposed house will be flat-roofed and comprised of two rectangular boxes stacked on top of one another with the second storey cantilevered over the first storey. The partial third storey will allow access to a rooftop terrace. The house will be clad in stone on the ground floor and wood siding on the second storey. The front facade will feature extensive glazing on the second storey. The garage will be located in the basement and will be accessed from a driveway off of Lansdowne Road (see Documents 3, 4, and 5).

565 Old Prospect Road

The proposed house at 565 Old Prospect Road is more traditional in nature and is a two-storey house with a flat roof and a one-storey garage set back from the front facade facing Old Prospect Road. The house will have a projecting two-storey bay at the front and the building will be clad in wood shingles and buff coloured brick. The front entrance will feature a simple, flat canopy over the door (see Documents 3, 4, and 5).

Stylistically, the proposed houses are very different from one another yet both buildings are appropriate to the eclectic character of the HCD. The Rockcliffe Park HCD Study notes that the buildings, “do not reflect one dominant period of development; rather they have emerged in significant numbers at every phase of Village history.” However, the buildings do feature some common characteristics as is noted in the HCD study:

They often exhibit irregular massing and eclectic revival styles which are part of a picturesque tradition. There is a rich palette of materials, with a preponderance of stone, stucco, and wood over brick.

Both buildings are of their own time and through the use of common materials and eclectic styles are sympathetic to the cultural landscape of Rockcliffe Park.

Landscape

The landscape character of the Rockcliffe Park HCD is its most significant heritage attribute and this property will be impacted by the severance and creation of two new lots. The following guidelines related to landscape are applicable:

Section V) Soft and Hard Landscape

1. The dominance of soft landscape over hard landscape should be recognized as an essential feature of the past history and present character of the Village.
2. New buildings, fences and other landscape features or alterations and additions to existing buildings and features, should be designed and sited so as to protect and enhance significant qualities of the existing landscape.

The applicant has submitted a tree preservation report which identifies all existing trees on the property and which of these trees require removal to accommodate the proposed development. The landscape plan attached as Document 3 shows 23 existing trees on the property and the mature cedar hedge that surrounds the property. The trees listed as numbers 13 through 18 are proposed for removal to accommodate the new buildings. Trees number 15 and 18 are both greater than 50 centimetres in diameter and will require a Distinctive Tree permit prior to their removal. Trees 20 to 22 are all smaller trees that are proposed for removal to benefit tree 19. Four new crab apple trees are proposed to be planted on 575 Old Prospect Road and a new cedar hedge is proposed between the two properties.

The landscape plan meets the guidelines for landscape in the HCD as most of the mature vegetation on the site will remain. The only trees proposed for removal are located where the buildings are proposed to be constructed. In addition, new cedar hedges and trees will mitigate the loss of these trees.

The Rockcliffe Park Heritage Conservation District Management Guidelines include guidance related to lot division; however, as the severance has been granted by the OMB, these guidelines do not apply to this proposal.

Standards and Guidelines

The Standards and Guidelines for the Conservation of Historic Places in Canada were adopted by Council in 2008 and are used to evaluate applications to alter. The following standards are applicable to this application:

Standard 1: Conserve the heritage value of an historic place.

The proposal conserves the value of the Rockcliffe Park HCD as it does not negatively impact the character of the landscape or the streetscape of Old Prospect Road or Lansdowne Road.

Standard 11: Conserve the heritage value and character-defining-elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

The use of natural materials, massing, height and setback of both new buildings make them visually and physically compatible with the rich architectural character of the Rockcliffe Park HCD.

Cultural Heritage Impact Statement

A Cultural Heritage Impact Statement (CHIS) was prepared for this proposal by Robertson Martin Architects. The complete CHIS is attached as Document 8. The conclusion of the CHIS states:

While the proposal certainly constitutes a noticeable change for the site, the proposal is continuous with the documented heritage value of the Rockcliffe Park Heritage Conservation District.

The development proposal meets the requirements of the HCD, as well as the requirements imposed by its proximity to two significant buildings in the following ways:

- It retains a high level of visual continuity, and respects the picturesque characteristics of the HCD;
- it remedies the atypical existing conditions of the property, including its orientation to the street and large asphalt laneway;
- the proposed buildings are both assessed as being acceptable regarding the spirit and character of the district; and
- the proposed lot division and site plan allows for the retention of the key foliage and plantings, as well as respecting the District's tradition of small building footprints on generous lots.

The new buildings can exist comfortably in their surroundings without negatively impacting the character of the Heritage Conservation District.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

Conclusion

The proposed houses are appropriate to the character of Old Prospect Road and the neighbourhood as a whole. The use of natural materials will complement similar materials found throughout the district. The preservation of the cedar hedges, open spaces and mature trees are in keeping with the guidelines for landscape and the Standards and Guidelines. For these reasons, the department supports this application for demolition and new construction in the Rockcliffe Park Heritage Conservation District.

Recommendation 4:

Occasionally, minor changes to a building emerge during the working drawing phase. This recommendation is included to allow the Planning and Growth Management department to approve these changes.

Recommendation 5:

The *Ontario Heritage Act* does not provide any timelines for the expiry of heritage permits. A two-year expiry date linked to the resolution of OMB Case Number PL141486 is recommended. The property owner must obtain a building permit prior to the expiration of the heritage permit.

RURAL IMPLICATIONS

There are no rural implications.

CONSULTATION

Property owners within 30 metres of the property were notified of the application by letter and offered the opportunity to submit comments directly to the Built Heritage Sub-Committee.

COMMENTS BY THE WARD COUNCILLOR

Councillor Nussbaum is aware of the application.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendations outlined in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

Governance Planning and Decision-Making.

APPLICATION PROCESS TIMELINE STATUS

The application was processed within the 90-day statutory requirement under the *Ontario Heritage Act*.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Current Conditions

Document 3 Site/Landscape Plan

Document 4 Elevations

Document 5 Perspectives

Document 6 Statement of Heritage Character

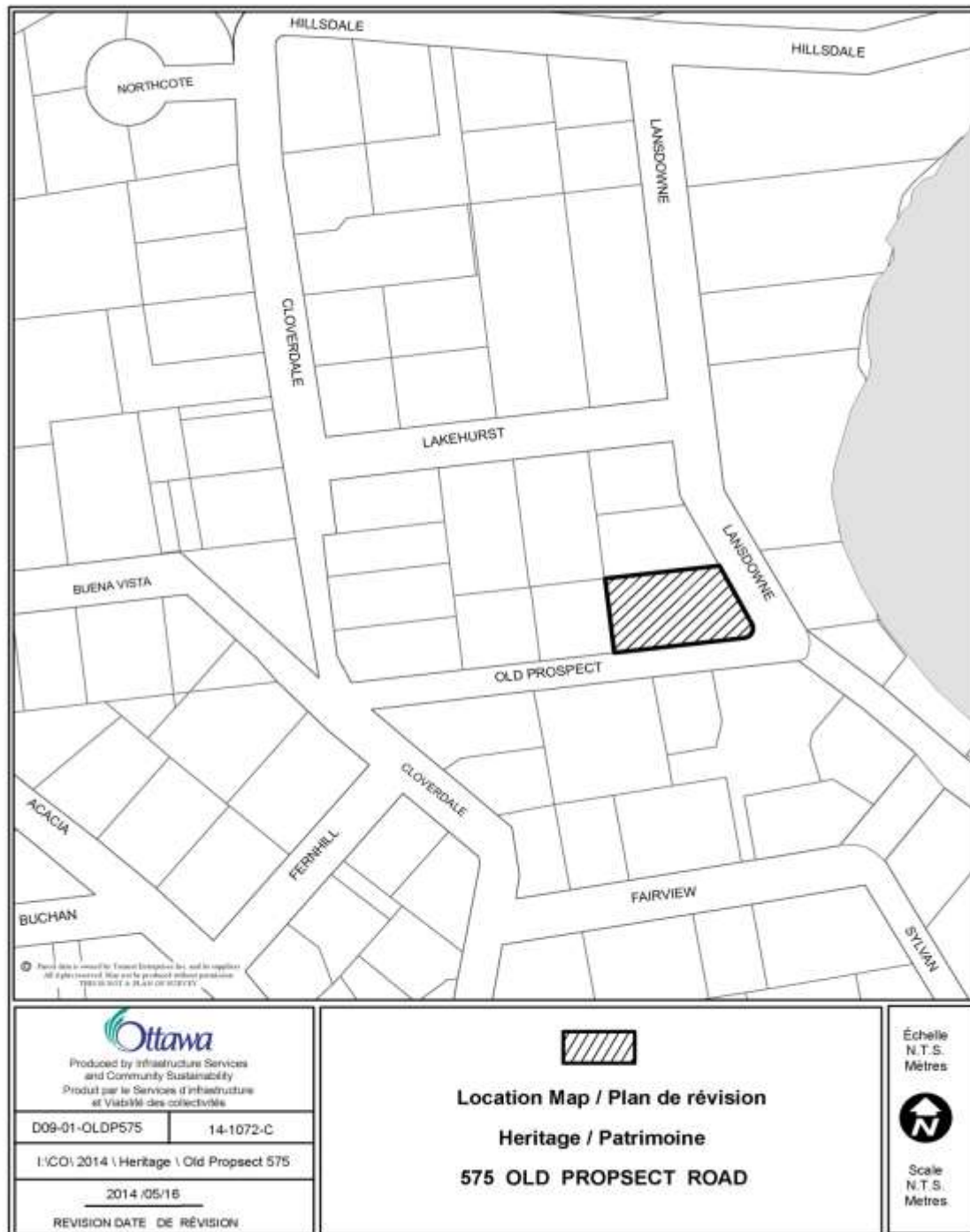
Document 7 Heritage Survey Form *(held on file with the City Clerk)*

Document 8 Cultural Heritage Impact Statement *(held on file with the City Clerk)*

DISPOSITION

City Clerk and Solicitor Department, Legislative Services, to notify the property owner and the Ontario Heritage Trust (10 Adelaide Street East, 3rd Floor, Toronto, Ontario, M5C 1J3) of Council's decision.

Document 1 – Location Map



Document 2 – Current Conditions



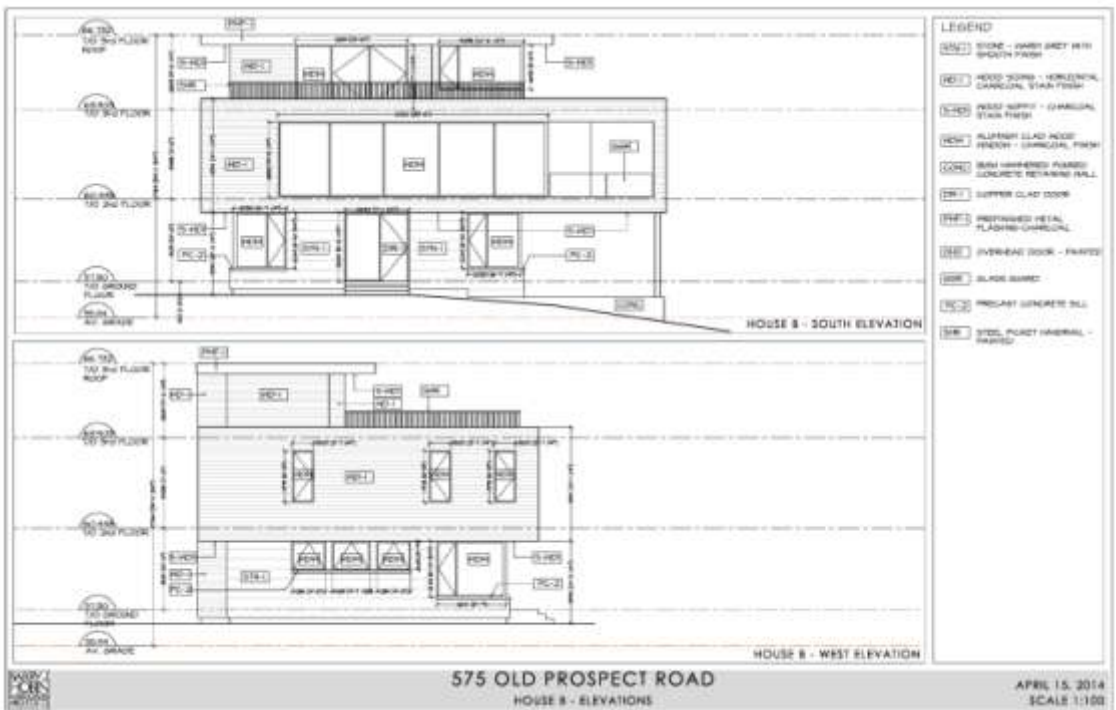


Document 3 – Site/Landscape Plan



Document 4 – Elevations





Document 5 – Perspectives





565 and 575 OLD PROSPECT ROAD
STREET VIEWS

May 10, 2016

Document 6 – Statement of Heritage Character

i) Description

The Village of Rockcliffe Park is a planned residential community first laid out in 1864 by Thomas Keefer. It was created as a partial subdivision of the large estate belonging to his father-in-law, Thomas McKay. Development occurred slowly, but in 1908 a Police Village was created, and by 1926 the Village of Rockcliffe Park had been incorporated. The boundaries established in 1908 have remained intact, and the present Village of Rockcliffe Park is a distinctive community of private homes and related institutional properties within a park setting, still true to the spirit of Keefer's original vision.

ii) Reasons for Designation:

The Village of Rockcliffe Park is proposed for designation as a heritage district because of:

- The significance of its original design intentions;
- The continuity in its evolution;
- The richness of its current urban condition;
- Its relationship with its wide setting, and
- The importance of its historical associations.

iii) Original Design Intentions

The Village of Rockcliffe Park is a rare and significant approach to estate layout and landscape design adapted in Canada from 18th Century English precedents. McKay had adopted this approach in his initial development of the estate, and the original McKay villa and grounds survive as Rideau Hall, the estate of the Governor General of Canada, on the western boundary of the village. When, in 1864, Keefer advertised his Park and Villa lots for private residences, he focused on the picturesque qualities of the scenery, and the importance of curving roads, extensive plantings, and naturalistic settings as key features in any future development. Lots were sold as components of the larger Estate, implying a cohesive landscape approach- purchasers were enjoined from erected anything that would be "inconsistent with the maintenance of the Estate as a park for private

residences.” Tree planning on road fronts was an immediate requirement on purchase, and commercial and industrial uses were explicitly banned. This type of ‘suburban’ or borderland development is also a reflection of a particularly North American response to rapid industrialization and urbanization in the 19th Century, with its emphasis on healthy living in a rural or country setting.

iv) Continuity in Evolution

The Village of Rockcliffe Park today is a remarkably consistent reflection of the ideas set out by Keefer. Although development of the residential lots has taken place very gradually, the ideas of Estate management, of smaller lots as part of a larger whole, of picturesque design, of residential focus, have survived as controlling aspects of the Village’s form and character. This has been in part somewhat fortuitous and unconscious- the cumulative effect of precedent and example. The early estates such as the MacKay villa and Rockcliffe were followed quickly by Birkenfels and Crichton Lodge, which in turn inspired smaller estates on Buena Vista, Mariposa, and Acacia and later Crescent Road. These types of properties continue to establish a Rockcliffe image, which is continually translated by architects and designers into individual variations on the theme. The strong landscape setting is able to embrace a rich diversity of lot and building sizes and configurations.

However, the continuity has also been provided by an active effort by overseers and residents. In the early years, Thomas Keefer and his associates developed special arrangements to control public and private initiatives as Trustees of the MacKay Estate. Later this effort fell to the overseers of the Police Village and then the councillors of the incorporated Village. Considerable energy has been spent by every successive generation to manage development and change, through formal and informal reviews and by a variety of by-laws, planning directives, and special designations. In most communities such initiatives have focused on economic development and minimum property standards; in Rockcliffe there is an extraordinary effort to maintain the scenic qualities, the park setting, the natural features and plantings, the careful informality of streets and services. This continuity of vision is very rare in a community where development has occurred on such a relatively large scale over such a long time period.

v) Current urban condition:

The Village of Rockcliffe Park has combined public and private initiatives to create an unusually rich urban landscape. The deliberately curved roads, without curbs or sidewalks, and the careful planting of the public spaces and corridors, together with the careful siting and strong landscaping of the individual properties, create the apparently casual and informal style so integral to the picturesque tradition. The preservation and enhancement of topographical features including the lake and pond, the dramatic Ottawa River shoreline, the internal ridges and slopes, and the various outcroppings, has reinforced the design intentions. The architectural design of the residences and associated institutional facilities is similarly deliberate and careful, but in the casual elegance and asymmetry of the various English country revival styles which predominate throughout the Village. The generosity of space around the homes, and the flowing of this space from one property to the next by continuous planting rather than hard fence lines, has maintained the estate qualities and park setting envisioned by Keefer. This informal elegance has been a consistent theme throughout the long process of development from the mid-19th Century to the present. There are relatively few examples of the strict neo-classicism that would suggest a more geometric ordering of the landscape.

There is also a set of community practices, intangible rituals that are both public and private, which continue to make sense of this environment-individual and collective outdoor activities, pedestrian and vehicular movement, areas of congregation and encounter, areas of dispersal and isolation. The urban landscape is also sustained by a variety of ongoing planning regulations, reflected most particularly in the current Official Plan and related zoning by-law.

vi) Relationship with its wider setting:

The Village of Rockcliffe Park has an important and integral association with its larger setting, as a result of patterns of historical development. With the Rideau Hall estate there is a symbiosis that dates back to Keefer's original vision of the village set within the larger grounds of this original villa. With Rockcliffe Park, there is a deliberate relationship again defined by Keefer, who saw the park as a natural extension and highlighting of the village's picturesque setting. This relationship was further strengthened with the expansion of the park to the east, and with the addition of the Rokeries. Beechwood Cemetery has also served as a compatible landscape boundary to the southeast from the earliest period of settlement through to the present. These various border areas create important gateways to the

village, and help establish its particular character. The views to and from the Ottawa River, the Beechwood escarpment, and the other park areas are integral to the picturesque quality of the Village. These extensions also form an integral part of the Village's environmental ecosystem. It is unusual to have the internal character of a neighbourhood so strongly reinforced by adjacent land uses; it once again reflects the foresight of the original planners.

vii) Historical Associations

The most important historical associations of the village as a whole are with the MacKay/Keefer family, major players in the economic, social, cultural and political development of Ottawa. The village today is a testament to the ideas and initiatives of various key members of this extended family, and their influence in shaping this key piece of Canadian landscape. Additional associations have occurred more randomly throughout the history of the village, as people of regional, national, and international significance have resided here and made this community their home base. Such associations are in some ways more private than public, and are an aspect of the village that is preserved more in the intangible continuities and oral traditions of village life than in the stones and mortar of monuments and plaques.

There are also specific associations with individuals who, whatever their prominence elsewhere, have made special contributions within the Village at a public and private level. These people have been part of an unusual form of self-governance, which has blurred the lines between formal and informal participation in the affairs of the Village.