

Summary of Written and Oral Submissions

Zoning By-law Amendment – 205 Scholastic Drive

Note: some comments outlined below also pertain to (and were submitted in respect of) the following related reports: Application to Alter 175 Main Street, the Deschâtelets Building, a Property Designated under Part IV of the *Ontario Heritage Act* (ACS2020-PIE-RHU-0019); and, Zoning By-law Amendment – 360 Deschâtelets Avenue (ACS2020-PIE-PS-0085). Additional comments were submitted solely in reference to the report ACS2020-PIE-RHU-0019.

In addition to those outlined in the Consultation Details section of the report, the following outlines the written and oral submissions received between the publication of the report and prior to City Council's consideration:

Number of delegations/submissions

Number of delegations at Committee: 5

Number of written submissions received by Planning Committee between August 31 (the date the report was published to the City's website with the agenda for this meeting) and September 10, 2020 (committee meeting date): 6

Primary concerns, by individual

Paul Goodkey (written submissions)

- Chapel wing: the application is apparently predicated on the demolition of the Chapel wing, but the structural engineer's assessments do not indicate any major structural deficiencies; by definition, an alteration does not include for the complete demolition of a portion of a heritage structure, and it is therefore not a given that Council will approve the demolition of the Chapel wing; any and all references to the Chapel wing demolition should be deleted from all of the Zoning By-law application documentation and the existing Chapel wing should also be depicted on all drawings; the preservation of the Chapel wing has nothing to do with the Zoning By-law application
- gym: a gymnasium complex, complying with City standards, does not appear to fit within the proposed land parcel to the north of the Deschâtelets building; the application should not include any references to a future gymnasium or if it does, more details should be provided
- Deschâtelets Building front doors: the proposal depicts the main front doors of the Deschâtelets building to be 'hanging in the air'; a grand stairway and landing should be a preferred method of preserving the heritage protected attributes of the

Deschâtelets building front door, its pediment, architrave and flanking piers; the proposed east-west connectivity / accessibility tunnel can be maintained, but should be designed so as to run below the front door landing; the current proposal threatens to substantially destroy the historic significance of the main entrance doors; a 3.135 m setback at the west entrance is not sufficient for the currently proposed accessibility ramps, nor a more appropriate grand stairway and landing c/w ramps

- fire route: the westerly fire access route is an intrusion into the City-owned Forecourt Park lands parcel; these open space lands should not be compromised with the proposed east west vehicle access route; garbage trucks, school buses and any other than fire truck vehicles should be prohibited from using the fire access route. A detailed study of the Forecourt uses and Deschâtelets building westerly site plan is required in order to properly locate the fire route
- setbacks: the proposed yard setbacks (typically approx 3 m) and the proposed uses within the setback do not respect the prominence the Deschâtelets building deserves; the southerly door entrance area setback (1.16m) is insufficient for even a proper sidewalk to that entrance; the northern door and architecturally significant door entrance features appear to be proposed to be completely removed, which should not be permitted; the west side setback appears to be filled with bicycle parking, which is not appropriate; the north-west corner is proposed to have an inappropriately located 'garbage area' and 'moving in area' adjacent to the fire route, which is not appropriate
- projections above the 83.7 m asl height limit: the applicant must endeavour to minimize the size and height of elevator overruns and the mechanical equipment; elevator overruns should project within the existing projections (the existing projection's side enclosures should be re-clad to enhance the heritage aesthetics of the front); mechanical equipment heights can be minimized, albeit at some additional costs; pier review of the mechanical equipment design should be undertaken, in order to minimize the negative impacts of any and all projections above the 83.7 m asl absolute height limit; all new projections above the height limit must not be visible from Main Street
- parking: The lack of any onsite parking could very well be a major problem. There will be need for drop off areas, which will lead to parking and temporary parking problems for all of the proposed building uses. This issue needs to be examined and realistic solutions generated.
- FSI: there is no information provided with respect to the FSI of Deschâtelets building; the recently constructed Retirement Residence building has an FSI greater

than the maximum FSI for the Deschâtelets block 48; Block 48 is one lot for zoning purposes; it is important to keep in mind the maximum FSI for Block 48 is 2; the FSI of 2 is an important provision to ensure appropriate density for Block 48; the applicant should provide detailed FSI calculations as part of this application

- overall Zoning By-law application: the application is premature as sufficient information has not been provided, in order to assess the application; at the least, some semblance of a proper Site Plan Control application should be a requirement, in order to address the uncertainties of this ZBLA application
- Official Planning Amendment application: the applicant's Planning Rationale (PR) mentions only certain parts of the "Ottawa East Secondary Plan & Community Design Plan, 2011" but does not reference or consider several pertinent policies of the Old Ottawa East Secondary Plan, including:
 - ❖ recognize, support and commemorate the presence of the existing institutions as part of the community in the redevelopment of these lands
 - ❖ designate the Deschâtelets Building and appropriate parts of its associated cultural heritage landscape under Part IV of the *Ontario Heritage Act*
 - ❖ conserve the allée and forecourt of the Deschâtelets building as cultural heritage landscape
 - ❖ respect the cultural heritage value of the designated places in the design of all new development
 - ❖ design the intersection of Main Street and the tree-lined allée leading to the Deschâtelets building as a gathering space for the community
 - ❖ the properties designated under the *Ontario Heritage Act* are protected from demolition and incompatible redevelopment; approval of City Council is required before significant alterations are made to designated properties; City Council approval is also required before a designated property may be demolished; heritage grants are available for restoration work
 - ❖ design guidelines will be prepared to encourage infill development that is compatible with adjacent buildings; the Design guidelines will offer a means of conserving the cohesiveness of existing streetscape types and discouraging incompatible infill development
 - ❖ an architectural conservation study will be undertaken with respect to any proposal for redevelopment of a property that is included on the Heritage Reference List; the study will determine the suitability of the existing buildings and landscape features for conservation or adaptive reuse as part of any

redevelopment proposal; this study will be submitted as part of a Site Plan Control application

- ❖ an OP Amendment application is required in addition to the Zoning By-law application

Tom and Joyce Scott (written submission)

August 12 submission, prior to agenda release:

- concerns about the process by which the Scholasticate building is being divided and targeted for demolition and diminution, compared to the original promises Regional made to the community and to the Oblates
- a request for rezoning is premature and more information needs to be provided to the community and to City staff
 - ❖ the zoning in question would not permit a mixed-use facility that would include a school, and there is no information to support the school board's authority to create what would amount to a podium facility with school below and residences above
 - ❖ the costs of rehabilitating the centre block have not been fully determined, nor the associated costs to use the Chapel Wing for additional social housing units
 - ❖ a formal request to de-list the wing as heritage has not been presented, nor a formal request for demolition, rendering a request for rezoning premature
 - ❖ none of this was presented to the Old Ottawa East community, to the Oblates, nor to the City at the time the property was being considered for sale to Regional, but they clearly had all the information about the state of the building prior to sale when it made commitments to the Oblates, and what it would take to re-purpose the whole of the facility; de-classifying part of the Scholasticate as a heritage building was not in those discussions
 - ❖ there is no information about what is intend to the immediate east of the building and why the chapel wing is such a hindrance; it is no more structurally unsound or difficult to re-purpose than is the central block itself; Regional is so far behind in its commitment to social housing for the neighborhood that it could certainly use additional housing units if it repurposed the chapel wing
 - ❖ the chapel was never intended to be used as a gymnasium; an as-yet unapproved community center elsewhere on the former-Oblate lands may itself not have sufficient space for a full-sized 28x15 m gymnasium either; but, neither of these are grounds for the wing's destruction
 - ❖ Regional's wish to use all the land immediately east of the main center block is

the driving force and no other; that approach severely limits what land might ever be available for a controlled playground area if a school is ever approved for this site

- ❖ the Community Association is on record that it does not support the demolition of the chapel wing unless and until all the other conditions are met

August 20 submission

- the voices of the Oblates' Fathers have not yet been heard, and the current COVID-19-based process has no allowance for them; they were already devastated by the requirement to reposition their cemetery to Gatineau to make space for Regional's plans, and even more so when it was discovered that a number of unmarked graves came up during the site excavation; the Oblate cemetery had also protected the remains of several nuns who had died in the fire that reduced their original convent and there had been concern at the time of the transfer that these had not been as well documented, and so it turned out
- questioned how and who will deal with the concerns about asbestos and lead in the floors above the school rooms; whether there is a Provincial standard for play space for pre-school, kindergarten and elementary levels and how much of this is dependent on crossing into the forecourt as opposed to using the free space to the east of the centre building
- the planning documents appear to have no effort put into planning; they are all about development: nothing about history and heritage, nothing about most effective use of space for social housing needs, nothing about the needs of children in an educational environment; no long-term engagement of a community association, which is the key to future consultation and engagement

W.M. Lyse Morisset (written submission)

- there is no rational justification for the demolition of the Deschâtelets Chapel
 - ❖ the Regional Group (applicant) hasn't yet found a potential buyer for both Deschâtelets and its Chapel; a super developer could have turned both Deschâtelets and its Chapel into condos; the applicant is extremely fortunate to have found a potential buyer willing to take on the financial and the complex administrative responsibility of dealing with municipal Parks and Recreation and possibly yet another agency, for the main Deschâtelets building
 - ❖ while the owner of the property remains bound by the obligation to preserve the Chapel independently of how it deals with the main Deschâtelets building, also protected by Section 29 Part IV of the *Ontario Heritage Act* (OHA), the developer of the 10.8 hectare property, can choose to integrate, sell, lease, or

repurpose the building for activities in teaching, the performing arts, athletic activities (indoor tennis or badminton), religious services or simple contemplation, but it is not clear any of these avenues have been seriously explored

- ❖ Regional Group stands to gain from the complete demolition of the Chapel, a virgin building volume at least twice that of the Chapel; add to the Chapel proper two generous floors of living space above the Chapel, and beyond, below, one special floor for the Refectory and kitchens and two and a half floors down to grade, that is to the same level as the newly built retirement residence immediately beside it; this would free up a volume that could reach from ground to the roof line of the main Deschâtelets building; thus, the applicant has requested the total demolition of the Deschâtelets Chapel, and submitted support documents citing “frivolous” civil engineering obstacles that are entirely within its technical and financial capabilities to solve
- ❖ Regional Group has also submitted, to support its request for the total demolition of the Chapel, the Cultural Heritage Impact Statement 2020, which centres on items related mainly to landscape architecture and yet proposing to “plunk down” the ultimate inorganic shape of a CUBE of a gymnasium (plus adjacent parking lot) right beside the textured Deschâtelets heritage main building; this submission analyzes only the Cultural and Heritage aspects of the Deschâtelets Chapel; the enormous real cultural and heritage value of Deschâtelets and its Chapel is demonstrated in the most tangible way by the offer to buy the main building by the Conseil des Écoles catholiques de langue française du sud-est (*historical / cultural details of the property provided in submission*)
- ❖ the Cultural Impact Statement 2020 prepared by Commonwealth Historic Resource Management (CHRM) is seriously lacking in accurate data and perspective, infinitely narrow in its perspective on culture and heritage (*historical / cultural details of the property provided in submission*)
 - the author advances that since the disappearance of the chapel will not be visible from Main street the demolition would be a negligible loss of heritage; this the view of a landscape architect, one who is concerned with a “pretty postcard picture” as seen from Main Street; this has no relation to heritage
 - throughout the 2020 and 2015 CHRM documents the Deschâtelets building and its forecourt are deemed the main cultural elements of the property; since there is also an obsession with alignments of trees, it

appears that cultural is perhaps used interchangeably with horticultural;
culture has very little to do with the arrangement of plants

- the evaluation of the fate of Deschâtelets' Chapel deserves a more respectful, truthful and accurate presentation of the facts relevant to the matter

Faith Blacquiere (written submissions)

- the Deschâtelets Building is a black box and no one knows exactly what uses are going to be in it
 - ❖ in the *Ontario Heritage Act* (OHA) application, Council is being asked to demolish the chapel wing and porch to facilitate a real estate deal between Regional and CECCE and to approve a concept that the land north of the building will be used for the community centre/gym in exchange for Regional's Group's development on the chapel wing site
 - ❖ there will be a site plan control application for the north parcel building but no site plan control application to control the Deschâtelets Building exteriors, and no private lane, public street for the fire route or school bus/passenger drop-offs, or accessible parking at the front or rear entrances
 - ❖ the planner and RCFS disagree as to whether the Forecourt Park land, which was conveyed to the City, can provide the access; ability to sever the parcel is impacted if access isn't provided but Council is being asked to approve it anyways
 - ❖ Council is being asked to wait for a 2nd OHA application to see what heritage attributes will be impacted; the renderings submitted with the OHA application show major changes which will adversely impact the heritage attributes of the Deschâtelets Building.
 - ❖ Council is being asked to wait to see a draft Letter of Understanding and report that will be brought to the Finance and Economic Development Committee (FEDCO) in October; the only FEDCO meeting scheduled in October is on the 6th; despite the 10 May 2017 Council-directed report which was to be brought back to Council with an agreement framework, recommendations and financial implications, staff made the decision to add the \$10.5M community centre/gym by including it in the 2019 Development Charges By-law and 2020 Budget, and are implementing the OHA and Zoning By-law Amendment (ZBLA) applications before this happens
 - ❖ the school cannot be required to pay the \$893,000 Development Charge portion, so Council is being asked to pay more

- ❖ Council is being asked to trust that the affordable housing residential units can be placed in a school, despite the *Education Act* regime not providing for this and the City not being able to use the Action Ottawa RFP process if they don't own the building
 - ❖ while CECCE would be able to partner with Ottawa Community Housing Corporation (OCHC), staff say that Housing Services wouldn't be involved until an application is received, and OCHC does not appear to have been involved
 - ❖ Council is being asked to approve the ZBLA when there is no information as to how many floors will be provided with designated substance mitigation and renovation or whether a joint agreement requires the City to pay; CECCE initially said the school would be on the 1st three floors, and the BHSC Staff Report is now saying the 1st two floors
 - ❖ Council is being asked to approve the ZBLA when there are legal questions relating to the fire route and ability to provide access, parcel boundary discrepancies, and overlap with the approved 375 Deschâtelets parcel. Council is being asked to ignore the legal issues and this uncertainty
 - there are two timelines driving the speed of the process – CECCE's opening date Fall 2021 and the heritage demolition permit time limit, which has been extended to 31 Dec 2020; the ZBLA 90 days expired in August, despite the Application Summary saying the on-time decision date is Sep 10th
 - Council and the parties involved should consider an alternative process:
 - ❖ 1. Delay the heritage demolition permit and ZBLA with a condition that staff bring the report and Letter of Understanding to the Sep 23 Council Meeting, rather than the Oct 6 FEDCO and Oct 14 Council meetings
 - ❖ 2. Undertake further discussions with Regional Group and CECCE to determine whether the process could be speeded up and simplified with Regional Group doing the renovation and leasing parts of the building for the various uses or creating a plan of condominium and to determine whether an alternative access can be provided at the rear of the building. If the Forecourt Park land is to be used for access, Regional and/or CECCE should be paying for loss of parkland and redesign costs
 - ❖ 3. If residential units are permitted in the school, St Paul University should be contacted to determine whether they would be interested in retaining the rooming units previously rented to their students as this would provide for many more affordable housing spaces than are now being proposed.
- If not deferred, Council will be approving the OHA and ZBLA applications

without Councillors or the public knowing what they will get, whether there can be residential units, or the costs that the City will have to assume; another reason for deferral is that the DevApps site has only been available sporadically in the past week, making it difficult for the public to check the relevant documents; the City had not informed the public as to the changeover date for the new site, and even that site, was not available all the time

- there are additional problems with the ZBLA application (*listed below but expanded in greater detail in written submission*):
 - ❖ staff failure to bring a report to Council: The OHA and ZBLA applications are premature as they are asking for demolition of part of the heritage building and assuming the uses can be provided before sufficient information and agreements are being brought to Council; staff say the report and Letter of Understanding are probably coming to FEDCO on Oct 6th, and to Council on Oct 14th, so the OHA and ZBLA applications should be deferred until then, or the documents should come to Council on Sep 23rd
 - ❖ the demolition permit and other approvals require coordination using conditions: there are many steps which are co-dependent as the project, if approved, moves forward; proceeding without knowing the contents of the report and Letter of Understanding and what the parties have committed to, should not be done.
 - ❖ inadequate and conflicting holding conditions: the Staff Report contains statements which conflict with the recommended holding condition in Document 2, the wording is confusing and needs to be reviewed and revised to provide certainty
 - ❖ incorporation of area B: staff shouldn't be adding this when it was not included in the ZBLA Application Summary and is an attempt to implement a LPAT decision
 - ❖ interior side yard vs front yard and severance requirements: staff didn't include the provision to permit severing lands without street frontage, which was in the Application Summary or request a Section 59 exception
 - ❖ fire route on City parkland issue: the proposed fire route and access cannot be provided as it is on City land; staff disagree as to whether it exists or can be provide on the Forecourt Park
 - ❖ overlap with 375 Deschâtelets and parcel legal boundaries: the parcel overlaps the 375 Deschâtelets parcel which has a COA minor variance decision in effect and the Draft Reference Plan disagrees with the Reference Plan used

for the Designation By-Law approval on Aug 26th; the ZBLA should not be approved until Legal Services has provided an opinion on these issues

- ❖ ability to provide future residential units: review of the *Education Act* regime and Ministry policies indicates that there is no provision for a school to provide residential uses or use the Action Ottawa RFP process
 - ❖ ability to provide parking: no parking is provided on site and only the school parking has been included
 - ❖ zoning details (document 2): staff should refer to Area A and B in the correct sequence, remove the existing Section 64 clause, have an exception to add the washrooms, exclude greenhouses, and provide setbacks for rooftop gardens so they do not impact the front of the building roof
 - ❖ consistency with the Provincial Policy Statement: staff didn't consider all relevant policies
 - ❖ conformity with the Official Plan: staff didn't consider all relevant policies, and considered irrelevant policies
 - ❖ conformity with the Old Ottawa East Secondary Plan: staff didn't consider policies that could be impacted by the change of location for the existing school or the community centre
- at the BHSC September 8th meeting, Councillors gave Direction to Staff to provide information in writing in relation to affordable housing requirements, whether the *Education Act* and related Ministry policies allow for affordable housing as a permissible use, and whether there are any barriers to partnerships and RFP processes relating to development of affordable housing on the site
 - in her Sep. 7th ZBLA public comment she stated that OCHC was not involved in the negotiations, however, at the BHSC meeting the CECCE representative indicated that OCHC is involved; while CECCE is permitted to have partnerships with municipal boards, the question as to whether residential uses can occupy a school building owned by the Board remains to be answered
 - BHSC also gave direction to staff "*That City staff work in conjunction with the Ward Councillor in advance of Planning Committee on September 10 to ensure the holding condition is sufficient to prevent the demolition of the chapel wing should a final sale to the Conseil des écoles catholiques du Centre-Est (CECCE), with authorities in place for mixed use facility, not occur, including more substantive information needed for adaptive re-use, and work on a process to review opportunities for a display within the remaining building that would commemorate the chapel*". However, as of this submission (Sep 9), no staff response has been

posted on the (Planning Committee) Agenda for either of the Directions, leaving no time for the public to see the information or respond. Even were the information provided at the Sep 10th meeting, there would still be insufficient information until the report and draft Letter of Understanding come to FEDCO on Oct 6th and Council on Oct 14th, and even then, there is no guarantee that sufficient information will be available to make OHA and *Planning Act* decisions. Making changes to recommendations at the last minute does not provide the ability for the public to comment.

- Council should be aware that approving the school use has financial implications:
 - ❖ 1. Loss of the \$893,000 development charge portion of the \$10.5M budget for the community centre
 - ❖ 2. Increased costs due to need to pay for the community centre space remediation and renovations. This isn't likely in the Budget because Council also approved the Community Centre - South with the same size and amount
 - ❖ 3. Loss of funding previously committed by Regional Group for affordable housing
 - ❖ 4. If the residential units can be in the school, under Ministry policies, OCHC will be required to share remediation and renovation costs.
- in addition, there are legal issues which need to be considered and resolved:
 - ❖ 1. CECCE will be required to have access and a fire route on the Forecourt Park and should be paying the cost of creation of the public street and for any loss of parkland
 - ❖ 2. The ability of the Deschâtelets Building to have frontage on a public street
 - ❖ 3. The ability to obtain a severance, which was said to be submitted soon
 - ❖ 4. The overlap of the COA Minor Variance approval of the 375 Deschâtelets Reference Plan with the Aug. 26th Designation By-Law Reference Plan prevents the ZBLA from being implemented until this issue is resolved
- at BHSC, Regional Group and CECCE were providing new information, some of which conflicts with the staff reports and the posted reports; the details seem to be changing constantly, and there is no certainty as to what is being proposed; planning requires certainty
- the OHA and ZBLA applications should be deferred until the October results are known, or, alternately, require the staff response to the BHSC directions and the Oct. 6th report and draft Letter of Understanding come to Council on Sep. 23rd, with all information made public in advance of the meeting so that the public have time to

respond

Primary reasons for support, by individual

Ron Rose, Interim Chair, Planning Committee, Old Ottawa East Community Association (oral submission)

- the Association supports the conversion of the D building into a mixed-use facility, including a school, a community centre and affordable housing and would be pleased to see the building returned to its original function as a scholasticate
- they support the proposal to allow permitted projections on the roof of the D building, recognizing that if the building is to take on modern uses such as a school and community centre, mechanical projections will be required, but they hope every effort will be made by the developers to locate these projections behind the existing pediment
- they request assurances from staff that building height will not be permitted to change, and request clarification about the staff comment in respect of OPA 228 and relief for projections above the maximum height would bring zoning into conformity with the Secondary Plan as per the LPAT decision
- they support the reduced interior side yard, on the understanding that it regularizes the existing situation of the building
- they question whether the reason for permission to sever the land is to accommodate the demolition of the chapel or some other reason
- they request further clarification about parking allocation and suggested that if the school is required to provide 16 spots, they should be required to provide an additional 20% parking to accommodate visiting parents

Mikolaj Carriere (oral submission)

- spoke of the positive impact the school has made on his two children who attend the school, being a school that is conscious about sustainable development, about ecology and about a Wholistic approach to education, and of the benefit the school brings to the community
- noted the challenges of growing in the current school situation and supported the proposed permanent location
- supported the proposed partnership with the City and Ottawa Community Housing to create sustainable development with a community approach to schooling a partnership, in order to be a pillar within the Old Ottawa East community

Monique Moreau (oral submission)

- as a community member, francophone and mother of two francophone children, highlighted the importance of being able to live, study and work in a francophone community in downtown Ottawa
- spoke of the importance of the school to her and other families in the French community that has been built through this school
- it is a credit to the teachers and principle at the school who had to contend with renting space on a year to year lease and create a contingency plan to accommodate the growing school community at its current location
- supported the plan for the school to be connected to affordable housing and a community centre
- understood concerns about demolition of the chapel but hoped that with careful management and preservation of the stained-glass windows and other meaningful elements, the chapel could be replaced with a vibrant, inclusive francophone community that reflects the origins of the building and the location it is in

Marc Bertrand, Superintendent of Education and Facilities, Conseil des écoles catholiques du Centre-Est (CECCE) (oral submission)

- provided background on the School's origins
- noted the need for a permanent home because of challenges to accommodate growth and demand, leasing on a yearly basis, at its present location
- spoke to consultation with the community, of plans for shared spaces and community use before and after school hours, and of discussion with Ottawa Community Housing to construct subsidized housing for the elderly on the upper two floors of the D building, and of the Memorandum of Understanding with the City for the proposed gym and community centre

Dan Paquette, Paquette Planning Associates Ltd. (applicant) (oral submission)

- explained that the requested severance is needed to free and separate Title for the land for the School board
- provided context on the requested zoning amendment, the biggest part of which is to allow a school use in the building, and the ancillary components being: to reflect that parking will be made available off site; to normalize the set back on the west side; to permit normal roof top projections (no change in building height)

Steven Begg (written submission)

- the Oblates have been good neighbours; the scholasticate is an impressive,

architecturally interesting building and the Oblates were generous in allowing some public use of their lands, such as the walking path and lawns, but this building was for decades, and remains, a private space, providing little public benefit beyond nice backdrop for a walk around the neighbourhood; in this older neighbourhood with relatively little public space, any action to create more space for public use will be a welcome addition

- as a parent of two future students for the proposed elementary school at this property (both currently attending the school in its temporary space), noted that the temporary location is functional but wholly inadequate, particularly given the COVID-19 pandemic; the CECCE's search for a permanent site for this school has been challenging and subject to more than one setback; is pleased the scholasticate was proposed as a possible location; the proposed amendment will enable this site's use as the school's permanent location, helping ensure that children in the downtown area have access to a Franco Ontarian education in a safe and functional location
- understands concerns about demolition of a portion of the scholasticate that has some heritage value, but believes, on balance, the opportunity to convert this distinguished building from a private to a public use, and in doing so addressing community needs and preserving its original purpose as a place of learning, justifies the changes to the site and is in the public interest

Effect of Submissions on Planning Committee Decision: Debate: The Committee spent 35 minutes in discussion of the report

Vote: The committee considered all submissions in making its decision and carried the report recommendations as presented

Ottawa City Council

Number of additional written submissions received by Council between September 10 (Planning Committee consideration date) and September 23, 2020 (Council consideration date): 2

Primary concerns, by individual

Tom and Joyce Scott

- after a lot of confusing, interlinked agenda items, motions and Committee-approved recommendations over the past month (COVID-19 limitations notwithstanding), this series of items will be moving to Council in the coming week; despite concerns about the loss of a heritage building as extortion for support of a new school and community center, they are still not seeing a strong

tie to meeting the conditions set out by the Old Ottawa East Community Association; even the address of the building itself was unclear, and they were never too certain that we were all talking about the same property

- Main Street will have other demolitions coming this year as a result of MTO expropriations and the face of Old Ottawa East is being irrevocably erased; they find it peculiar that when heritage stands in the way of development, then demolition-by-neglect becomes the other alternative proposed; the supposed "flagging" of this item and links to other promised conditions are not readily visible in these motions to Council, and it seems that in practice, after next week, the demolition of the chapel wing could proceed without any new school or community center
- Hobin is off the file for the "future development" to the east of the main Deschatalets building so no one really knows now what to expect as a real trade off for this heritage loss; but his name included in the motion seems to have been included to carry some cache
- While they wanted to just move forward on this and get the best of a bad deal for the community, the reassurances that they were given about protecting promises and even more-recent commitments appear to us to be absent from the motions going forward; this should be more than just 'cross your fingers and hope for the best' but that is about where they see themselves now

Faith Blacquiere

- these applications are not about planning, they are about money i.e. future commitments and losses, who pays for what, and who will assume ownership and control; they are also about staff agreeing in principle for a shared gym without bringing the results to Council as required in the 2017 Directions, and requiring Council to approve the applications when the results of negotiations are unknown, including negotiations to provide exceptions to other by-laws
- Council is being asked to facilitate a real estate deal between Regional and CECCE, with Regional even threatening Planning Committee that the deal would fall through if the applications weren't approved, as stated by the owner
- despite the Council direction to bring the report on the non-binding discussions to Council, staff decided to include the \$10.5M community centre in the DC By-Law and 2020 Budget and stated there is an agreement in principle. Council is now being asked to wait until Oct 6th to see the report and Letter of Understanding, with staff indicating it is to be determined if it will be a City purchase and build versus a long term lease and with CECCE telling Planning

Committee their mission really is to make spaces available evenings and weekends, so it is questionable what happens to the \$10.5M, and why Council would want to pay for a gym that has such restricted availability

- The development charge portion of that \$10.5M is \$893,000. CECCE cannot be required to pay development charges, so Council is being asked to pay more
- Regional indicates that the \$500,000 they committed for affordable housing and additional ward money won't be provided, as \$200,000 has been spent in "pursuit of affordable housing" with CCOC/CAHDCO and Convivium, which is based on a cohousing model that requires shared ownership of premises, and because the purchase price was lowered by \$800,000; provision of affordable housing is not "pursuit of affordable housing"; their costs would have been time and costs of the various reports required for due diligence
- the future severance will require access to a public street, when the only feasible location is on the Forecourt Park; if this land is required to provide a fire route and access to the school, CECCE should be paying for the construction and loss of parkland
- Council is being asked to approve the ZBLA when there is no information as to how many floors will be provided with designated substance mitigation and renovation or whether a joint agreement requires the City to pay
- CECCE also revealed to Planning Committee that the "affordable housing" is actually "subsidized housing for the elderly" and is being negotiated with OCHC. Regional Group's attempts to find buyers focused on the elderly. It is questionable why OCHC would want significant numbers of elderly persons on the 4th and 5th floors when there will only be 1 residential elevator and when the Lemay 146 unit retirement home next door and seniors in the condos also will attract more emergency vehicles
- Council is being asked to take a blind leap of faith and approve the applications without knowing the costs and conditions and to wait to find out whether the community centre and affordable housing will be provided; at this point, there is insufficient information as to what is being requested or what will happen; it doesn't make sense to have so many co-dependent processes without conditions controlling all of them; if anything goes wrong, the chapel wing may be demolished for no reason; CECCE's previous deal for 330 Gilmour fell through after remediation and renovation had started
- on Sep 9th, Council was provided with a response to the BHSC Directions to Staff; the staff response to the first direction as to whether the residential use

was permitted and whether the RFP processes could be used, only quoted what CECCE had said about the Ministry Guidelines, gave Toronto District School Board (TDSB) as an example, and did not answer the questions; the TDSB example was not relevant as the Board had sold adjacent land for condos and just provided restricted links to the school, whereas it needs to be confirmed as to whether residential uses can be in a school; the Action Ottawa RFP process can't be used because the NPOs need to own the building or part of the building; there are more relevant parts of the March 2015 Ministry Community Planning and Partnership Guidelines (full references in submission)

- there is no requirement for an agreement to provide residential affordable housing units; this is why further investigation is required to ensure that the residential uses can be provided at a reasonable cost; these Guidelines generally relate to projects that are supportive of student and community programming, not the inclusion of residential units in the building; OCHC will also need Board approval, and possibly approval from the province, for funding
- the Directions to Staff requirement to “ensure the holding condition is sufficient to prevent the demolition of the chapel wing should a final sale ... not occur” was not included in the Motion to amend the conditions
- balancing the impact of the demolition against the public interest requires the total picture; the deferral of the 2d alteration application results in the inability to balance the impact of the uses against the heritage attributes
- the recommendations and motions are ineffective:
 - ❖ once the ZBLA is in effect, OHA Condition 1 permits the chapel wing to be demolished, thereby removing the ability to “balance” the uses against loss of heritage attributes
 - ❖ once the ZBLA is in effect, the OR condition for lifting the -h permits BCS to approve the abatement or remediation application(s); the OR condition for the City to sign an agreement for the school is not legal, as the ZBLA establishes the right to a school use in the building; use of OR makes no firm requirement for the community centre agreement to be signed
- OHA Permit Motion 29/4 for exterior alterations is for the school OR the community centre use; there are no exterior alterations required for the community centre use at this time; this second OHA application is not bound by any other requirements
- OHA Motion 29/5 only requires review of opportunities, rather than a firm requirement to display a plaque

- BHSC members were expecting the motions to Planning Committee to resolve the problems and permit the chapel demolition decision to be made based on understanding what needed to be balanced, but this hasn't happened
- Legal Services has not responded to an email as to whether the 375 Deschatelets 14 Sep 2018 Minor Variance overlap with the Deschatelets Building parcel boundaries impacts the ability to implement the ZBLA and the severance
- the approval of a Consent to Sever application and an agreement to use the Forecourt Park to provide the required access and fire route, should have been conditions
- the Deschatelets parcel has one play area for the daycare at the rear of the south wing, and CECCE intends to fence part of the Forecourt Park and use the Scholastic Drive MUP and Rideau River Western Pathway; they have not considered that there will be no Forecourt Park or gym for several years, that the MUP doesn't meet accessibility requirements, and that the retention of "naturalized vegetation" and lack of ownership by the City results in invasive and hazardous plants along the river corridor; CECCE also hasn't considered that the entire Deschatelets parcel is surrounded by vacant land, highly disturbed and un-remediated in some places, and that there will be significant construction noise, dust, and traffic, taking several years for completion of development, as well as construction overhead on the 4th and 5th floors; placing children in this potentially hazardous environment will be totally contrary to the school's objectives and model; while the Deschatelets site may be the ultimate dream for the school, that dream cannot be realized until the surrounding area has been developed
- CECCE would be foolish to demolish the chapel wing when it could provide recreational space until that surrounding development happens and until the river corridor will be conveyed and made more accessible and safer; CECCE would also be foolish to proceed with the school when the ultimate COVID-19 impact on schools is not known, when there is no outdoor space available and when the windows can't be opened due to construction; Regional would also be foolish to try and develop all of the surrounding lands when there is limited access on-site for construction materials and equipment and for construction worker parking
- there are 2 timelines driving the speed of the process – CECCE's opening date Fall 2021 and the heritage demolition permit time limit which has been extended

to 31 Dec 2020; the ZBLA 90 days expired in August, despite the Application Summary saying the on-time decision date is Sep 10th

- Council should:
 - delay the heritage demolition permit and ZBLA with a condition that staff bring the report and Letter of Understanding to the Oct 6th FEDCO and Oct 14th Council meetings, along with all of the requirements, agreements, costs, losses and the answers to the question as to whether “affordable housing” OR “subsidized housing” can be in the school
 - provide a condition for the heritage permit that requires the approval of all relevant *Planning Act* applications which permit the existing Deschâtelets Building to be converted to a school
 - undertake further negotiation with Regional Group and CECCE to determine whether the process could be speeded up and simplified with Regional Group doing the renovation and leasing parts of the building for the various uses, or creating a plan of condominium.

Effect of Submissions on Council Decision:

Council considered all submissions in making its decision and carried the report recommendations without amendment. Council also carried the report recommendations of the report ACS2020-PIE-PS-0085, Zoning By-law Amendment – 360 Deschâtelets Avenue without amendment. In respect report of ACS2020-PIE-RHU-0019, Application to Alter 175 Main Street, the Deschâtelets Building, a Property Designated under Part IV of the *Ontario Heritage Act*, Council carried the report recommendations with the amendments put forward by the Planning Committee. For ease of reference, the recommendations approved by Council for each report are outlined below.

- Application to Alter 175 Main Street, the Deschâtelets Building, a Property Designated under Part IV of the *Ontario Heritage Act*

That Council:

1. approve the application to alter the building at 175 Main Street, which includes the removal of the chapel wing and the construction of a temporary infill wall, according to plans submitted by Hobin Architecture, dated May 2020 and July 2020; conditional upon:
 - a. the approval of the Zoning By-law Amendment for 205 Scholastic Drive to permit the existing Deschâtelets Building to be converted to a school and that such amendment be in full force and effect;
 - b. the documentation of the building as described in Document 10 to be

submitted to the City of Ottawa archives; and

- c. the retention of as many of the stained-glass chapel windows as reasonably possible to be incorporated into future development or public art within Greystone Village;
 - d. the submission of a complete heritage permit application for alterations associated with the new school use or community centre, including the alterations to the front entrance and the bay on the east façade.
2. delegate authority for minor design changes to the General Manager, Planning, Infrastructure and Economic Development;
 3. approve the issuance of the heritage permit with a three-year expiry date from the date of issuance unless otherwise extended by Council;
 4. direct staff work with the owners to review opportunities for a display, in addition to a plaque, within the designated building at 175 Main Street, that would commemorate the chapel.
- ZONING BY-LAW AMENDMENT – 205 SCHOLASTIC DRIVE
That Council approve an amendment to Zoning By-law 2008-250 for 205 Scholastic Drive to permit the existing Deschâtelets Building to be converted to a school, as detailed in Document 2.
 - ZONING BY-LAW AMENDMENT – 360 DESCHÂTELETS AVENUE
That Council approve an amendment to Zoning By-law 2008-250 for 360 Deschâtelets Avenue to facilitate the construction of a nine-storey, 85-unit apartment dwelling, mid-rise, as detailed in Document 2.