

Summary of Written and Oral Submissions

Zoning By-law Amendment – 166 Huron Avenue

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: 2

Number of written submissions received by Planning Committee between May 17 (the date the report was published to the City's website with the agenda for this meeting) and May 27, 2021 (committee meeting date): 4

Primary concerns, by individual

David & Charlotte Simpson (oral and written submission)

- they are former owners and restorers of the Sullivan heritage home and provided background and history on the building, and raised concerns about the use of the house as proposed
 - due process has not been followed: the City has not allowed for a delay or due process during Covid times to adequately assess the change in current residential status; the one-sided lobby by the organization and friends of the Jewish organization has been relentless in blocking others' concerns; the local councillor held a Zoom pre-meeting with only a limited number of concerned residents and participants and openly advocates for the project; the planner in charge and the Heritage officials and councillor on the case have not pursued an adequate review and acted more like cheer leaders for this amendment and not guardians of this preservation; both junior planners assessing the proposal had no grasp of the implications and even admitted in a teleconference meeting (with them) to not having even been in the building to see the delicate preserved spaces and smallness of the size but relied on the real estate photos to make their assessment; an independent review of those verses actual site inspection would clearly show the exaggeration of the size of the spaces and inappropriateness for the activity planned; in the planner's report the weighting of comments significant and unique to this Canadian piece of architecture from nearby residents and restoring proprietors has been skewed in favour of the proponent and those who have mainly an interest in the applying the association's or their own goals to this application - they have no vested interest

historically or currently to its protection but to a flawed vision of accessibility for all to use and see the insides

- under Part IV of the *Ontario Heritage Act* an easement was put on the building to protect it from damage, deterioration and change; the current and proposed activities of the Young Jewish Library, which has intensive activities more in line with an educational/ recreation centre, do not fit with the protective delegated authority given to the province and the city to conserve this architectural master piece
- the building is not an adequate size or appropriate to be used as a library or for other public activities; there's no cloakroom or space for boots, coats, backpacks, strollers, walkers, and any other conveyance the association attendees will have to bring; the house is only a little over 2100 square feet and the three principal rooms on the main floor are small
- the house cannot structurally support the bookshelves that would be required to house the 10,000 stated books without impacting the stained glass, woodwork and architectural detail, and is equally too small for other activities without damaging the protected features
- the Young Jewish Library has grossly understated the activity level planned for the structure; Associations, including this one, tend to survive on growth and increased activity to users and members, all of which is the antithesis of normal traffic in a residential home; a McKinsey Co. data-driven type assessment of the proposed program level vs residential use would indicate the level of wear and tear on the building, demonstrating that entrances and exits from human traffic in the understated proposed program schedule produced by the Association and its administrative activities would be at 728 visits per week or on a 50 week year 36,400; this, compared to a family of 6 using the building as a residential home, would be in the realm of 144 entrances and exits a week or 7200 on a 50 week year basis, meaning the building would be sustaining a 505% increase in wear and tear on this basis alone; this at a minimum by participants in activities that will be taking more steps inside the protected areas per person than the average family members pattern of behaviour; it could be potentially a 1000% increase in wear based on the amount of traffic that this association would generate; one senior heritage advocate's letter from his roles as a lawyer and a judge sent to the Heritage planner and to a nearby resident to assist against proposed change states that a video of the organization's activities at their current location must be undertaken to accurately asses how the building will be used; this needs to be done after the lockdown is lifted in early June and not with this rush to judgement by not allowing a postponement

- a former Ottawa regional councillor and professional planner by background reviewed the application for them and felt the Association was a misnomer, representing itself as a library for allowed primary use when in fact it was really a school and recreational property, in her opinion, the primary use of this building appears to be recreational in its broadest form which just happens to include a library
- the increased use and multiple activities of the association will dent, scratch, chip the heritage-designated wood and stained glass
- there would be increased traffic and parking at the house and on-street; immediate neighbours oppose the application but their concerns are downplayed by the assertion that participants will use the nearby transit station and walk, which is speculative at best and not likely in winter or inclement weather with tots, seniors, patrons with disabilities and library book carriers as normal participants of the activities; the single driveway only supports 2-3 cars at best without blocking the side entrance way, which would only allow staff parking and the rest would be on the street already used by residents, their guests and the businesses from Wellington with an already limited supply; a review of their current location shows a big parking lot taking up most of the side and front of the building used by staff and participants
- the building with this degree of visual presence poses a tempting target for hate and other groups who have desecrated synagogues, cemeteries and monuments of the Jewish faith; as hate crimes and anti-Semitism is on the rise, according to security experts and press reports, those groups and individuals will see this and its residential location as an easy target; no one or group should have that exposure in our city or country; to exacerbate this threat not just to the building but to attendees and nearby residents and their property is poor planning; a safety and security assessment must be prepared
- the alderman and the planner's report have stated that the association cannot afford more appropriate commercial space on Wellington and Richmond Roads; a cursory search of today's existing listings shows plenty of space available for their size of operation with prices as reasonable as \$11 to \$14 /sq. /ft., and there is also plenty of office space available across the city that would have either more suitable parking or easy transit access and are accessible to all Ottawa residents; Westboro Village or Hintonburg are not a necessity; if one factors in the cost of a commercial lending rate mortgage to buy a \$1.7 million dollar property with taxes, heat, hydro, water etc., one is hard pressed to see the advantage of owning this building versus renting, and why the building and the

immediate residents should have to bear the brunt of their proposed change to its status

- this house was put to market as a residential property so other professional groups and qualifying bidders for a quasi-commercial space had no competitive opportunity to buy; Francis C Sullivan and Frank Lloyd Wright designed very specific structures for very specific purposes "Form follows Function."; surely there is enough Heritage will power for the National capital's City Council to do the same and not allow this change, which will, by its very nature, shorten the preservation of this trust given to it by the restorers and previous owners who entrusted this guardianship in their hands

Caroline Hatton (oral submission)

- raised concerns about process, timing and inadequate public consultation
 - this is poor timing to consider this re-zoning, and residents of the street have not had the opportunity to come together to discuss this rezoning due to the COVID restrictions, the lockdown, the recent conclusion of seemingly never-ending construction on the street, a number of elderly residents on this street who are not technologically fluent, and others who are currently unavailable
 - there has been a lack of communication and shared documentation with residents of the street, a lack of response to residents' emails asking for information and next steps, and a lack of transparency throughout this process
 - requests have been made to wait on this decision due to the above, but they have been disregarded
- one of their biggest frustrations with the zoning by-law amendment is that it has been stated it is required to permit a small library use but it has been shared that there are over 10,000 books in storage; it is also misleading, as the plan is to include over a dozen groups and meetings and workshops (e.g. cooking clubs, parenting groups, computer and literacy workshops) that would be happening throughout the week with the library running on Saturdays
 - the Youth Jewish Library website clearly states that the Jewish Youth Library is not just a library but also a hub of activity with schools, camps, educational institutes and many special programs and events, but these other events that are not shared in the initial preliminary programming schedule and will likely (eventually) be implemented on the site after this re-zoning has been approved
 - their current site is basically a five-minute drive from where they are asking to relocate and they seem to have everything they need at that site; while it's an amazing organization, it should not be relocated to this residential street

- it has been reported that only 10-12 people will be in building at one time, rotating through the various activities, groups and workshops, but there is nothing in the report to indicate what happens when these numbers are exceeded if the re-zoning is passed (e.g. consequences or fines); a data-driven type assessment has determined that with the provided schedule, there would be 728 visits per week to this location
- it has been stated that daycare and summer camps will not move to this location, but the report does indicate any measure to prevent this once the property is re-zoned
- it has been stated that no changes to the site or building are proposed in association with the zoning by-law amendment but no information has been provided to indicate how the heritage property will be protected, including details on whether bike racks or accessibility ramps could be installed, if security could be compromised, how the 10,000 books would be displayed
- residents are concerned about noise, congestion, parking and security; the driveway on this property supports enough parking for staff at best, so the rest would be on the street, which is already in a limited supply and used by residents, their guests, and the businesses from Wellington; those concerns are being downplayed by the assertion that participants will use the nearby transit station, bike and walk, but this is speculative at best and not likely that in the winter or inclement weather, library book carriers, including taut seniors or patrons with disabilities, will see these as viable options; traffic and parking will be issues on this dead-end street and it will impact the existing residents
- residents' questions are going unanswered and the City seems to be taking this non-profit organization's word at face value; more time is needed for residents to assess the proposal and bring their concerns forward

Julia Lipinska (written submission)

- submitted comments on March 22, 2021 but received no feedback regarding their concerns; raised additional questions based on the responses found in Document 3 of the report with respect to parking and traffic pressures; occupancy limits; enforcement measures; community use and benefit; potential for precedent; reason for site selection
 - questioned whether there will be a City stated maximum limit of 14 people (including volunteers) in the house at any one time regardless if participating in ancillary or instructive activities or if using the library, as indicated by the applicant, and supported by Councillor Leiper, and asked for clarification as to

how many people can be on the property (including outside) at one time; she urged the City to include this maximum number in any potential passed zoning amendment description

- questioned what enforcement measures will be taken by the City if the applicant does not abide by what they have said in their application will be the maximum number of people in the house/on the property at any one time
- questioned what action will be taken if it is determined, that despite the applicant's belief that people will use public transport or non-car methods to come to 166 Huron, that users are driving to the location and there is a negative effect on traffic and parking on the street as a result
- questioned whether the property would be open to and of benefit to the residents of Huron Street and the surrounding neighbourhood generally (e.g. space available for booking by local groups and individuals), or just to the specific community of interest, and if so, whether the City will write this into any potential zoning by-law amendment; similarly, she questioned what happens if the applicant does not make space available to people in the neighbourhood
- questioned whether approval of the application opens doors down the road for further amendments or variations to be sought for the property
- questioned the applicant's rationale for choosing this site, given the house was most recently listed for sale at \$1.785 million, which appears to demonstrate that the applicant is capable of buying or leasing retail property elsewhere in the neighbourhood; at even \$10 000/month for lease costs, at this price, they could pay for more than 14 years of leasing, without considering the costs of maintenance and property taxes

John O'Grady (written submission)

- this is an architecturally important residential property, inside and out, and the City should have the foresight to see that the rezoning of it is wrong; the new tenants will have the ability to change many parts of this Francis Sullivan masterpiece without consulting Heritage Ottawa, and the loss of this building's architectural integrity would be a loss for all of Ottawa and Canada
- the City planners on this file are going against everything they learned as planners, as are the client's planners
- concerned about increased traffic and this is just after the City completed a street calming project in front of 166 Huron Ave. N. as part of the City's plan to encourage alternate forms of transportation and to reduce the incident rate of accidents

- changing the property with an adjustment or rezoning defeats the whole planning process in Ottawa and the value of Heritage preservation in Canada

Primary reasons for support, by individual

None provided (the applicant and owner, as represented by the following people, were present in support and to answer questions: Kersten Nitsche and Nathan Petryshyn, FoTenn; Devora Caytak, Jewish Youth Library)

Other comments

Andrea Freedman, President and CEO, Jewish Federation of Ottawa and Michael Polowin, Chair, Jewish Federation of Ottawa (written submission)

- raised concerns, on behalf of Ottawa's 15,000 member Jewish community, about antisemitic incidents
 - over the past three weeks there has been a shocking rise of antisemitic incidents across Canada; things are so serious that the Prime Minister, amongst others, felt compelled to issue a condemnation on May 19 of intimidating and/or violent antisemitic acts in Montreal and elsewhere
 - in Ottawa there have been confirmed disturbing reports of high school students feeling intimidated by social media posts from fellow students, and a swastika sign being carried at an anti-Israel rally; additionally, participants who were part of a grassroots car rally in support of Israel reported being cursed and treated aggressively, and while thankfully there were no confirmed direct physical assaults, many in the community feel it could be just a matter of time
 - community members are reporting fear to leave their homes with any visible sign of Jewishness – be it a traditional head covering or any jewelry bearing the star of David, a long held symbol of the Jewish people
 - while there have been exceptions, the community has been surprised by how few elected officials have publicly condemned antisemitism, which is concerning
 - the vast majority of Canadians reject hatred, violence, and antisemitism and for they are grateful, but the community is feeling very much alone; they want to ensure the City is aware of the seriousness of the situation and to request they are an active ally in standing up for Jewish Ottawans and against antisemitism; the children should not be afraid to go to school or check their Instagram account

Effect of Submissions on Planning Committee Decision: Debate: The Committee spent 24 minutes in consideration of the item.

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 May 27, 2021 (Planning Committee consideration date) and June 9, 2021 (Council consideration date): 0

Effect of Submissions on Council Decision:

Council considered all submissions in making its decision and carried the report recommendations without amendment.