

Heritage Watch List – Update

Mise à jour de la liste de surveillance des biens à valeur patrimoniale

Committee Recommendation

That Council receive this report for information.

Recommandation du Comité

Que le Conseil prenne connaissance du présent rapport.

For the information of Council

Staff accepted the following DIRECTIONS:

Councillor C. McKenney:

Legal Services staff will provide a memorandum to Committee with an update on the Somerset House matter including recovery of remediation costs and collection of property taxes, following the related court appearance on March 17, 2022.

Councillor Brockington:

Heritage Planning staff, in consultation with Legal Services and By-Law and Regulatory Services, will provide a memorandum to Committee identifying the tools available to the City to compel property owners to address deteriorating heritage properties, and identify any gaps that could be addressed through additional provincial regulations.

Member B. Padolsky:

Heritage Planning staff, in consultation with Legal Services, will consider adding the Hintonburg Pumping Station to the Heritage Watchlist.

Pour la gouvernance du conseil

Le personnel accepte les DIRECTIVES suivantes :

Conseillèr·e C. McKenney :

Le personnel des Services juridiques enverra au Sous-comité une note de service faisant le point sur le dossier de la maison Somerset, y compris sur le recouvrement des coûts de correction et de l'impôt foncier, à la suite de la comparution connexe du 17 mars 2022.

Conseiller R. Brockington :

Le personnel de Planification du patrimoine, en consultation avec les Services juridiques et les Services des règlements municipaux, enverra au Sous-comité une note de service indiquant les outils dont dispose la Ville pour obliger les propriétaires à prendre en charge les propriétés patrimoniales en mauvais état, et relèvera les lacunes qui pourraient être comblées par des règlements provinciaux supplémentaires.

Membre B. Padolsky :

Le personnel de Planification du patrimoine, en consultation avec les Services juridiques, étudiera la possibilité d'ajouter la station de pompage de Hintonburg à la liste de surveillance des biens à valeur patrimoniale.

Documentation/Documentation

1. Acting Manager's report, Right of Way, Heritage and Urban Design Services, Planning, Real Estate and Economic Development Department, dated January 19, 2022 (ACS2022-PIE-RHU-0003)

Rapport du Gestionnaire par intérim, Services des emprises, du patrimoine et du design urbain, Direction générale de la planification, de l'immobilier et du développement économique, daté le 19 janvier 2022 (ACS2022-PIE-RHU-0003)

2. Extract of draft Minutes, Built Heritage Sub-Committee, February 8, 2022

Extrait de l'ébauche du procès-verbal, Sous-comité du patrimoine bâti, le 8 février 2022

3. Extract of draft Minutes, Built Heritage Sub-Committee, March 8, 2022

Extrait de l'ébauche du procès-verbal, Sous-comité du patrimoine bâti, le
8 mars 2022

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Report 25
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**Sous-comité du patrimoine bâti
Rapport 25
Le 23 mars 2022**

Subject: Heritage Watch List – Update

File Number: ACS2022-PIE-RHU-0003

Report to Built Heritage Sub-Committee on 9 February 2022

and Council 23 February 2022

**Submitted on January 19, 2022 by Kevin Lamer, Acting Manager, Right of Way,
Heritage and Urban Design Services, Planning, Real Estate and Economic
Development Department**

**Contact Person: Lesley Collins, Program Manager, Right of Way, Heritage and
Urban Design Services**

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Ward: Citywide

Objet : Mise à jour de la liste de surveillance des biens à valeur patrimoniale

Dossier : ACS2022-PIE-RHU-0003

Rapport au Sous-comité du patrimoine bâti

le 9 février 2022

et au Conseil le 23 février 2022

**Soumis le 19 janvier 2022 par Kevin Lamer, Gestionnaire par intérim, Services
des emprises, du patrimoine et du design urbain, Direction générale de la
planification, de l'immobilier et du développement économique**

**Personne ressource : Lesley Collins, Services des emprises, du patrimoine et du
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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION

That the Built Heritage Sub-Committee recommend that Council receive this report for information.

RECOMMANDATION DU RAPPORT

Que le Sous-comité du patrimoine bâti recommande au Conseil de prendre connaissance du présent rapport.

BACKGROUND

In 2013, through the Vacant Building Strategy, the City's Property Standards By-law (2013-416) was updated to include specific provisions related to designated heritage properties and also vacant and damaged heritage buildings. These provisions require that the heritage attributes of a designated property be maintained and there are specific requirements related to heat and water systems for vacant heritage buildings. An excerpt from the Property Standards By-law is included as Document 1.

In 2016, as a response to ongoing issues of demolition by neglect and to encourage the maintenance and conservation of the city's heritage buildings, the Heritage Matters Task Force was created. The Task Force includes the Mayor, Chairs of Planning Committee and Built Heritage Sub-Committee, local heritage experts, a representative of Heritage Ottawa and City staff from Heritage Planning, Building Code Services, By-law and Regulatory Services and Legal Services. The Task Force meets once or twice a year and its original mandate included:

- Review existing legislative tools and resources that could serve to protect designated buildings.
- Develop a strategy for monitoring the condition of existing designated buildings.
- Highlight current practices and case studies for heritage conservation.
- Educate stakeholders in the industry and community to support the City's vision for heritage preservation.
- Look for new funding sources that would incentivize the retention of designated buildings.

- Seek advice from other communities on best practices in monitoring and managing heritage buildings.

One of the key outcomes of the work of the Task Force has been the creation of the Heritage Watch List. Developed through collaboration between Heritage Planning, By-law and Regulatory Services (BLRS) and Building Code Services staff the Heritage Watch List is a list of vacant designated heritage buildings around the city. Properties on the list are monitored regularly and tracked collaboratively between the Planning, Real Estate and Economic Development Department and Emergency and Protective Services Department.

DISCUSSION

The Heritage Watch List was created in 2016 after several years of informal collaboration between City staff on property standards and building code issues related to designated heritage buildings.

The Watch List includes vacant heritage buildings city-wide. There are currently 33 properties on the Watch List, of which seven are diplomatic or foreign owned properties. Three properties were added in 2021, and five were removed.

Properties are added to the list either through public requests for inspection or staff initiated requests. Once it is determined that the designated building is vacant, Heritage Planning staff add the building to the list and notify the internal team in Building Code, By-law and Regulatory Services, Heritage as well as the Ward Councillor and Chair of the Built Heritage Sub-committee.

When a building is added, an initial inspection is undertaken by BLRS staff and often includes a heritage planner. Staff work together to identify areas of concern or violations of the applicable by-law and then draft Notices of Violation as appropriate for minor issues like long grass or graffiti. For more significant issues like the repair or rehabilitation of architectural elements that are heritage attributes a property standards order may be issued. Sometimes, where there may be concerns with the condition of a building, the order may require the owner to submit a report prepared by a professional engineer experienced in heritage buildings or a conservation architect.

After a building is added to the Heritage Watch List, it is proactively inspected at a minimum twice a year by BLRS staff dedicated to vacant buildings in collaboration with Heritage Planning staff. By-law, Building Code and Heritage staff meet quarterly to review the properties on the list and determine if additional actions are required.

The internal collaborative approach also allows the City to work proactively with properties owners of buildings on the Watch List to encourage their rehabilitation and redevelopment.

Heritage Attributes at Risk

There are also designated heritage buildings city-wide that are occupied but have been neglected and the heritage attributes of these buildings may be at risk. For example, a designated building could have a decorative wood front porch at risk of collapse from rotting wood or decorative brick work could be at risk due to lack of maintenance. Unlike the properties on the Heritage Watch List, these buildings may only have attributes that are at risk, instead of the entire building.

In 2020, staff determined that adding these properties to the Heritage Watch List was not appropriate and have developed an alternative process for dealing with these one-off issues. Heritage and BLRS staff developed a collaborative process to review these buildings on the basis of complaints from the public or at the request of heritage staff. These properties are inspected by a by-law officer and heritage planning staff assist in drafting orders that are required to conserve and protect the heritage attributes of the properties. These properties are not added to the Heritage Watch List for ongoing monitoring but staff in BLRS and Heritage Planning work closely with property owners to bring their properties into compliance. Heritage staff also use this process to help educate property owners about the added cost associated with deferred maintenance and heritage financial incentive programs that the City offers.

Successes

While the ultimate goal of the Heritage Watch List is to ensure the conservation of important heritage resources and their adaptive reuse, some of the accomplishments are related to interim conditions until development becomes feasible. The program has resulted in a series of successful rehabilitations over the past few years including:

Boyd Farmhouse, 173 Huntmar Drive

This property has been on the Watch List since its creation and has been vacant since approximately 2014. Due to its isolated location, this 19th century stone farmhouse has been subject to vandalism and break-ins. Through the efforts of BLRS staff under the Property Standards By-law and the ongoing monitoring through the Heritage Watch List, the property owner has now secured the building, it has been appropriately mothballed and is monitored regularly.

Bradley Craig Farm, 590 Hazeldean Road

This designated property is comprised of the Bradley Craig Barn and Farmhouse, both distinctive 19th century structures along Hazeldean Road in Stittsville. Originally proposed for demolition and relocation, through the Heritage Watch List and the efforts of the property owner, the barn is now being carefully rehabilitated and restored with a goal of future adaptive reuse. The farmhouse is also being rehabilitated to solve water issues in the basement. The rehabilitation work on this property is ongoing but was initiated through the efforts of staff through the Property Standards By-law.

Several other properties have been appropriately conserved, restored or adapted for new uses and have been removed from the list including:

- Richardson Farmhouse, 185 Boundstone Way (Part IV)
- 420 Lansdowne Road (Rockcliffe Park Heritage Conservation District (HCD))
- 514 Manor Avenue (Rockcliffe Park HCD)
- 161 Maple Lane (Rockcliffe Park HCD)
- 19 Kindle Court (Briarcliffe HCD)

Challenges

Despite the success of the Heritage Watch List in allowing for a collaborative, more efficient approach to demolition by neglect of heritage buildings, challenges remain including:

- The enforcement process can be lengthy and time consuming when working with non-compliant property owners
- Diplomatic and Foreign Owned properties
 - While there are many designated properties that serve as diplomatic properties and are very well maintained, there are seven properties on the Heritage Watch List that are either diplomatic properties or are owned by foreign governments. These buildings are vacant, and their diplomatic status or foreign ownership makes enforcement more difficult as all correspondence and actions must be channeled through an additional process managed by Global Affairs Canada.
- Longstanding Property Neglect
 - There are several properties on the Heritage Watch List which have been a challenge for BLRS, Heritage and BCS staff for many years, well before the creation of the Watch List. These properties have property owners who are not interested in cooperating with the City on the conservation of their properties. Despite the City's best efforts some of these properties continue to deteriorate.

Next Steps

The collaborative approach of the Heritage Task Force and Heritage Watch List have resulted in several successful rehabilitations. The increased monitoring of all resources on the Watch List has ensured that even if a property remains vacant, it is stabilized and regularly monitored for deterioration to ensure that its cultural heritage value and attributes are protected.

Given some of the limitations and challenges of the Heritage Watch List, Heritage Planning staff have been collaborating with internal colleagues on several other initiatives that will bolster and support the efforts of the Heritage Watch List including:

Residential Vacant Unit Tax

In 2021 Council approved the residential vacant unit tax framework and directed Revenue Services staff to consult further and report back to Council with final

recommendations. The proposed residential vacant unit tax will levy a 1% tax on the assessed value of vacant residential units city-wide. Revenue Services expects to present a report to Committee and Council a final report in Spring 2022. Consultations are ongoing with external stakeholders across the City, the Province, other Municipalities, and other implicated departments. The program is intended to be implemented in 2022 with billing to begin in 2023.

Vacant Buildings Strategy Review

Staff in the Public Policy Development Branch of Emergency and Protective Services are currently undertaking a review of the Vacant Building Strategy that was first approved by Council in 2013. The review is investigating potential policy options to address issues such as non-compliance with property standards and property maintenance, pest infestations, and other issues related to vacant buildings and lands, including heritage buildings, as well as to potentially reduce the amount of time a building remains vacant. Policy options for new regulations are being explored, and current by-laws affecting vacant buildings and lands are being reviewed. Staff from other implicated departments are being consulted, including Heritage Planning. Staff expect to present a report to Committee and Council on the results of the review in Spring 2022.

Enforcement Strategy

Heritage Planning staff will be developing an internal enforcement strategy for issues under the *Ontario Heritage Act* in 2022. This strategy is intended to complement the Heritage Watch List, Heritage Attributes at Risk procedure and other initiatives outlined above. It will focus on encouraging compliance with the *Ontario Heritage Act* for both Part IV and V designated buildings and will provide new processes and procedures for enforcement action when a property owner is not in compliance with the OHA including work without an appropriate permit or work not completed in accordance with a permit. Staff will continue to collaborate with staff in Building Code Services, Legal Services and By-Law and Regulatory Services on the approach.

Conclusion

The Heritage Watch List is an effective tool for monitoring and ensuring the conservation of vacant heritage resources city-wide. In some cases there continue to be

challenges in provoking action on the part of the property owner to address the deterioration of the building, but staff in various departments will continue to develop additional tools to provide added incentive and protection to designated heritage resources.

RURAL IMPLICATIONS

Properties in the rural area may be listed on the Heritage Watch List to ensure that Ottawa's rural heritage is protected.

COMMENTS BY THE WARD COUNCILLORS

City-wide report.

LEGAL IMPLICATIONS

There are no legal implications associated with receiving this report for information.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities: Promote safety, culture, social and physical well-being for our residents.

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SUPPORTING DOCUMENTATION

Document 1 Property Standards By-law Excerpt

Document 2 Heritage Watch List, December 2021

DISPOSITION

No action required.

Document 1 – Property Standards By-law (2013-416) Excerpt

Part VI - Standards for Part IV and Part V heritage properties

Section 92 - Minimum standards

1. In addition to the minimum standards for the maintenance and occupancy of property in the City as set out in this by-law, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall:
 1. Maintain, preserve and protect the heritage attributes so as to maintain the heritage character, visual and structural heritage integrity of the building or structure;
 2. Maintain the property and the components of the property that hold up, support or protect the heritage attributes in a manner that will ensure the protection and preservation of the heritage attributes.

REPAIR OF HERITAGE ATTRIBUTES

2. Despite any other provision of this by-law, where a heritage attribute of a Part IV Heritage Property or a Part V Heritage Property can be repaired, the heritage attribute shall not be replaced and shall be repaired:
 1. In a manner that minimizes damage to the heritage values and attributes of the property;
 2. In a manner that maintains the design, colour, texture, grain or other distinctive features of the heritage attribute;
 3. Using the same types of material as the original material being repaired and in keeping with the design, colour, texture, grain and any other distinctive features of the original material; and
 4. Where the same types of material as the original material are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material.

REPLACEMENT OF HERITAGE ATTRIBUTES

3. Despite any other provision of this by-law and subject to the *Ontario Heritage Act* and the *Building Code Act*, 1992, where a heritage attribute of a Part IV Heritage Property or a Part V Heritage Property cannot be repaired, the heritage attribute shall be replaced
 1. Using the same types of material as the original;
 2. Where the same types of material as the original material are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material; and
 3. In a manner that replicates the design, colour, texture, grain and other distinctive features.

VACANT AND DAMAGED HERITAGE PROPERTIES

4. The owner of a vacant Part IV Heritage Property or a Part V Heritage Property shall protect the building and property against the risk of fire, storm, neglect, intentional damage or damage by other causes by effectively preventing the entrance to it of all animals and unauthorized persons and by closing and securing openings to the building with boarding:
 1. That completely covers the opening and is properly fitted in a watertight manner within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding;
 2. That is fastened securely in a manner that minimizes damage to the heritage attributes and the historic fabric and is reversible; and
 3. In a manner that minimizes visual impact.
5. Despite Sections 1 to 4 inclusive, no window, door or other opening on a Part IV Heritage Property or Part V Heritage Property shall be secured by brick or masonry units held in place by mortar.

6. Despite Section 4, where heat is no longer being provided in the building, the water systems shall be drained immediately, and adequate ventilation shall be provided.

Document 2 – Heritage Watch List Properties, December 2021

Address	Ward	Name
590 Hazeldean Road	6- Stittsville	Bradley Craig Farm
173 Huntmar Drive	6- Stittsville	Boyd Farmhouse
66 Bradford Street	7- Bay	Rowat House
21 Withrow Avenue	8- College	Kilmorie
135 Barrette Street	12- Rideau Vanier	St. Charles Church
70 Nicholas Street	12- Rideau Vanier	City Registry Office
287 Cumberland Street	12- Rideau- Vanier	Our Lady's School
323 Daly Avenue	12- Rideau- Vanier	
179 Guigues Avenue	12- Rideau- Vanier	
79 Guigues Avenue	12- Rideau- Vanier	
143 Murray Street	12- Rideau Vanier	
197 Wilbrod Street	12- Rideau Vanier	

201 Wilbrod Street	12- Rideau- Vanier	
460 Wilbrod Street	12- Rideau- Vanier	
35 William Street	12- Rideau- Vanier	
1 Maple Lane/112 Lisgar Road	13- Rideau- Rockcliffe	
40 Lyttleton Gardens	13- Rideau- Rockcliffe	
7 Crescent Road	13- Rideau-Rockcliffe	
330 Gilmour Street	14- Somerset	Ottawa Board of Education
30 James Street	14- Somerset	
352 Somerset Street West	14- Somerset	Somerset House
325 Elgin Street	14- Somerset	St. Marc's United Church
70 Richmond Road	15- Kitchissippi	Champlain Oil Service Station
1119 Wellington Street W	15- Kitchissippi	Magee House
590 Broadview Avenue	15- Kitchissippi	Broadview School
114 Richmond Road	15- Kitchissippi	Sisters of the Visitation

38 Blackburn Avenue	12- Rideau- Vanier	
231 Cobourg Street	12- Rideau-Vanier	
235 Mariposa Avenue	13- Rideau-Rockcliffe	
187 Lansdowne Road	13- Rideau-Rockcliffe	Loeb House
190 Lansdowne Road	13- Rideau-Rockcliffe	
46 Cartier Street	14- Somerset	
58 Glebe Avenue	17- Capital	