

**Report to
Rapport au:**

Built Heritage Sub-Committee / Sous-comité du patrimoine bâti
April 13, 2017 / 13 avril 2017

and / et

Planning Committee / Comité de l'urbanisme
April 25, 2017 / 25 avril 2017

and Council / et au Conseil
May 10, 2017 / 10 mai 2017

Submitted on March 27, 2017
Soumis le 27 mars 2017

Submitted by

Soumis par:

Court Curry,

Manager / Gestionnaire,

Right of Way, Heritage and Urban Design Services / Services des emprises, du patrimoine et du design urbain

Planning, Infrastructure and Economic Development Department / Direction générale de la planification, de l'Infrastructure et du développement économique

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Ward: RIDEAU-ROCKCLIFFE (13)

File Number: ACS2017-PIE-RHU-0004

SUBJECT: Application for demolition and new construction at 270 Buchan Road, a property 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 du 270, chemin Buchan, propriété désignée en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario* et située 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. Refuse the application to demolish 270 Buchan Road, a property located in the Rockcliffe Park Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*; and
2. Refuse the application to construct a new building on the property located at 270 Buchan Road, located in the Rockcliffe Park Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*.

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on May 25, 2017.)

RECOMMANDATIONS DU RAPPORT

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

1. le rejet de la demande de démolition du 270, chemin Buchan, propriété située dans le district de conservation du patrimoine de Rockcliffe et désignée en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario*;
2. le rejet de la demande de construction d'un nouveau bâtiment au 270, chemin Buchan, propriété située dans le district de conservation du patrimoine de Rockcliffe et désignée en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario*.

(N.B. : Le délai de 90 jours prévu dans la *Loi sur le patrimoine de l'Ontario* pour l'examen de la demande prend fin le 25 mai 2017.)

BACKGROUND

The property at 270 Buchan Road is located on the south-east side of Buchan Road, a short curved street that runs between Acacia and Mariposa Avenues (see GeoOttawa Map, Document 1). Located at on a curved driveway, designed as part of the original plans for the house, the building is well set back from Buchan Road, and is centrally located on the property. Due to the curve in the street, it is not visible from its adjoining neighbours. It faces the Village Green, towards the school yard of Rockcliffe Park Public School and thus there are no houses on the northwest side of the Road. The house, constructed in 1940, is a two-storey, stone and siding structure, with a side-gabled roof. A two storey, front gabled bay divides the front façade, and gabled dormers pierce the roofline (see Buildings and Streetscape views, Document 2). Designed by Hazelgrove and Mills in 1940 for Robert Southam, it was soon sold to A. Barnet Maclaren, whose family lived there until 1995.

The Rockcliffe Park Heritage Conservation District (HCD) was designated in 1997 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 original "Statement of Heritage Character" notes that today the Village of Rockcliffe Park is a distinctive community of private homes and related institutional properties within a park setting (see Document 3).

As part of the work undertaken in preparation for the writing of a new heritage conservation district plan, every building in the heritage conservation district was researched and analysed. The results were compiled in a heritage survey form, that been developed for use in evaluating buildings in the heritage conservation district with the assistance of the Heritage Sub-committee of the Rockcliffe Park Residents Association. The properties were then evaluated in terms of their Environmental, Historical and Architectural significance, and scored by an Evaluation Team, consisting of heritage staff and community members. Initially, 270 Buchan Road was scored at 80/100 but as a result in changes in the landscape and information provided in the Cultural Heritage Impact Statement, the building was re-scored at 69. Properties receiving scores of 50 or more are considered to be Grade I, those under 50, Grade II. According to the plan, Grade I buildings cannot be demolished, except in extraordinary circumstances. Please see Document 4, the Heritage Survey and Evaluation Form.

This report has been prepared because demolition and new construction in heritage conservation districts designated under Part V of the *Ontario Heritage Act* require the approval of City Council.

DISCUSSION

Recommendation 1

The Rockcliffe Park Heritage Conservation Study

The Study completed for the initial designation of the former Village of Rockcliffe Park as a heritage conservation district had policies regarding demolition in its “Management Guidelines:”

iv) Buildings

1. Any application to demolish an existing building should be reviewed with consideration of its historical and architectural significance, its contribution to its streetscape, and the appropriateness of the proposed redevelopment. 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 house at 270 Buchan Road was one of about 200 buildings (of the roughly 800 in the district) included on the former Village of Rockcliffe Park’s Heritage inventory, a list developed by the Local Architectural Conservation Advisory Committee and approved by the municipality at the time, and thus cannot be classified as a building of “little significance.” It was designed by the architectural firm Hazelgrove and Mills, who were very popular in Rockcliffe Park from the 1920s until the late 1940s. It is an excellent example of the firm’s work at the time.

Rockcliffe Park Heritage Conservation District Plan

On March 23, 2016, City Council passed By-Law 2016-089 to adopt the Rockcliffe Park Heritage Conservation District Plan (RPHCDP). This plan received one appeal, by the current applicant to the Ontario Municipal Board (OMB), but it is being used as a policy document when assessing new applications. Like the 1997 Plan, the new RPHCDP included a description of the cultural heritage value of the district. (Document 5).

Section 7.3. of the RPHCDP contains the following Guidelines:

1. Demolition or relocation of Grade I will only be permitted in extraordinary circumstances such as fire or disaster.
2. Demolition applications for Grade I buildings shall be accompanied by a rationale that sets out the reasons that the demolition of the building is being proposed and why retention is not possible ...

The Cultural Heritage Impact Statement (CHIS) that was prepared as part of the submission material for this application stated that there was no “extraordinary circumstance” that led to the proposed demolition of the building at 270 Buchan. The CHIS is on file and available through the City Clerk’s office. (see Document 6)

Standards and Guidelines

City Council adopted the “Standards and Guidelines for the Conservation of Historic Places in Canada” in 2008. The applicable standards for the application are:

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

The proposal is to demolish the building that was included on the former Village of Rockcliffe Park’s heritage inventory and, together with its associated landscape, was scored as a Grade 1 property during the assessment of heritage structures as part of the development of the new RPHCDP. It is a late example of the large houses on expansive lots that characterized the early development of Rockcliffe Park and demonstrates the ongoing interest in this expression that carried on into the 20th century. Its removal would not conserve the cultural heritage value of the district. The proposed landscape plan enhances the character of the lot through extensive tree planting and the development of appropriate new features, although it features more hardscaping than the original property. The current landscaped character of the property is quite simple, with large lawns and cedar hedges (see current site plan, Document 7).

Cultural Heritage Impact Statement

Section 4.6.1 of the Official Plan provides direction related to the preparation of Cultural Heritage Impact Statements (CHIS) for properties designated under Part V of the *Ontario Heritage Act*. A CHIS is required where an application has the, “potential to adversely affect the designated resource.”

A CHIS was required as part of this application and was prepared by Lori Anglin, Cultural Heritage Specialist (see Document 6). Section 5, “Impact of the Proposed

Development,” addresses the proposed demolition and new construction, at 270 Buchan Road. Section 6, “Alternatives and Mitigation Strategies” responds to the Guidelines regarding demolition concluding that “Rehabilitation and restoration of the landscape is proposed, in conjunction with the proposed demolition of the building located on the Grade 1 assessed property. In this case, there is no applicable “extraordinary circumstance.” Further, the CHIS states that “The proposed demolition of the building on the Grade 1 property is based on the client’s requirements for a residence satisfying contemporary lifestyle needs.”

The CHIS concludes:

Realized, the cohesive development proposal would introduce a very high development standard of contemporary and exemplar residential property design to Rockcliffe Park... Irrespective of the quality of the proposal, its implementation imposes an overarching impact on an assessed heritage resource of the HCD: demolition of a building on a Grade 1 property.

As a ‘Grade 1’ property in the HCD, the owner has no reasonable opportunity to present a new and exceptional building development scenario.

Recommendation 2

Staff have recommended against demolition of the existing building, and thus does not support the proposed replacement building and its associated landscape.

Conclusion

Right of Way, Heritage and Urban Design Service’s (ROWHUD) staff do not support the demolition of the house located at 270 Buchan because the house has cultural heritage value and was included on both the “Rockcliffe Park Inventory of Heritage Resources” and assessed as a Grade I building within the Rockcliffe Park Heritage Conservation District. The original Rockcliffe Park Heritage Conservation District Study “Management Guidelines,” contained within the 1997 heritage district plan, discourages the demolition of buildings on the former Village of Rockcliffe Park “Inventory of Heritage Resources,” and the new RPHCDP prohibits demolition except in exceptional circumstances.

As ROWHUD does not support the demolition, it also does not support the proposed replacement building, however, as there is an OMB hearing scheduled for September on the matter, comments were added on the proposed building and its associated landscape, see below.

Ontario Municipal Board

The property owner, Richcraft Homes, has appealed By-law 2016-089 adopting the Rockcliffe Park Heritage Conservation District Plan to the Ontario Municipal Board. In anticipation of City Council supporting the staff position against demolition and new construction, Richcraft obtained agreement from the OMB to include the application under consideration in this report to the hearing scheduled for September 2017. As the matter may be in front of the OMB, the City's legal counsel determined that it would be appropriate for ROWHUD staff to comment on the proposed new construction and alteration of the designated property, although staff is recommending refusal of the existing building, and is therefore not recommending a replacement building.

House

The proposed new building is a two storey, side-gable roofed rectangular structure with two flanking front gabled wings, connected by high glassed links. The building will be clad in board and batten siding, with rectangular windows with black frames surrounded by narrow wooden frames. According to the project architect, "the house is envisioned as a collection of smaller buildings, inspired by a historical farmstead composed of a main house and outbuildings." The gabled form of the building and use of wood siding reflect its rural inspiration. (see Documents 7 and 8). The front yard setback of the building is roughly the same as that of the existing building although it extends further into the side and rear yards.

Lot

The lot at 270 Buchan is large and irregularly shaped. The circular driveway was part of the original design, but has been widened, although the current proposal narrows it. Mature cedar hedges mark the north and south property lines. The existing house is surrounded by lawns, with few mature shrubs and trees (see Current Site Plan, Document 9). The new plan proposes planting mature trees along Buchan Road and elsewhere on the property, the addition of a pool surrounded by wooden decking and a glade of newly planted trees, the addition of terraces, decks, a basketball court and a vegetable and fruit garden. For full landscaped plan, see Document 10.

Comments

Staff of ROWHUD analysed the proposed application and have the following comments:

- The expression of the building is consistent with both the Guidelines in the 1997 Village of Rockcliffe Park Heritage Conservation District Study and the new RPDCDP as it is of its own time, and is clad in natural materials.
- The proposed arrangement of two wings flanking the main house serves to break up the mass of the house; however, it creates a long frontage facing Buchan Road, and a large footprint. Staff recommend reducing the length and width of each wing to preserve more green space.
- The height of the main portion of the house is consistent with Category I buildings in the associated streetscape. These two buildings located at 275 and 290 Buchan, are each two storeys in height and cannot be easily seen from the property, given the curve of the street and their orientation on their lots. This in accordance with Section 7.4.2 encouraging consistency with neighbouring Grade 1 buildings.
- As the flanking wings are designed to evoke the outbuildings found on lots in rural Ontario, they should be lowered in height as they do not currently contrast sufficiently with the main house to which they are intended to be subordinate. This would also encourage consistency (see above).
- The proposed landscape plan retains the distinctive cedar hedges that have traditionally defined the edges of the property and proposes the addition of mature trees, a woodland garden surrounding the proposed pool, a vegetable garden, and stone terraces and a lawn with grassed terraces. The area north of the garage towards the property line is extensively paved for basketball, and consideration should be given to restricting the paving to the minimum required for easy access and egress to the three car garage.
- Aerial photographs from the 1950s onward show large lawns defining the property. Consideration should be given to substituting lawns or soft landscaping for some of the designed surfaces, such as the seating area at the top of the sod steps.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is not consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

For comments on the application, please see Document 11.

COMMENTS BY THE WARD COUNCILLOR

Councillor Nussbaum provided the following comments:

“I am in full support of the staff recommendation.

The Rockcliffe Park Heritage Conservation District Plan was adopted in 2016 unanimously by City Council on the recommendation of planning staff after a collaborative drafting process with the community. Prior to the adoption of the plan by City Council, a well-attended public consultation was held in Rockcliffe Park which demonstrated strong public support for the proposed provisions, particularly those concerning criteria for demolition of existing buildings.

The proposed application for demolition would be prohibited by both the former Rockcliffe Park Heritage Conservation Study and the current plan. Moreover, although the bylaw incorporating the new plan is under appeal, the recently-approved plan stands as clear Council policy direction.

I therefore encourage my colleagues to support the staff’s position on this application.”

LEGAL IMPLICATIONS

As outlined in the report, in the event of the recommendations for refusal being adopted, these matters will be heard together with the appeal of the Rockcliffe Heritage Conservation District Plan before the Ontario Municipal Board at a hearing in September, 2017. This hearing would be conducted within staff resources.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendation in this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

TERM OF COUNCIL PRIORITIES

The recommendations of this report reflect the following Term of Council Priority:

HC4 – Support Arts, Heritage and Culture

APPLICATION PROCESS TIMELINE STATUS

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

SUPPORTING DOCUMENTATION

Document 1 GeoOttawa Map showing location

Document 2 Existing Streetscape

Document 3 Statement of Heritage Character (1997)

Document 4 Heritage Survey Form, 270 Buchan Road

Document 5 Statement of Cultural Heritage Value (2016)

Document 6 Cultural Heritage Impact Statement (on file separately)

Document 7 Proposed structure

Document 8 Streetscape showing proposed structure

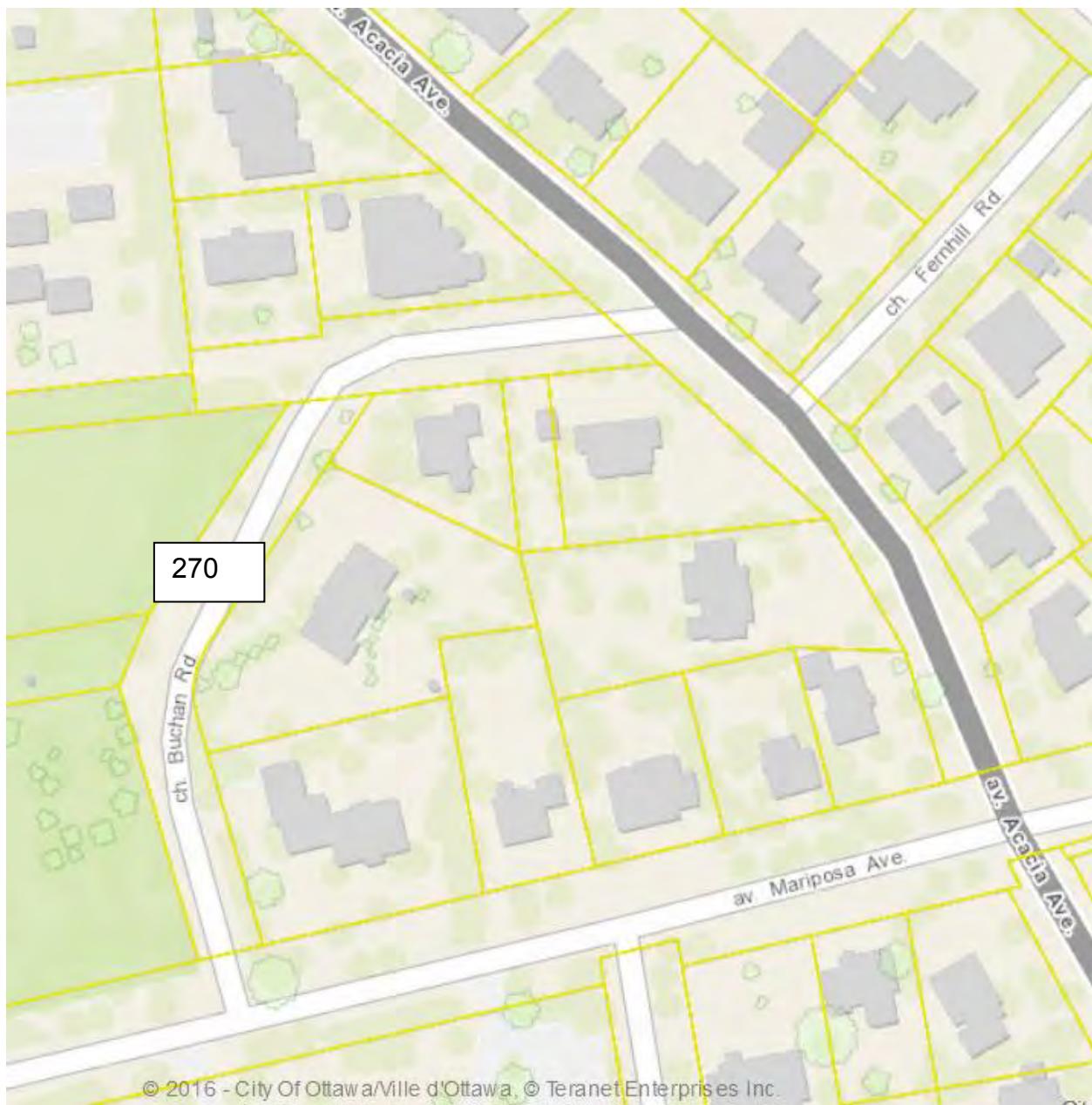
Document 9 Current Site Plan

Document 10Landscape Plan

Document 11Consultation details

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 – GeoOttawa Map Showing Location

Document 2 – Building and Streetscape Views





Document 3 – Statement of Heritage Character**Rockcliffe Park Heritage Conservation District (1997)**

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 Rockeries. 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.

Document 5 – Statement of Cultural Heritage Value (2016)

Rockcliffe Park is a rare and significant approach to estate layout and landscape design adapted to Canada's natural landscape from 18th century English precedents. Originally purchased from the Crown by Thomas McKay, it was laid out according to the principles of the Picturesque tradition in a series of "Park and Villa" lots by his son-in-law Thomas Keefer in 1864. The historical associations of the village with the McKay/Keefer family, who were influential in the economic, social, cultural and political development of Ottawa continue and the heritage conservation district is a testament to the ideas and initiatives of various key members of this extended family, and their influence in shaping this area.

Rockcliffe Park today is a remarkably consistent reflection of Keefer's original design intentions. Although development of the residential lots has taken place very gradually, the ideas of estate management, of individual lots as part of a larger whole, of Picturesque design, of residential focus, have survived. This continuity of vision is very rare in a community where development has occurred on a relatively large scale over such a long time period.

The preservation of the natural landscape, the deliberately curved roads, lined with mature trees, and without curbs or sidewalks, the careful landscaping of the public spaces and corridors, together with the 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 internal ridges and slopes, and the various rock outcroppings, has reinforced the original design intentions. The views to and from the Ottawa River, the Beechwood escarpment, and the other park areas are integral to the Picturesque quality of Rockcliffe Park. Beechwood Cemetery and the Rockeries serve as a compatible landscaped boundary from the earliest period of settlement through to the present. The various border lands create important gateways to the area, and help establish its particular character.

The architectural design of the buildings and associated institutional facilities is similarly deliberate and careful. Many of the houses were designed by architects, in a variety of the architectural styles that have been popular since the first decades of the 20th century, including Georgian Revival, Tudor Revival, and Arts and Crafts. The generosity of space around the houses, and the flow 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.

Document 7 – Proposed building



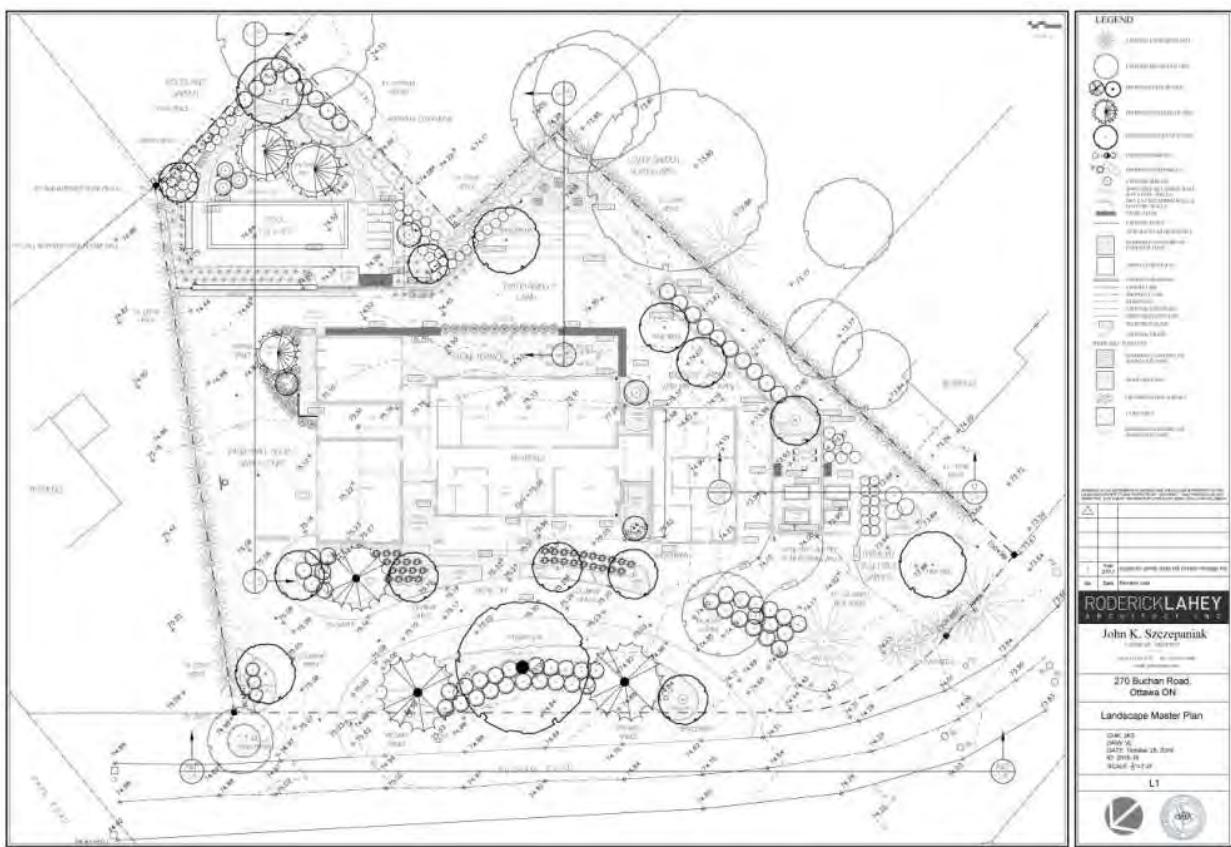
Document 8 – Proposed Streetscape Elevations



Document 9 – Existing Site Plan



Document 10 – Landscape plan



Document 11 – Consultation Details

Rockcliffe Park Residents' Association

The Rockcliffe Park Residents' Association was notified of the application and offered the opportunity to provide comments. The following comments were received:

270 Buchan Road

The Rockcliffe Park Heritage Committee opposes in the strongest possible terms the demolition of the existing house on this property. Built in 1940, it contributes strongly to the heritage character of Rockcliffe Park and to its streetscape. This is attested to both in the evaluation of the property for the new Rockcliffe Park Heritage Conservation District Plan and in the earlier Inventory of Heritage Resources that existed prior the Plan's adoption by the city last year.

The CHIS (at p. 34) makes it clear that the motivation for demolition is simply that the applicant requires a residence "satisfying contemporary lifestyle needs." This can never be justification for the demolition of a house that makes a positive contribution to the heritage character of a heritage conservation district.

Richcraft Properties is the sole party appealing the new Rockcliffe Heritage Plan to the Ontario Municipal Board (OMB) – with the hearing scheduled for September. Part and parcel of the appeal will be challenging the provisions that protect houses in Rockcliffe Park from demolition.

Demolition would be contrary to new Heritage Plan and to earlier protections:

Any property evaluated at a score of 50 or more in Rockcliffe Park is a Grade I property. 270 Buchan Road scores 69 – considerably above the minimum requirement of 50. Under the new Rockcliffe Park Heritage Plan, Grade I houses can be demolished only in extraordinary circumstances such as fire or natural disaster. The CHIS acknowledges that there are no grounds that would meet the requirements for demolition of the house under the Heritage Plan.

While the new Heritage Plan is under appeal by Richcraft Properties, the Heritage Plan is being applied as a matter of policy by the city which means the house cannot be demolished.

Pre-dating the new Heritage Plan, the property is also listed on Rockcliffe Park's Inventory of Heritage Resources – an inventory of the most important houses to be

protected. So even prior to the new Heritage Plan, this house was to be protected from demolition.

Proposed new dwelling not compatible/consistent with the new Rockcliffe Park Heritage Plan:

We are addressing the matter of the compatibility of the proposed new dwelling with the Rockcliffe Park Heritage Plan only because the OMB and the city's legal staff have agreed that Richcraft Properties' appeal of the Rockcliffe Park Heritage Plan can be combined with an appeal of their application for demolition and redevelopment of 270 Buchan should the application be rejected. Issues beyond the protections from demolition in the Heritage Plan would be on the table.

The application with respect to 270 Buchan prepared by Fotenn states in its conclusion that the proposed dwelling "is compatible with the new Heritage Conservation District Plan for Rockcliffe Park." We submit that this statement is based on a selective reading or misreading of the Plan.

First, footprint

While the Rockcliffe Park Heritage Plan does not impose a "heritage overlay" restricting a new dwelling to precisely the same footprint as a former dwelling, it restricts the footprint of a new dwelling to "generally the same footprint" as the former dwelling. (At 7.4.3.6 is the prescriptive provision "... new buildings shall be sited on generally the same footprint and oriented in the same direction as the buildings they replace...".)

Page A5 of Appendix A to the application clearly shows that the **footprint of the proposed dwelling is very much larger** than that of the existing dwelling. We have requested square footage/metres comparisons of the respective footprints from the applicant, but have not received this information at the time of writing. The statement at 3.0 of the proposal that "the new dwelling is largely situated on the existing building footprint" is either false or misleading. The proposed dwelling is sited over the existing footprint but extends well beyond it.

Second, mass/scale

The application states at 4.1.1 that "While the proposed dwelling is larger than the existing dwelling, it is similar in size to the neighbouring dwelling at 361 Mariposa Avenue." At 3.1 it states that "the proposed building is slightly higher than the neighbours." At 5.0 it concludes with the statement that "The height and massing of the building are similar to other buildings in the area."

Each of these statements fails to make the appropriate comparisons. To protect the established heritage character of Rockcliffe Park, the Heritage Plan is designed to ensure that new houses are compatible in **mass/scale and height with the historic/Grade I houses in the immediate streetscape**. This avoids existing overscale houses from being used to justify more overscale houses.

At 7.4.2.3, the Heritage Plan prescribes that “Construction of new buildings will only be permitted when the ... height and mass of the new building are consistent with the Grade I buildings in the associated streetscape.” “Associated streetscape” is defined as “both sides of the street in the same block as the subject property”.

The neighbouring house at 361 Mariposa is not a historic/Grade I house so cannot be used to justify the size/mass of the proposed house. The existing house and two of its neighbours in the streetscape (275 and 290 Buchan) **are** Grade I houses. All are considerably smaller in scale/mass than the proposed house.

As for the height of the proposed dwelling, the CHIS acknowledges that it is higher than the houses on the Grade I properties in the streetscape. While the Rockcliffe Park Heritage Plan requires only that the height of new dwellings be “consistent with” that of Grade I dwellings in the streetscape, we believe that anyone building a new house should show respect for the heritage character of the streetscape by not exceeding the height of such Grade I houses.

Conclusion

We submit that the proposed demolition of the house on the Grade I property at 270 Buchan is not permitted under the new Rockcliffe Park Heritage Conservation District Plan and under earlier protections, namely Rockcliffe Park’s Inventory of Heritage Resources.

Even if that were not the case, we are of the opinion that the proposed dwelling is not consistent/compatible with important prescriptive provisions of the Rockcliffe Park Heritage Plan – namely, with respect to footprint and to mass/scale. That being the case, the Plan would not permit the proposed dwelling.

Heritage Ottawa

Heritage Ottawa was notified of the application and offered the opportunity to provide comments. The following comments were received:

Heritage Ottawa is adamantly opposed to the demolition of this grade 1 structure in the Rockcliffe Park Heritage Conservation District. The newly enacted HCD Plan specifically prohibits this. We understand that the plan is under appeal by the applicant for this demolition and new construction, and therefore functions as Council policy. Nevertheless, this is a clear policy direction. Furthermore, this house is a major contributor to the district, and we believe that the previous Plan also precludes its demolition.

We are cognizant that this will be decided at the OMB. We urge that the strongest case possible be made against demolition.

In particular, we believe that:

- this house is a major contributor to the heritage attributes of the district, representing the larger houses on substantial lots being built in the district in the middle of the last century as Rockcliffe Park developed into a fashionable suburb.
- it contributes architecturally as an example of the revival styles typical of the larger homes that were built during the development of the district.

In summary, it is our strong position that there is no possible justification for demolition of a grade 1, contributing building in a heritage contribution district.

Neighbours within 30 metres of the property were notified of the application by letter and offered the opportunity to provide comments directly to the Built Heritage Sub-Committee or Planning Committee.