

Report to
Rapport au:

Built Heritage Sub-Committee / Sous-comité du patrimoine bâti
September 14, 2017 / 14 septembre 2017

and / et

Planning Committee / Comité de l'urbanisme
September 26, 2017 / 26 septembre 2017

and Council / et au Conseil
September 27, 2017 / 27 septembre 2017

Submitted on August 11, 2017
Soumis le 11 août 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

Contact Person

Personne ressource:

David Maloney, Planner / Urbaniste, Development Review Services / Services d'Examen des projets d'aménagement, Heritage Services Section / Section des Services du Patrimoine

(613) 580-2424, 14057, David.Maloney@ottawa.ca

Ward: RIDEAU-ROCKCLIFFE (13)

File Number: ACS2017-PIE-RHU-0017

SUBJECT: Application for New Construction at 445 Green Avenue, a Property Designated under Part V of the *Ontario Heritage Act* and located in the Rockcliffe Park Heritage Conservation District

OBJET: Demande de nouvelle construction au 445, avenue Green, propriété désignée aux termes 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. Approve the application to construct a new building at 445 Green Avenue according to plans prepared by Soma Pro Designs (Fernando Matos), dated August 1, 2017 and received August 10, 2017, subject to the approval of other required planning applications;**
- 2. Approve the landscape design for the new building at 445 Green Avenue according to plans prepared by North 44 Land Design Inc. dated August 1, 2017 and received August 10, 2017;**
- 3. Delegate authority for minor design changes to the General Manager, Planning, Infrastructure and Economic Development Department.**
- 4. Issue the heritage permit with a two-year expiry date from the date of issuance unless extended by Council prior to expiry.**
- 5. Suspend the notice required under Subsection 29. (3) and 34 (a) of the Procedure By-law to consider this report at its meeting on 27 September 2017, so that Council may consider this report within the statutory 90-day timeline.**

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* has been extended to September 30, 2017.)

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

RECOMMANDATIONS DU RAPPORT

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

1. **d'approuver la demande de construction d'un nouveau bâtiment au 445, avenue Green, conformément aux plans préparés par Soma Pro Designs (Fernando Matos), datés du 1^{er} août 2017 et reçus le 10 août 2017, sous réserve de l'approbation des autres demandes d'aménagement nécessaires;**
2. **d'approuver l'aménagement paysager pour le nouveau bâtiment au 445, avenue Green, conformément aux plans préparés par North 44 Land Design Inc., datés du 1^{er} août 2017 et reçus le 10 août 2017;**
3. **de déléguer au directeur général de la planification, de l'infrastructure et du développement économique le pouvoir d'apporter des modifications mineures à la conception;**
4. **de délivrer un permis en matière de patrimoine qui expirera deux ans après sa date de délivrance, sauf si le Conseil en prolonge la durée avant l'expiration;**
5. **de renoncer à la signification de l'avis prévu au paragraphe 29(3) et à l'alinéa 34a) du *Règlement de procédure* pour étudier le présent rapport à sa réunion du 27 septembre 2017, de façon à respecter le délai de 90 jours prévu par la loi.**

(N.B. : Le délai de 90 jours prévu par la *Loi sur le patrimoine de l'Ontario* pour l'examen de la demande a été prolongé jusqu'au 30 septembre 2017.)

(N.B. : L'approbation de la demande de modification d'une propriété en vertu de la *Loi sur le patrimoine de l'Ontario* ne signifie pas pour autant qu'elle satisfait aux conditions de délivrance d'un permis de construire.)

BACKGROUND

The property at 445 Green Avenue falls within the boundaries of the Rockcliffe Park Heritage Conservation District. 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 “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.

The applicant proposes to build a new house on a vacant lot at 445 Green Avenue, on the north side of the street, mid block between Beechwood Avenue and Acacia Avenue in Rockcliffe Park. Adjacent to the lot on west side is the laneway connecting Green Avenue to Carsdale Avenue and Black Maple Private. The lot is bounded on the east by a brick, semi-detached structure to the east, with the rear yard of a contemporary detached house to the north. This area of Rockcliffe Park is known as the ‘Panhandle’, with a distinct character from the rest of the HCD, reflecting a transitional zone between Rockcliffe Park and the adjacent Lindenlea and Vanier neighbourhoods. The area consists of generally smaller lots than found elsewhere in the district, with modest housing stock, and the presence of some semi-detached and multi-unit housing.

The proposed house at 445 Green Avenue is a two storey house with a third storey set back from the front façade. According to the plans submitted, the proposed house has a total gross floor area of 243 square metres, which includes a finished basement, but excludes stairways, hallways, and the garage. The house is of a modern expression, with flat roofs, a recessed third storey and significant glazing on the front façade. The proposed house includes a slightly recessed integral garage on the east side bay, which is to be accessed from Green Avenue. The entrance to the house faces Green Avenue, accessed from a raised entry framed by planters and soft landscaping.

The subject lot is substandard with respect to lot area and lot width, and a related application for minor variances has been submitted to the Committee of Adjustment (D08-02-17/A-00111). The Committee of Adjustment application also requests relief from the maximum permitted Floor Space Index and density limit, as prescribed by the R1I[1262] zoning designation.

This report has been prepared because new construction in a heritage conservation district designated under Part V of the *Ontario Heritage Act* requires the approval of City Council.

DISCUSSION

Recommendation 1

The application is to construct a new house at 445 Green Avenue. In 1997, the former Village of Rockcliffe Park was designated under Part V of the *Ontario Heritage Act*. The original Rockcliffe Park had Guidelines regarding the management of change in the heritage conservation district, including some regarding new construction.

In March 2016, City Council approved a new heritage conservation district plan for the Rockcliffe Park Heritage Conservation District, which is currently under appeal. Since then, heritage staff have used this plan as policy, and also have regard to the 1997 Heritage District plan when assessing applications.

The original Rockcliffe Park HCD Study has Guidelines related to the construction of new buildings. The following Guidelines are applicable to this application:

iv) Buildings

4. Any application to construct a new building or addition should be reviewed with consideration of its potential to enhance the heritage character of the Village. New construction should be recommended for approval only where the siting, form, materials and detailing are sympathetic to the surrounding natural and cultural environment.
5. New buildings and additions should be of their own time, but should also harmonize with the existing cultural landscape. They should be sited and designed so as to retain the existing topography. The use of natural materials should be encouraged.

The proposed house is consistent with these guidelines. The house is contemporary in expression, and the proposal is respectful of the relatively flat lot, with a subtle slope toward the east, from Acacia Avenue to Beechwood Avenue.

The first two storeys are proposed to be clad in tan brick on all four façades, while the recessed third storey is to be clad in panelized fibre-cement board. Brick is a natural material which is encouraged and consistent with the adjacent houses to the east, while the tan colour provides a contrast and visually mitigates the mass of the proposed structure.

The new RPHCDP also addresses the construction of new buildings, stating that new buildings shall contribute to, and not detract from the heritage character of the HCD and its attributes, that new buildings should be compatible with Grade I heritage buildings in the associated landscape, that buildings should be of their own time, that integral garages should be located in a manner that respects the streetscape, and that existing

grades should be maintained. Further applicable Guidelines encourage the use of natural materials, including brick. (see Document 7).

The proposed building respects these Guidelines. The orientation, height and massing of the building are compatible with the character of Green Avenue. The building has been designed in a way that maintains the existing grade and the height of the proposed building is consistent with its adjacent neighbours. The subject lot is narrow, thus requiring a front facing integral garage. The visual impact of the garage is softened by a slight recession from the living space above, providing a break in the massing. Given that the vacant lot is largely paved, the proposed development, sensitive to the surrounding built form, represents a visual enhancement to the Green Avenue streetscape.

There are no Grade 1 buildings in the associated streetscape. Green Avenue has only three buildings that face it. Immediately adjacent to the proposed house is a semi-detached dwelling with a shallow hipped roof. The proposed flat roof complements this building.

Recommendation 2

The proposed landscape plan includes the planting of two new street trees (Ivory Silk Lilacs) as well as native shrubs, planting beds, and the planting of a new lawn in the front yard, where it is currently paved.

Additional shrubs will be planted at the rear of the house. A built in planter box is proposed adjacent to the front porch, as well as adjacent to the second floor rooftop patio.

Section V of the original Rockcliffe Park plan addressed landscape conservation, encouraging the dominance of soft over hard landscapes, the preservation of existing trees and shrubs, and the sensitive siting of new buildings to protect landscape character.

The RPHCDP, approved by Council in 2016, but currently under appeal, also has guidelines to encourage the conservation and enhancement of the existing cultural heritage landscape. These include an emphasis on soft over hard landscaping, tree preservation, the location of driveways, and the preservation of existing landscape character. Furthermore, visual continuity across property lines is strongly encouraged (Document 7).

This proposal meets the requirements of the new RPHCDP and the original Rockcliffe

Park plan with regards to landscaping. No mature trees are to be removed, and substantial soft landscaping will be introduced to the property. The existing grades of the property are to be maintained, with no terracing of the lot proposed. The proposed street trees will result in a visual buffer between the proposed house and the street. Overall, the proposed landscaping intervention will result in a substantial improvement to the quality of the natural environment on Green Avenue.

Recommendation 3

The *Ontario Heritage Act* does not provide any timelines for the expiry of heritage permits. In this instance, a two-year expiry date, unless otherwise extended by Council, is recommended to ensure that the project is completed in a timely fashion.

Recommendation 4

Minor changes to a building sometimes emerge during the working drawing phase. This recommendation is included to allow delegated authority to the General Manager, Planning, Infrastructure and Economic Development to approve these changes.

Recommendation 5

The *Ontario Heritage Act* requires Heritage Permit applications to be reviewed within a 90-day timeline. Given that the Built Heritage Subcommittee did not meet in August, the applicant has agreed to extend this timeline from September 22, 2017 until September 30, 2017 in order for the City to satisfy its statutory requirements. Despite the extension, it is necessary that the notice required under Subsection 29. (3) and 34 (a) of the Procedure By-law be suspended, in order for Council to consider this report at its meeting on 27 September 2017 meeting, and thereby complying with the revised extension to the statutory timeline.

Cultural Heritage Impact Statement

A Cultural Heritage Impact Statement (CHIS) was prepared for this proposal in August 2017 by Commonwealth Historic Resources Management. The complete CHIS is attached as Supporting Document 1. The conclusion of the CHIS states, “The proposed design is an appropriate fit within the context of the panhandle area of the heritage conservation district and responds to the adjacent heritage context.”

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 conserves the cultural heritage value of the RPHCD. The proposed new structure to be constructed on a vacant lot respects the guidelines for new construction in both the 1997 and 2016 plans. The proposed landscaping interventions, including the new plantings will improve the quality of the streetscape.

Provincial Policy Statement

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

Conclusion

Staff in Right of Way, Heritage and Urban Design (ROHUD) have no objection to the proposed construction project. The new building and associated landscape is consistent with 1997 Guidelines for Rockcliffe, and the 2016 Guidelines that are under appeal but being used as policy. The new house conforms to the existing streetscape in terms of height and massing, and it is of its own time. The proposed house and landscaping replaces a largely paved lot, thereby filling in the Green Avenue streetscape, and providing a reasonable amount of soft landscaping.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Heritage Ottawa was notified of the application.

Neighbours within 30 metres of the property were notified of the dates of Built Heritage Sub-Committee, Planning Committee and Council and invited to comment on the proposal.

The Rockcliffe Park Residents Association (RPRA) does not support the application and provided comments that can be found in Document 10.

COMMENTS BY THE WARD COUNCILLOR

Councillor Nussbaum is aware of the application related to this report.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses 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 Location Map

Document 2 Current conditions

Document 3 Site Plan

Document 4 Elevations

Document 5 Perspectives

Document 6 Rockcliffe Park HCD Plan Guidelines

Document 7 Landscape Plan

Document 8 Rockcliffe Park Residents Association Comments

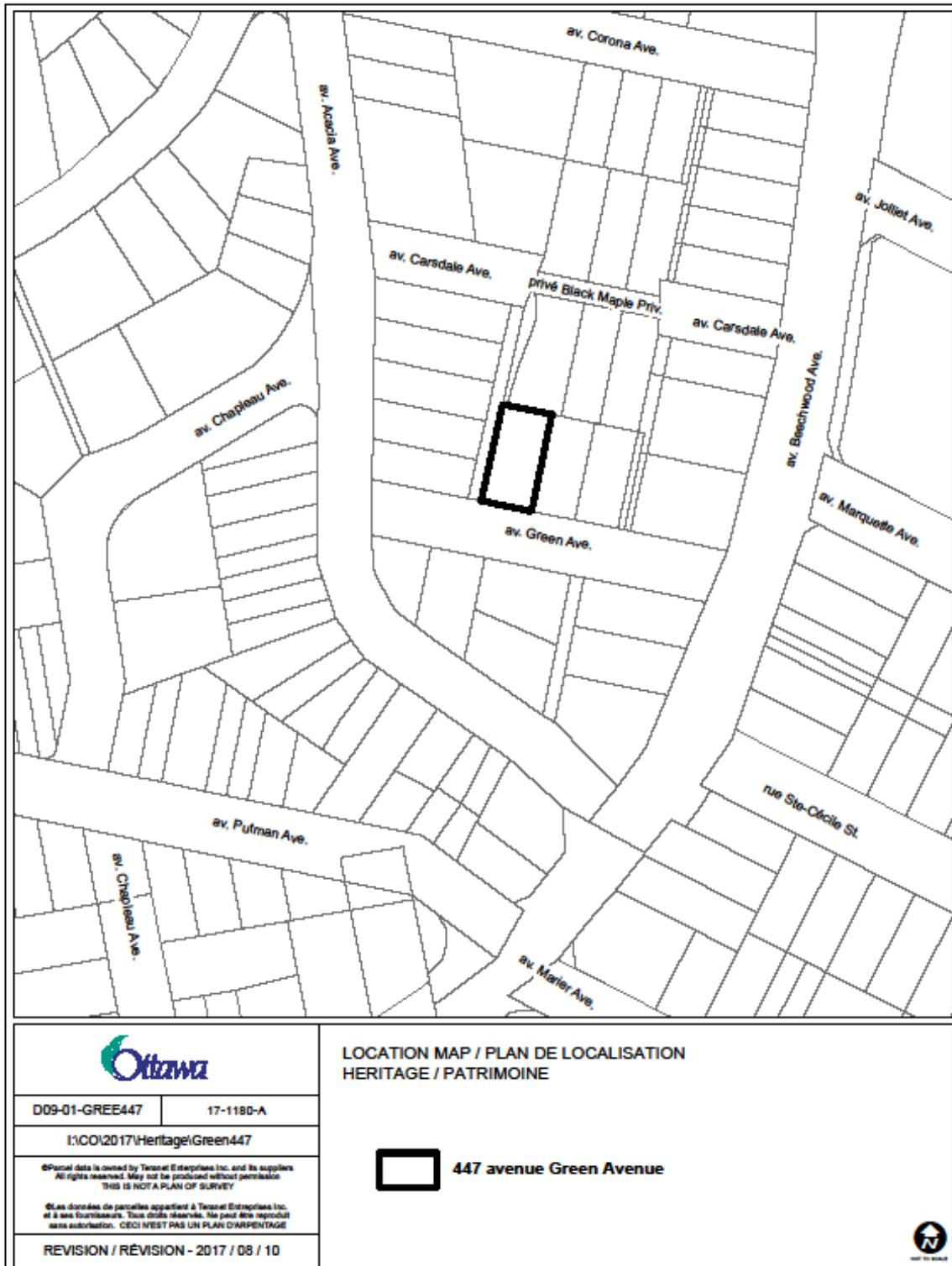
Document 9 Statutory Timeline Extension Letter

Document 10 Cultural Heritage Impact Statement

DISPOSITION

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

Document 1 - Location Map



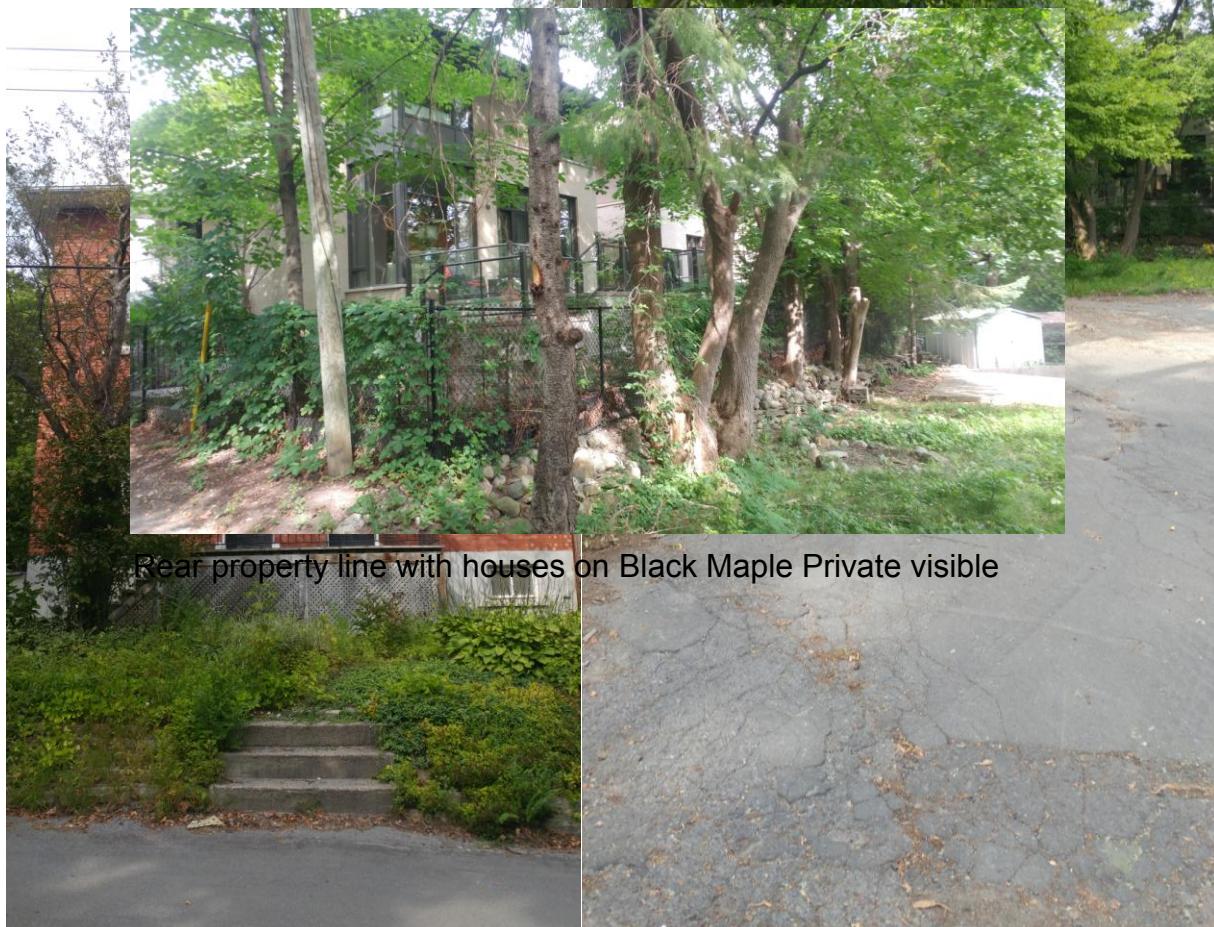
Document 2 - Current Conditions

Photo of subject property looking northeast from Green Avenue

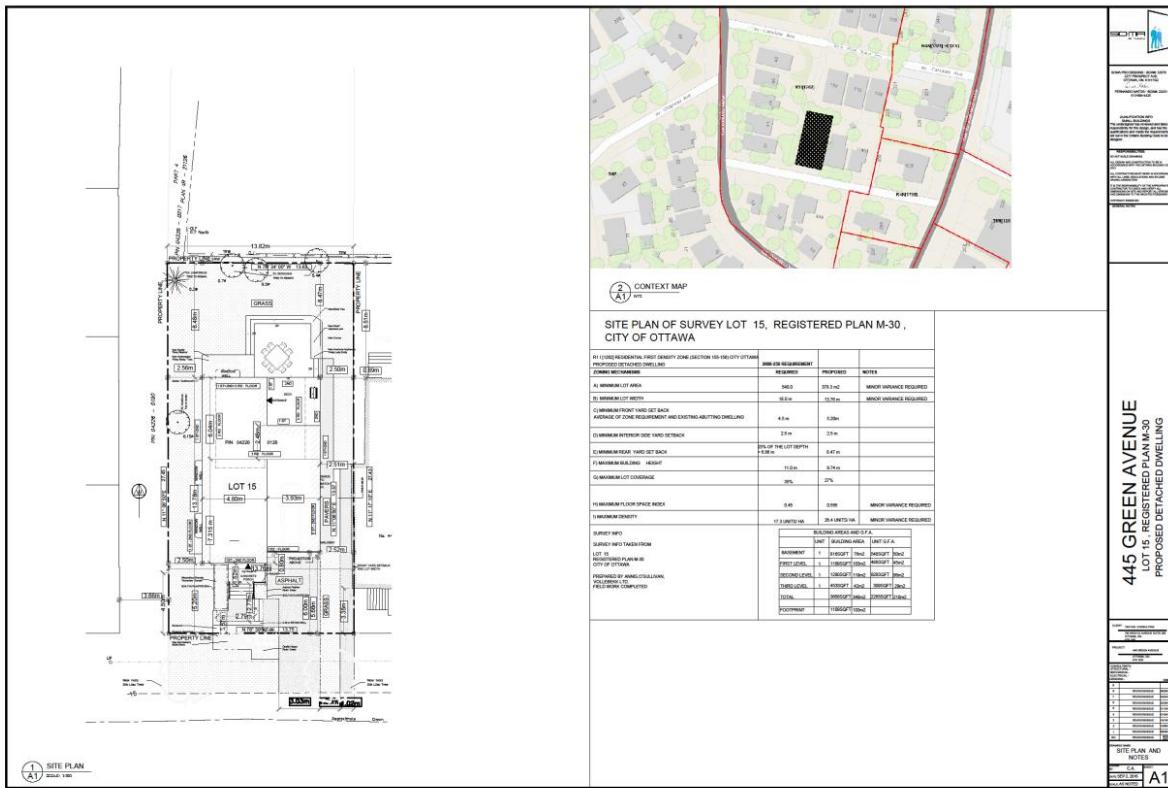


Photo looking north from Green Avenue

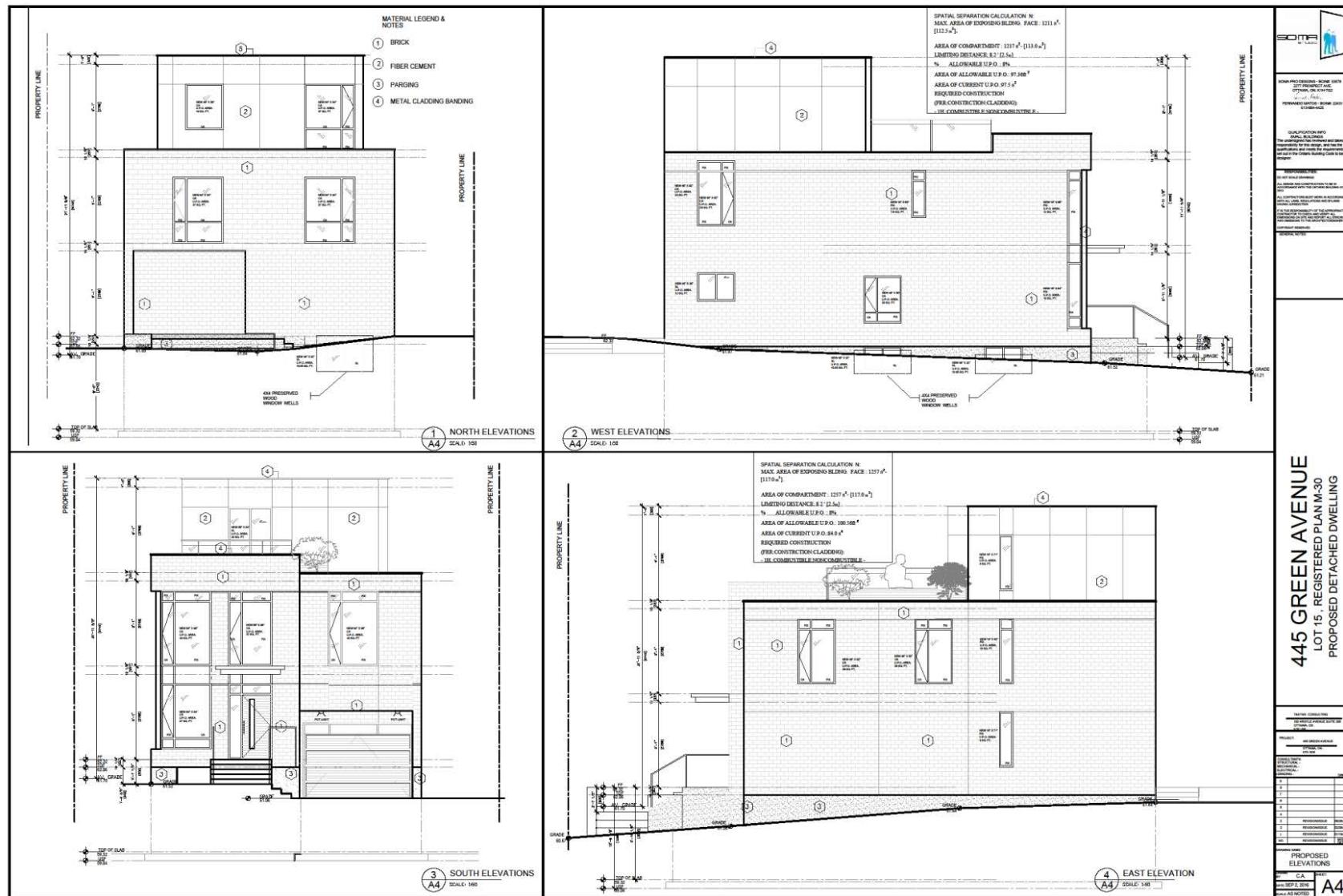
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Document 3 - Site Plan



Document 4 - Elevations



Document 5 - Perspectives



Document 6 - Rockcliffe Park HCD Plan Guidelines**7.4.2 Guidelines for New Buildings**

1. Property owners are encouraged to retain an architect, designer and/or heritage professional when designing a new building in the HCD.
2. New buildings shall contribute to and not detract from the heritage character of the HCD and its attributes.
3. Construction of new buildings will only be permitted when the new building does not detract from the historic landscape characteristics of the associated streetscape, the height and mass of the new building are consistent with the Grade I buildings in the associated streetscape, and the siting and materials of the new building are compatible with the Grade I buildings in the associated streetscape. Where there are no Grade I buildings in the associated streetscape, the height and mass of the new building shall respect the character of the existing buildings and shall not have a negative impact on the associated streetscape or the cultural heritage value of the HCD. These situations will be reviewed on a case-by-case basis in consultation with the community in accordance with Section 4.1 of this Plan.
4. New buildings shall be of their own time but sympathetic to the character of their historic neighbours in terms of massing, height and materials. New buildings are not required to replicate historical styles.
5. Integral garages shall be located in a manner that respects the cultural heritage value of the streetscape.
6. Existing grades shall be maintained.
7. In order to protect the expansive front lawns, and the generous spacing and setbacks of the buildings, identified as heritage attributes of the HCD, the following Guidelines shall be used when determining the location of new houses on their lots:
 - a) New buildings on interior lots shall be sensitively sited in relation to adjacent buildings. Unless a new building maintains the front yard setback of a building it is replacing, the front yard setback of the new building shall not be less than that of the adjacent building that is set closest to the

street. A new building may be set back further from the street than adjacent buildings.

- b) In general, unless a new building on a corner lot maintains the setbacks of the building it is replacing, the new building shall not be closer to the street than both adjacent buildings. The new building may be set back further from both streets than the adjacent buildings. If the front yard setbacks of the adjacent buildings cannot reasonably be used to determine the front yard and exterior side yard setbacks of a new building, the new building shall be sensitively sited in relation to adjacent buildings on both streets.
8. Windows may be wood, metal clad wood, steel or other materials as appropriate. Multi-paned windows should have appropriate muntin bars.
9. The use of natural materials, such as stone, real stucco, brick and wood is an important attribute of the HCD, and the use of materials such as vinyl siding, aluminium soffits, synthetic stucco, and manufactured stone will not be supported.
10. Terraces on the top storey of buildings do not form part of the heritage character of the HCD, however, a terrace on the top storey may be permitted if it is set back from the roof edge, it and its fixtures are not visible from the surrounding public realm and the terrace does not have a negative effect on the character of the surrounding cultural heritage landscape.
11. Terraces and balconies below the top storey (for example, on a garage roof, or one storey addition) may be recommended for approval if they do not have a negative effect on the character of the surrounding cultural heritage landscape.
12. Brick and stone cladding will extend to all façades.
13. The use of modern materials such as plastic or fiberglass to replicate architectural details such as columns, balusters or bargeboard is not acceptable and will not be permitted.

Garages and Accessory Buildings

1. New freestanding garages and accessory buildings such as security huts, shall be designed and located to complement the heritage character of the associated streetscape and the design of the associated building. In general, new garages

should be simple in character with a gable or flat roof and wood or stucco cladding.

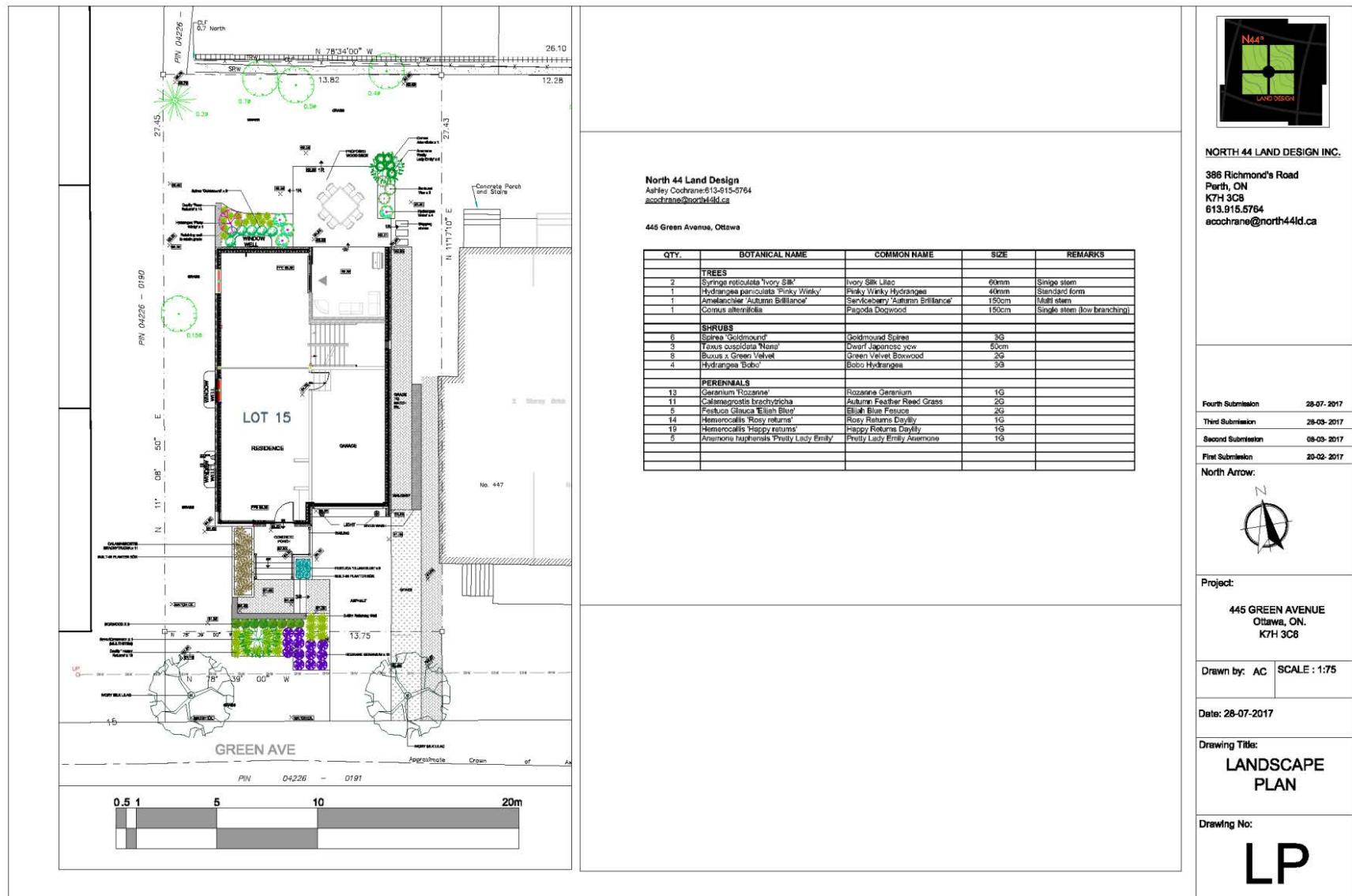
2. New detached garages should not be located between the front façade and the front property line.
3. Other accessory buildings (sheds, play houses, pool houses) should be located in the rear yard and will not result in the loss of significant soft landscaping.
4. Security huts for diplomatic residences shall be sensitively sited and designed.

7.4.3 Landscape guidelines – New Buildings and Additions

1. New buildings and additions to existing buildings shall respect the heritage attributes of the lot's existing hard and soft landscape, including but not limited to trees, hedges and flowerbeds, pathways, setbacks and yards. Soft landscaping will dominate the property.
2. New buildings and additions will be sited on a property to respect the established landscaped character of the streetscape.
3. The existing landscaped character of a lot will be preserved, when new buildings and additions are constructed.
4. The front lawns and side yards of new buildings shall protect the continuity and dominance of the soft landscape within the HCD.
5. If a driveway must be moved, the new driveway will be established in conformity with these Guidelines, the *Zoning By-law*, and the *Private Approach By-law*.
6. To ensure landscape continuity, new buildings shall be sited on generally the same footprint and oriented in the same direction as the buildings they replace to ensure that the existing character of the lot, its associated landscape and the streetscape are preserved.
7. Setbacks, topography and existing grades, trees, pathways and special features, such as stone walls and front walks shall be preserved.
8. All applications for new construction shall be accompanied by a detailed landscape plan. The plan must clearly indicate the location of all trees, shrubs and landscape features including those to be preserved and those to be removed, and illustrate all changes proposed to the landscape.

9. The removal of mature trees is strongly discouraged and all applications will be subject to the appropriate bylaw and permitting process. Where a tree has to be removed to accommodate new construction, it will be replaced with a new tree of an appropriate size and species elsewhere on the lot with preference given to native species.
10. Existing grades shall be maintained.
11. Artificial turf shall not be permitted in front and side yards.

Document 7 - Landscape Plan



Document 8 - Rockcliffe Park Residents Association Comments

August 23, 2017

Some improvements have been made since the first version of this application. However, the proposed house still fails to meet a number of provisions of the Rockcliffe Park Heritage Conservation District Plan and the 1997 Guidelines.

Accordingly, **we cannot support it.**

1. **FSI:** The house exceeds the maximum FSI by approximately 25%. In no circumstances do we support exceeding the FSI when a new house is being constructed. There is no reason that a new house cannot respect the FSI.

While basements have to be included in the calculation of FSI in this area of Rockcliffe and not in others, at the same time the FSI in this area is **more generous** than in other parts of Rockcliffe.

The lot is sub-standard in size – by 30% - and in width. The FSI is intended to ensure the massing of the proposed house fits appropriately in this smaller lot.

2. **Roof top terrace:** The RP Heritage Plan makes it clear that terraces on the top storey of buildings do not form part of the heritage character of Rockcliffe Park, and are not permitted if they are visible from the surrounding public realm – meaning roads, public pathways, parks, etc. The proposed terrace that forms part of the third storey would be visible from the street.

3. **Three storeys:** The proposed house has a partial third storey. The houses in the streetscape are 2 to 2 ½ storeys. The third storey, while recessed, is certainly visible.

4. **Design:** Natural materials and good detailing are aspects of compliance with the heritage character of Rockcliffe Park. If there had been an opportunity to comment on design with the applicant, we would have made the following points.

The general flat roof form is similar to some houses in the vicinity.

However, the double storey glass window on the front is commercial in scale and appearance, and unrelated to the windows on the three other sides. Could the design of the elevations be more coherent - ie in the round – we would suggest that the window at the front acknowledge the two floors the way that historic bay windows do - even when the protruding volume is two stories tall. Cement board is not a natural material as required by the Heritage Plan – would the colour and detailing possibly make this

acceptable We would wish to know the material, colour and detailing of the garage door as it is very prominent on the front elevation ... and would look to see its impact minimized.

Document 9 - Statutory Timeline Extension Letter



June 30, 2017

David Maloney
 Planner
 Right-of-Way, Heritage and Urban Design Services
 Planning, Infrastructure and Economic Development
 City of Ottawa
 4th Floor
 110 Laurier Avenue West
 Ottawa, Ontario K1P 1J1

Dear Mr. Maloney,

Re: Heritage Permit Application
Tamrak Holdings Inc.
445 Green Avenue
Our File: 116116

Further to your email of June 28th, we understand that the City wishes us to provide a letter containing the following statement:

Novatech agrees to an extension of the 90-day time period allowed for the processing of heritage applications from September 22, 2017, until September 30, 2017, for the application located at 445 Green Avenue in Rockcliffe Park.

This letter will confirm that Novatech, on behalf of Tamrak Holdings Inc, the owner of the property at 445 Green, agrees to the above-noted extension.

Yours truly,
NOVATECH

Gregory A. Mignon, MCIP, RPP
 Director, Planning and Development

c.c. R. Abushaar, Tamrak Holdings Inc.

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