



DATE: 2021.10.11

TO: City of Ottawa Planning and Agriculture & Rural Affairs Committees

From: David B. Flemming, Chair, Heritage Ottawa Advocacy Committee

RE: City of Ottawa New Official Plan and Heritage Management Plan

Heritage Ottawa was pleased to provide a detailed submission to the OP team in March outlining our general support for the objectives of the New OP. Our submission focused on the meaningful incorporation of heritage protection and management within the Plan: by linking the OP to other heritage policy and planning tools, by encouraging adoption of heritage-related priorities, and by broadening the understanding of heritage as integral to growth-management and sustainable development processes.

Naturally, as a heritage-focused organization, we are looking to see where built and cultural heritage fit within the vision of being *“the most liveable”* city. This was not immediately apparent. In addition to setting the stage in the broadest terms, **the Introduction should include a clear statement that demonstrates the City’s understanding and commitment to the full breadth and depth of its heritage resources.** By its very nature an OP sets goals and policies that have the potential to compete with one another. Without a strong statement of intent in the OP, there is a real danger of deferring the fulsome integration of heritage policies to a later phase. Thus, heritage protection risks losing trade-offs with other competing policy objectives. **A clear policy statement is needed now, in this document, that demonstrates the City’s commitment to the role of heritage in defining the city’s character and sense of place and to integration of heritage management within the OP’s growth management policies.**

In general, we were supportive of the high-level policy directions identified in the draft OP and the vision for a “liveable city” which directs growth and new development towards regeneration and the development of walkable 15-minute neighbourhoods, while renewing the City’s commitment to affordable, inclusive and sustainable communities.

We are encouraged by the elevation of several former Community Design Plans (CDP) to the status of Secondary Plans (SP), which has for effect to transform planning aspirations into statutory policy. In principle, Secondary Plans (SP) implement and provide more detailed direction on the overall planning policies of the draft new OP, while remaining consistent with the latter. In the event of discrepancy, the Secondary Plan is to take precedence. While this may be stated within the individual SP, the draft new OP lacks a clear statement with regards precedence.

We recommend that the hierarchy of planning documents and how the City will interpret these documents be made explicit in the New OP. The policy should address the suite of land use and planning tools and policies, including the Zoning Bylaw, Heritage Conservation District Plans, Community Design Plans (elevated to Secondary Plans) and the newly introduced Transect policies. In the past, inconsistencies between the provisions in these documents have resulted in confusion and unreliable, selective application of precedence. Clarity in the hierarchy of plans will help avoid uncertainty for communities, developers and planners, thereby avoiding conflict.

We also offer several suggested improvements to the second draft, namely related to the protection and management of heritage resources. We feel that these are needed to help clarify, demonstrate and implement the City’s commitment to the role of heritage within the city-building and growth-management process.

We suggest that the New OP be more explicit in stating that where there is a conflict between the OP and a municipal by-law, Section 41.2(2) of the *Ontario Heritage Act* shall prevail: “In the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force. 2005, c. 6, s. 31.”

We also suggest the following two proposed edits which we feel are necessary to strengthen the importance of cultural heritage value:

Section 3.2.13 (p.50): Where development occurs on properties designated under the *Ontario Heritage Act*, intensification targets and minimum density requirements are encouraged to be met through context-sensitive infill that conserves cultural heritage attributes. This development **shall respect** Statements of Cultural Heritage Value and **must follow** applicable Heritage Conservation District guidelines.

Section 4.5.2 (p.89): Heritage designation is intended to ensure contextually appropriate development and not to discourage intensification or limit housing choice. Elements of the built form, including height, scale and massing, of such development **shall** ensure that the defined cultural heritage value and attributes of the property or HCD will be conserved.

We feel that heritage protection should be stated as a “shall” rather than something to “consider.” We also do not feel that conserving heritage properties can or should have to “balance” with intensification objectives. Conservation and intensification each have their

own objectives. Creating a "balance" is the responsibility of the planning process and those involved in it.

In the absence of the *Heritage Management Plan*, the draft new OP must include strong statements and demonstrated commitment to protecting, conserving and managing Ottawa's built heritage resources and cultural heritage landscapes. Heritage protection and management should be clearly identified as a Strategic Direction and Cross-Cutting Issue (rather than a subset of these).

These changes are essential to permit the *Heritage Management Plan* to develop procedures that are permitted and/or encouraged by the New OP.

We look forward to contributing to the further implementation of the New OP and being involved in the drafting of the *Heritage Management Plan*.
