

Application to Demolish and Construct a new building at 227 Mackay Street, a property located in the New Edinburgh Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*

ACS2018-PIE-RHU-0023

Rideau-Rockcliffe (13)

Report recommendations:

That the Built Heritage Sub-Committee recommend that Planning Committee recommend that Council:

- 1. Approve the application to demolish 227 MacKay Street, submitted by Derek Crain, architect, received on September 12, 2018;**
- 2. Approve the construction of a new building at 227 MacKay Street according to plans submitted by Derek Crain, architect, received on June 7, 2018;**
- 3. Delegate authority for minor design changes to the General Manager, Planning, Infrastructure and Economic Development;**
- 4. Issue the heritage permit with a two-year expiry date from the date of issuance;**
- 5. Suspend the notice required under Subsections 29(3) and 34(1) of the *Procedure By-law* to consider this report at its meeting on October 10, 2018.**

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on December 11, 2018.)

(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.)

At the outset, Vice-Chair Padolsky introduced the following Motion (earlier circulated to all members of the Sub-Committee) to amend the original report and its recommendations:

MOTION N^o BHSC 34/1

Moved by Vice-Chair B. Padolsky:

WHEREAS the subject of Report ACS2018-PIE-RHU-0023 is, “Application to Demolish and Construct a new building at 227 Mackay Street, a property located in the New Edinburgh Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*”; and,

WHEREAS Recommendation 1 of the report is the following:

“Approve the application to demolish 227 MacKay Street, submitted by Derek Crain, architect, received on September 12, 2018”; and,

WHEREAS the report contains the following statement in paragraph 2 on page 4:

“As there was neither a heritage permit under the *Ontario Heritage Act* nor a demolition permit under the *Building Code Act* to permit the demolition, 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.”; and,

WHEREAS for purposes of clarity and to reflect the physical situation on the property, it is advisable to amend the report.

THEREFORE BE IT RESOLVED that the following changes be made to the staff report:

1. Revise the English subject to, “Application to Construct a new building at 227 Mackay Street, a property located in the New Edinburgh Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*.”
2. Revise the French subject to, “Demande de construction d’un nouveau bâtiment au 227, rue Mackay, une propriété située dans le district de

conservation du patrimoine de New Edinburgh et désignée aux termes de la partie V de la Loi sur le patrimoine de l'Ontario.”

3. Delete Recommendation 1 and renumber the remaining recommendations accordingly.

4. Delete the following statement in paragraph 2 on page 4:

“As there was neither a heritage permit under the *Ontario Heritage Act* nor a demolition permit under the *Building Code Act* to permit the demolition, 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.”

5. Delete in its entirety the section of the Discussion under subheading “Recommendation 1” on pages 4 and 5 and rename the remaining subheadings accordingly.

Ms Sally Coutts, Senior Heritage Planner, Right of Way, Heritage and Urban Design Services, Planning, Infrastructure and Economic Development Department, explained that, in consultation with Legal Services, the above Motion, recommending amendments to the report and its recommendations,

had been drafted to provide a clearer report for the BHSC's consideration.

Ms. Coutts then provided a slide presentation which served as an overview of the report. A copy of her slide presentation is held on file with the City Clerk.

Mr. Stephen Willis, General Manager, PIEDD, Mr. Richard Aubé, Manager, Permit Approvals, PIEDD, and Ms Christine Enta, Legal Counsel, City Clerk and Solicitor Department, were also present to respond to questions.

The Sub-Committee then heard from the following delegations, all of whom spoke in opposition to the report recommendations:

- Mr. David Jeanes, President, Heritage Ottawa
- Ms Marie Mullally, Avonmore Housing Co-operative Association
- Mr. John Ronald Burrows

Committee members received the following submissions, copies of which are held on file

with the City Clerk:

- Mr. Louis Grzela comment sheet dated 30 September 2018, stating concerns
- Ms. Elizabeth Woodbury letter dated 30 September 2018, providing comments
- Ms. Caroline Delbaere letter received 30 September 2018, providing comments
- Mr. David Jeanes, President, Heritage Ottawa, letter dated 2 October 2018, opposing the application
- Mr. David Flemming, email received 4 October 2018, providing comments

Following questions to staff and discussions, the Built Heritage Sub-Committee CARRIED Motion N^o BHSC 34/1, with Public Member C. Quinn dissenting.

The Built Heritage Sub-Committee then CARRIED the report recommendations as amended by Motion N^o BHSC 34/1 and as set out in full below (along with the changes to the report noted therein), with Public Member C. Quinn and Vice-Chair B. Padolsky dissenting.

That the Built Heritage Sub-Committee recommend that Planning Committee recommend that Council:

- 1. Approve the construction of a new building at 227 MacKay Street according to plans submitted by Derek Crain, architect, received on June 7, 2018;**
- 2. Delegate authority for minor design changes to the General Manager, Planning, Infrastructure and Economic Development;**
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**PLANNING COMMITTEE
REPORT 71
OCTOBER 10, 2018**

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**COMITÉ DE L'URBANISME
RAPPORT 71
LE 10 OCTOBRE 2018**