**Submission to the Government of Ontario on the new Ottawa Official Plan**

**Rockcliffe Park Secondary Plan**

**February 22, 2022**

Modest changes are requested to the new Rockcliffe Park Secondary Plan - a part of the new Ottawa Official Plan. These changes would clarify provisions with a view to maintaining existing policies that serve to protect the unique heritage character of Rockcliffe Park.

These changes will serve the provincial interest set out in the Ontario Planning Act at S. 2(d)“the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest”. As well, they will better ensure that the Ottawa Official Plan meets the requirement in the Provincial Policy Statement at 2.6.1 that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved”.

**Rockcliffe Park – A unique heritage conservation district**

The Rockcliffe Park Secondary Plan is the only one amongst the many in the Ottawa Official Plan that pertains to a heritage conservation district. Founded in 1864 before Confederation, Rockcliffe Park was a unique departure from planned communities at the time – it was planned and designed as a community of unobtrusive houses in a natural parkland setting where nature, greenspace, and natural topography would dominate - with narrow winding roads without curbs or sidewalks and an abundance of trees. It has been protected for over 150 years by generations of residents. The Rockcliffe Park Residents Association has applied for federal designation of our community as an Historic District of National Significance. Ottawa city council supported this application.

Strong support for the protection of Rockcliffe Park’s heritage prevails today. A survey of residents was taken last year and received a high response rate. Eighty-five percent of residents said that protection of heritage is important. Residents have been kept regularly informed of our work with the city in an effort to ensure that protection of heritage in the new Official Plan and our Secondary Plan is strong and unequivocal.

**Consultation with city planning staff on our Secondary Plan**

Representatives of the Rockcliffe Park Residents Association worked closely over a number of months with city planning staff on drafts of the new Ottawa OP and Rockcliffe Park Secondary Plan. Important provisions were agreed. However, a good way through our work, we were told that the mandate from city council with respect to secondary plans limited the scope of possible changes, but that any provisions in the existing secondary plan that were important to us could be maintained. We therefore jettisoned several desired changes that would constitute new policy. In the final flurry of work to get the new OP before city council, we believe that some misunderstanding about our proposed changes arose with planning staff. The changes we are proposing would rectify that misunderstanding.

**Position of our City Councillor**

Our Councillor, Rawlson King, proposed these changes to City Council when the new OP was before it for final approval. He said that the changes were a good balance that reflected the unique historical heritage of our community, and rejected the view that all communities should be treated the same. The changes were not approved by Council, based on the advice provided by city staff. We believe that the staff advice was mistaken. Our proposals to the Government of Ontario are an attempt to resolve these issues.

**Proposed changes**

**Conservation areas**

In Section 4.3 of the Rockcliffe Park Secondary Plan, Conservation Areas, edit Policy 15) so that it reads:

**“The City is committed to protecting and conserving MacKay Lake and the Pond as significant natural amenities and conservation areas within Rockcliffe Park.”**

Explanation: MacKay Lake and the Pond and the sensitive areas around them have always been conservation areas. They are not parks or recreation areas. The wording in the new Secondary Plan incorrectly describes the area as a significant natural and **recreational amenity**. We simply want clarity and consistency with the status quo by removing reference to “recreationalamenities” and replacing it with “conservation areas”. (Note that existing policy permits limited public swimming in the Pond only, and only to the extent that no damage is done to the natural heritage or physical landscape. This is accurately repeated in 4.3.13 of the new Secondary Plan: “Public and private recreational activities may be permitted in areas designated Conservation, provided such uses will not adversely affect natural heritage or the physical landscape.”)

City planning staff have said that the change we are proposing “represents a departure from the existing long-standing policy and as we understand it, this is a matter of controversy within the Rockcliffe Park community. Staff does not feel that it would be appropriate to introduce a controversial new policy into the Secondary Plan as part of a process to which there is no appeal rights.” We are flummoxed by these comments. They are incorrect. What we are proposing is a statement of existing policy which is strongly supported by Rockcliffe Park residents.

**Commercial development and uses in Rockcliffe Park**

In Section 3 of the Rockcliffe Park Secondary Plan, Goals and Objectives, in section 3.1, edit the third (last) sentence/paragraph to read:

**“No commercial or industrial developments and uses are, or will be, permitted within Rockcliffe Park, including short-term rentals of less than 30 days and bed and breakfasts.”**

Explanation: All commercial and industrial development and uses have never been permitted in Rockcliffe Park, including short term rentals and bed and breakfasts. This is based on our existing Secondary Plan. To maintain the existing policy, it must be newly spelled out that this ban explicitly includes short-term rentals and bed and breakfasts. Why? The city has created a new distinction between “primary” and “secondary” commercial uses which did not exist when our existing Secondary Plan was developed. To give clarity, it now has to be specified that banned commercial uses continues to include short-term rentals and bed and breakfasts.

City planning staff have said that “Short-term rentals are not a land use that should be described in an Official or Secondary Plan. The prohibition on bed and breakfast establishments would constitute new policy which is not currently included in the existing Secondary Plan. There has been no public consultation on the introduction of such a policy.” Again, we are puzzled by these comments. What we are proposing is a continuation of existing policy based on the current Rockcliffe Park Secondary Plan. The prohibition on commercial development and uses in the plan indeed encompasses short-term rentals and bed and breakfasts – that is precisely why Rockcliffe Park is one of the few areas in Ottawa where they are not permitted. We want to ensure that continues to be the policy. (We have informed residents of this, and no one has voiced objection to the continuation of this long established policy.)

**Intensification, secondary dwelling units, and coach houses**

In Section 2.1 of the Rockclifffe Park Secondary Plan, A Stable Population**, delete the final phrase “and coach houses”.** In Section 4.1, Residential Areas and Density, Policy 4), **delete “coach houses”**.

Explanation: Secondary dwelling units both within houses and “coach houses” in backyards are currently not permitted in Rockcliffe Park. We have agreed that secondary dwelling units within houses are a form of intensification that should be permitted in our new Secondary Plan. They do not detract from the heritage character of Rockcliffe Park. We strongly oppose coach houses in backyards because any diminishing of greenscape, whether in backyards or anywhere else, is incompatible with preserving the park-like character of Rockcliffe Park. Permitting coach houses flies in the face of many provisions of our Heritage Plan including “The distinct heritage character of Rockcliffe Park.. shall be maintained and enhanced” (7.1.1) and “The unique cultural heritage landscape of the HCD.. shall be conserved and enhanced.” (7.1.2).

When coach houses were first proposed a number of years ago, a hugely well attended public meeting unanimously and vociferously rejected the idea. The city listened and backed down.

City planning staff have now said they “do not concur with the view that coach houses are incompatible with the preservation of the park-like setting of Rockcliffe Park.” And that permitting coach houses “brings the Secondary Plan into full compliance with s. 16(3) of the Planning Act.” We have explained why we heartily disagree that coach houses are compatible with the unique heritage character of Rockcliffe Park, and we have learned that it is not the case that the province is insisting that they be permitted everywhere, entirely without exception.

Rockcliffe Park is a very small part of the city of Ottawa. If there is one place in Ontario and perhaps in Canada where coach houses in backyards should not be permitted it is here. We believe that it is far more important that Ontario’s commitment be honoured: “Significant built heritage resources and significant cultural heritage landscapes shall be conserved”.

**We ask that the Ontario government - either the Minister of Municipal Affairs and Housing or the Minister of Heritage, Sport, Tourism and Culture Industries – provide for an exemption for Rockcliffe Park from the general requirement to permit coach houses.** This will be applauded by the residents of this heritage district and by many others who care about heritage.

**Conclusion**

We largely support the new Ottawa Official Plan and respect the incredible work that has gone into it by city staff and city councillors. The changes we are proposing are modest but important to protecting a rare heritage gem that has evolved but not lost its distinct character over more than 150 years. We welcomed the city’s support for our request to the Government of Canada to recognize Rockcliffe Park as a Historic District of National Significance. This would be a distinctive honour. We believe that Rockcliffe Park is worthy of everyone’s continuing protection. This is what we are seeking in this submission.

Susan d’Aquino

Chair, Heritage Outreach Committee

Rockcliffe Park Residents Association