

**Subject: Application for demolition at 79 Guigues Avenue, a property designated under Part V of the Ontario Heritage Act as part of the Lowertown West Heritage Conservation District**

**File Number: ACS2024-PDB-RHU-0088**

**Report to Built Heritage Committee on 10 December 2024**

**and Council 11 December 2024**

**Submitted on November 29, 2024 by Court Curry, Manager, Right of Way, Heritage, and Urban Design Services, Planning, Development and Building Services**

**Contact Person: Anne Fitzpatrick, Planner III, Heritage Planning Branch**

**613-580-2424,25651, Anne.Fitzpatrick@ottawa.ca**

**Ward: Rideau-Vanier (12)**

**Objet: Demande de démolition au 79, avenue Guigues, une 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 la Basse-Ville Ouest**

**Dossier : ACS2024-PDB-RHU-0088**

**Rapport au Comité du patrimoine bâti**

**le 10 décembre 2024**

**et au Conseil le 11 décembre 2024**

**Soumis le 29 novembre 2024 par Court Curry, Gestionnaire, Services des emprises, du patrimoine, et du design urbain, Direction générale des services de la planification, de l'aménagement et du bâtiment**

**Personne ressource : Anne Fitzpatrick, Urbaniste III, Planification du Patrimoine**

**613-580-2424,25651, Anne.Fitzpatrick@ottawa.ca**

**Quartier: Rideau-Vanier (12)**

## REPORT RECOMMENDATIONS

That the Built Heritage Committee recommend that Council:

1. Approve the application to demolish the building at 79 Guigues Avenue, conditional upon:
  - a) That until the time of the construction of a replacement building, the registered Owner shall landscape the property to the satisfaction of the Program Manager of Heritage Planning, Planning, Development and Building Services Department. The registered Owner shall prohibit the use of the property for other interim uses and maintain the property in accordance with the Property Standards By-law.
  - b) That as part of a future application for new construction under the *Ontario Heritage Act*, Council require the submission of a Heritage Impact Assessment to ensure that the attributes of the historic building that express its contribution to the HCD have been appropriately considered and incorporated into the new design.
2. Suspend the notice required under Subsections 29(3) and 34(1) of the Procedure By-law to consider this report at the December 11, 2024, Council meeting in order to complete the legislative process associated with this report within a timely manner.
3. Exempt the subject property from the requirements of the Demolition Control By-law, 2012 (2012-377);
4. Approve the issuance of the heritage permit with a two-year expiry date from the issuance unless otherwise extended by Council.

## RECOMMANDATIONS DU RAPPORT

Que le Comité du patrimoine bâti recommande ce qui suit au Conseil :

1. Approuver la demande de démolition du bâtiment situé au 79, avenue Guigues, sous réserve des conditions suivantes :
  - a) D'ici la construction du nouveau bâtiment, le propriétaire enregistré devra paysager la propriété à la satisfaction gestionnaire de programme, Planification du patrimoine, Direction générale des services de la planification, de l'aménagement et du bâtiment. Il devra également interdire l'utilisation de la propriété à d'autres fins provisoires et entretenir celle-ci conformément au Règlement sur les

normes d'entretien des biens.

- b) **Dans le cadre d'une future demande de construction faite en vertu de la Loi sur le patrimoine de l'Ontario, le Conseil exigera la présentation d'une évaluation des répercussions sur le patrimoine, pour s'assurer que les caractéristiques de l'édifice historique qui expriment sa contribution au DCP ont été prises en compte comme il se doit et intégrées dans la nouvelle conception.**
2. **Suspendre l'obligation d'avis prévue aux paragraphes 29(3) et 34(1) du Règlement de procédure afin d'examiner ce rapport lors de sa réunion prévue le 11 décembre 2024 et ainsi de mener à terme, dans les délais prescrits, le processus législatif associé à ce rapport.**
  3. **Exempter la propriété visée des exigences du Règlement sur le contrôle des démolitions de 2012 (2012-377).**
  4. **Approuver la délivrance d'un permis patrimonial d'une durée de deux ans à compter de la date de délivrance, sauf si le permis est prolongé par le Conseil.**

## **BACKGROUND**

The building at 79 Guigues Avenue was constructed c.1898 and is located on the north side of Guigues Avenue to the east of the intersection of Guigues and Parent Avenue. The property is located in the Lowertown West Heritage Conservation District (HCD), which is designated under Part V of the *Ontario Heritage Act*. The building is a two-and-a-half-storey, front gable house with a rectangular plan, clad in composite siding. Please see Documents 1-3 for the location map, site photos and the heritage survey form.

The Lowertown West HCD's cultural heritage value lies in its role in the residential settlement in the city of Ottawa during the 19th and 20th centuries. The HCD includes a number of significant institutional buildings together with a rich collection of residential buildings which demonstrate the area's early history as well as its gradual evolution over time. The HCD is also significant for its association with the history of Ottawa's working people as well as many prominent early settlers, both French and English speaking, and the physical record of that social history that is demonstrated by the modest buildings in the area. For the full description of the HCD's cultural heritage value, please see the Document 4 for the Heritage Character Statement.

At the time of designation, there was no heritage conservation district plan requirement, however, as was standard practice for the City of Ottawa at the time, an HCD study was

approved by Council which includes recommended guidelines for changes within the HCD. The *Ontario Heritage Act* was amended in 2005 to outline specific contents for all new heritage conservation district plans. In addition, the amendments also allowed municipalities to adopt HCD plans via by-law for districts designated prior to 2005. The new Lowertown West HCD Plan was approved by Council on October 16, 2024 and the associated by-law to formally adopt the Plan was passed October 30. As the new HCD Plan is currently in the appeal period until Dec 15, this application was evaluated using the guidelines in the 1994 Lowertown West Heritage Conservation District Study while having regard for the new HCD Plan.

As part of the Heritage Conservation District study, an inventory evaluated each property for their contribution to the cultural heritage value of the HCD and assigned a category between 1-4. At that time, this property was identified as a Grade 3 property in the HCD, meaning that it contributes to the cultural heritage value of the District.

In 2016, the property was added to the Heritage Watch List, which monitors designated heritage buildings that are vacant or at risk. The property has been subject to long-term demolition-by-neglect by the property owner. In August 2016, an Order to Comply was issued by By-law and Regulatory Services (BLRS) for repairs to the roof and general maintenance of the property. Following this, the property owner demolished the rear additions of the building without the necessary approvals. In September 2016, Building Code Services issued an Order to Comply, Order to Remedy an Unsafe Building and an Order Requesting Tests and Samples. Charges were filed for non-compliance with the order and for beginning demolition without consent. Subsequently Building Code Services issued a permit to complete the demolition of the addition and re-instate the rear wall. Another Property Standards Order was issued in 2022 for maintenance of the property, to ensure the foundation and the roof were sealed. The building has remained vacant since 2016.

The property is one of 11 properties, regularly monitored by BLRS as part of a pilot project in Rideau-Vanier and Somerset Wards to address problematic properties. The properties are identified as problematic, as they are the location of ongoing nuisances and disturbances to neighbours and/or have a history of complaints related to crime and disorder, which affect ongoing community wellbeing.

On August 17, 2024, the building suffered extensive damage from a fire. The cause of the fire is unknown.

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

## DISCUSSION

### Recommendation 1: Approve the Application for Demolition

The application is to demolish the building at 79 Guigues Avenue, which was damaged by a fire on August 17, 2024. The building is a wood framed “wood frame building” structure, with several layers of architectural cladding including wood siding, stucco and most recently a composite wood siding. Notable alterations to the historic building include the composite cladding, the addition of the two-storey porch and the reconfiguration of the windows and doors through the introduction of a large picture window on the main floor, and a sliding door on the second floor. Despite these alterations, the building generally retains its original form and location that contributes to the historic working-class residential character of Lowertown.

### Structural Report and Condition

Following the fire, the City requested a building condition assessment by a professional engineer. The applicant submitted a structural review by Cleland Jardine Engineering Ltd., dated September 23, 2024, (Document 5) which identified that the fire caused significant structural damage to the two-storey porch and exterior finishes on the front façade and the interior of the building sustained significant water damage from extinguishing the fire. The report identifies concerns with the structural components of the building including moisture penetration in the plank wall framing and mold damage in the interior. The wood frame of the roof, the plank log walls the rubble stone foundation walls were all identified as being in poor condition. The report recommends demolition of the building and provides the following conclusion:

*It is our professional opinion and recommendation that the building should be completely demolished for the following reasons:*

- a. Extensive repairs are required to the wood frame elements of the floors, ceilings, and roof that it would involve the complete replacement or strengthening of all members.*
- b. The foundation deterioration has progressed to a point that complete removal and reconstruction is required of the rubble stone foundation wall. A house of this nature would require it be lifted into the air in order to replace the foundations in order to get access to the East wall which is right on the property line. However, the current conditions would likely result in the building collapsing if a lift was attempted.*
- c. Deterioration of the log walls from dry rot, wet rot, and carpenter ants, are to such an extent that to try and repair/replace will involve the complete removal*

*and reinstatement of complete walls, which is realistically not possible in our opinion.*

- d. The building has suffered another fire, it is our recommendation that the building be demolished, as it has suffered catastrophic fire and smoke damage that is unrepairable.*
- e. There is now extensive mold inside the wood building as result of the fire fighting operations. This clean up would require the removal of all exterior finishes to ensure a proper remediation of the building. The removal of the exterior finishes would further compromise the structure and cause it to become unstable and collapse.*
- f. Due to all the water damage from the fire, it is likely the wood planks will start to warp and twist. This will further destabilize the structure as the wood joints further open up and become disengaged with each other causing the building to collapse.*

### **Lowertown West HCD Study and New Plan**

Applications for demolition and new construction in the Lowertown West HCD are reviewed for consistency with the study's heritage character statement and character defining elements. The Lowertown West Heritage Conservation District study has guidelines related to demolition including in Section 7.5.4. The relevant section is below:

*Demolitions, either partial or complete, are not encouraged. Permission for demolition by City Council, as required under the Ontario Heritage Act, must be sought. Recommendations:*

- iv. As a general principle, demolition of structures within the District will not be recommended for approval by Council.*

Section 5 of the new Lowertown West HCD Plan has the following applicable policies regarding demolition:

- 1. Demolition or relocation of Contributing properties shall not generally be supported. Demolition by neglect is not considered a valid reason for demolition.
- 4. In the rare instances when a replacement building is not proposed immediately, a heritage permit for temporary greening, screening and/or hoarding for the property will be required.

5. At least one of the following, as determined by heritage staff, shall be included as part of a complete application under the *Ontario Heritage Act* for the demolition, partial demolition, relocation or dismantling of a Contributing building:

- Confirmation through a detailed assessment by a structural engineer with expertise in heritage buildings or the City's Chief Building Official that there is structural instability or damage resulting from an extraordinary circumstance where retention poses an unacceptable risk;

9. In the rare instance that a Contributing property is approved for demolition, the City may require that the building be recorded, and the information be deposited at the City of Ottawa Archives. Options for appropriate interpretation and/or commemoration may also be required.

The existing HCD Plan discourages demolition of contributing properties. The new HCD Plan, while not yet in force and effect, generally does not support demolition but outlines a process for scenarios where demolition may be considered. The fire at 79 Guigues Avenue, accompanied by the detailed assessment outlining the structural damage and the barriers to retention, is a situation where the new HCD plan contemplates demolition. At this time, no new construction is being proposed, however, a condition has been added to ensure that the vacant lot is cleared, filled, landscaped appropriately and maintained in accordance with the Property Standards By-law until such a time that replacement building is constructed. In addition, any future application for new construction will be subject to a separate heritage permit process under Section 42.1 of the *Ontario Heritage Act* along with any required applications under the *Planning Act*.

Staff have also included a condition requiring a Heritage Impact Assessment for any future application for new construction under the *Ontario Heritage Act*. The Heritage Impact Assessment will assess whether the attributes of the historic building that express its contribution to the HCD, notably the original front gable form, have been appropriately considered and incorporated into the new design. This is in keeping with policy 5.6 in the new HCD Plan. In the absence of a new development proposal, this condition will ensure this policy is addressed.

Heritage staff have determined that the proposal is compliant and consistent with HCD guidelines as the extensive damage from the fire have made the possibility of restoration not feasible or practical.

The building will be recorded through the engineering report and on-site photos, which will be deposited at the City of Ottawa Archives. Given the alterations to the building

and the extensive damage caused by the fire, laser scanning is not being required in this instance.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2020.

### **Conclusion**

Heritage staff have reviewed the application to demolish the building at 79 Guigues Avenue. Although demolition is discouraged in the Lowertown West HCD Study, and the new Lowertown West HCD Plan, given the post-fire condition of the building as identified in the engineering report, Heritage staff do not object to the proposed demolition. The long-term vacancy of a property can be a contributing factor in instances of demolition by neglect as it makes a building susceptible to incidents such as fires, which ultimately make restoration and reuse of a building infeasible. Heritage Staff are working to establish new tools for monitoring and enforcement of Heritage Watch List properties to prevent similar situations from occurring.

### **Recommendation 2 – Report Rise to Council on December 11, 2024**

This recommendation has been included to ensure the timely demolition of building due to the structural concerns.

### **Recommendation 3 – Demolition Control**

This recommendation has been included to exempt these properties from the requirements of the Demolition Control By-law to ensure the demolition of the building can happen in a timely manner. Approval of this recommendation, along with the issuance of the heritage permit will allow the applicant to fulfill two outstanding requirements of the issuance of a demolition permit for these properties.

### **Recommendation 4 – Heritage Permit**

Issue the heritage permit with a two-year expiry date from the date of issuance.

### **FINANCIAL IMPLICATIONS**

Exempting the property from the requirements of Demolition Control By-law in recommendation 3 has an associated revenue impact of \$5,339.42 (includes \$1,028.00 Legal Fee + HST) which is the 2024 fee associated with a demolition control application.



**LEGAL IMPLICATIONS**

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

**COMMENTS BY THE WARD COUNCILLOR(S)**

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

**CONSULTATION**

Plans and other material related to the proposal were posted on the City's Development Application website on November 20, 2024.

Heritage Ottawa was notified of this application on November 19, 2024 and offered the opportunity to provide comments/provided comments.

The Lowertown Community Association was notified of this application on November 19, 2024 and offered the opportunity to provide comments/provided comments

Neighbours within 30 metres of the property were notified of this application and offered an opportunity to comment at the Built Heritage Committee meeting.

**ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with this report.

**RURAL IMPLICATIONS**

There are no rural implications associated with this report.

**TERM OF COUNCIL PRIORITIES**

This report has no direct impacts on the Term of Council Priorities.

**APPLICATION PROCESS TIMELINE STATUS**

The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on February 12, 2025

**SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Site Photos

Document 3 Heritage Survey Forms

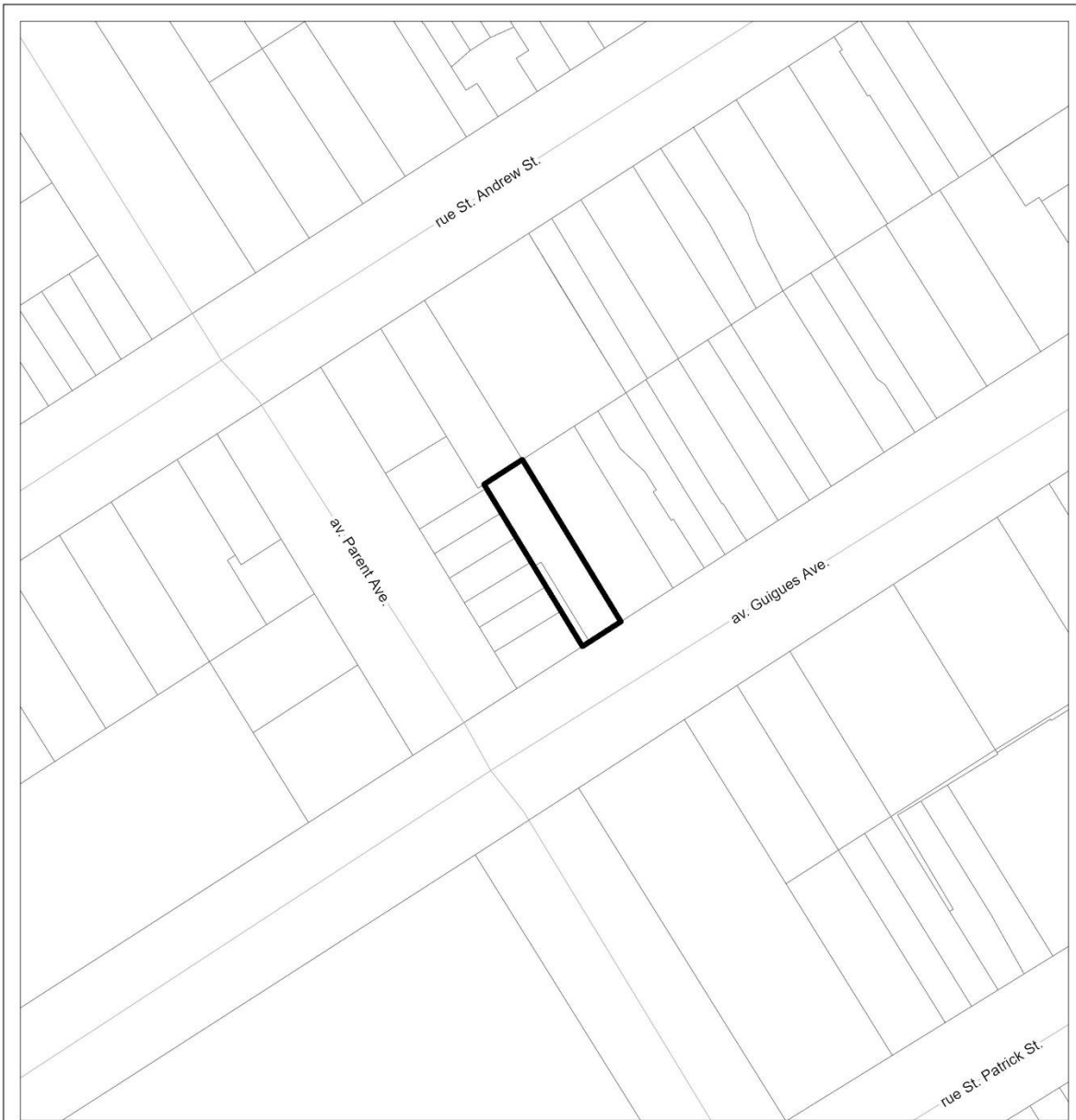
Document 4 Heritage Character Statement




Document 5 Cleland Jardine Engineering Report

**DISPOSITION**

Office of the City Clerk, Council and Committee 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



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
D07-12-24	24-1302-E	 <b>79 av. Guigues Ave.</b>	
I:\CO\2024\Site\Guigues_79			
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartiennent à Terranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2024 / 11 / 15		 <small>NOT TO SCALE</small>	

Document 2 Site Photos





**Document 3 Heritage Survey Form**

**CITY OF OTTAWA  
DEPARTMENT OF PLANNING & DEVELOPMENT  
COMMUNITY PLANNING BRANCH**

**HERITAGE SURVEY  
AND  
EVALUATION FORM**

**BUILDING FILE NO.  
PD : 4300 Guigues 79  
HERITAGE DISTRICT FILE NO.  
PD :**

**Municipal Address:** 79 Guigues St.  
**Building Name:**  
**Legal Description:**  
**Date of Construction:** circa 1898  
**Original Use:** residential - single  
**Present Use:** residential - single  
**Present Zoning:** HR-1  
**Planning Area:** Lowertown West

**Lot:** P L 10      **Block:** Guigues N      **Plan:** 42482  
**Additions:**  
**Original Owner:** unknown  
**Present Owner:** Leah and Raymond Carisse

**PHASE ONE SURVEY**

Potential Significance	Considerable (Pre- 1878)	Some ( 1878 to 1913)	Limited ( 1914 to 1957)	None ( 1958 to 1992)
History (Date of Construction)	3	2	1	0
Architecture	3	2	1	0
Environment (Landmark or Design Compatibility)	3	2	1	0
	Phase One Survey Score /9		Potential Heritage Building	Yes/No
	Potential Heritage District		Prepared By:	



**PHASE TWO EVALUATION  
RESULTS**

(Summarized from Page 4)

Category      1      2      3      4  
Part V Definite      Yes/No  
Part IV Potential      Yes/No

If PART IV, By-law/Date:

IF PART V:

**HERITAGE DISTRICT NAME:**

**BY-LAW/DATE:**

**COMMENTS:**

PHOTO DATE: June 1992

VIEW:

SOURCE: Gilberto Prioste

NEGATIVE NUMBER:

**HISTORY****PREPARED BY:** Michael McClelland**DATE:** Summer 1992**Date of Construction:** circa 1898**Factual/Estimated****Sources:**

FIP: does not appear on the 1883 plan, appears as a vacant lot; does appear on the 1888/1898 plan.  
 City Directories: first listing, 1899.

**Trends:**

Demonstrates the gradual infilling of vacant lands in Lowertown with residential buildings.

**Events:** n/a**Persons/Institutions:**

The first listed resident was Eugene Archambault, occupation unknown (1899, 1900, 1902).

**Summary/Comments On Historical Significance:**

The building is an example of a late nineteenth century residential infill in Lowertown.

## Historical Sources

**ARCHITECTURE****PREPARED BY:** Michael McClelland**DATE:** Summer 1992**Architectural Design** (Plan, Storeys, Roof, Windows, Materials, Details, Etc.):

2 1/2 storey gable fronted house with two tiered porch; aluminium clad exterior; picture window replacement on ground floor sliding glass door on second floor; roundheaded sash window on upper floor.

**Architectural Style:**

Form and scale represent typical Lowertown vernacular gable fronted house, but is now much altered by the siding and by the addition of the recent porch.

**Designer/Builder/Architect:** unknown**Architectural Integrity** (Alterations):

Porch added/alterd in 1983 (permit #95804). Siding is also an alteration. Altered fenestration.

**Other** (Structure, Interior, Building Type, Etc.):**Summary/Comments On Architectural Significance:**

The building is an altered example of a Lowertown gable fronted house.

**ENVIRONMENT**

**PREPARED BY:** Michael McClelland

**DATE:** Summer 1992

**Planning Area:** Lowertown West

**Heritage Conservation District Name (if any):**



**PHOTO DATE:** June 1992  
**VIEW:**  
**SOURCE:** Gilberto Prioste  
**NEGATIVE NUMBER:**

**Compatibility With Heritage Environs:**

The building is compatible with others in the area in terms of form and scale, but the enclosure of the porch is unusual.

**Community Context/Landmark Status:**

A mid-block building close to Parent.

**Summary/Comments On Environmental Significance:**

The building contributes to the residential scale of the area.



**PHASE TWO EVALUATION**

<b>CRITERIA SCORING</b>					
<b>HISTORY CATEGORY</b>	<b>E</b>	<b>G</b>	<b>F</b>	<b>P</b>	<b>SCORE</b>
1. Date of Construction		27			
2. Trends		27			
3. Events				0	
4. Persons				0	
<b>HISTORY TOTAL</b>					<b>54</b>
<b>ARCHITECTURAL CATEGORY</b>	<b>E</b>	<b>G</b>	<b>F</b>	<b>P</b>	<b>SCORE</b>
1. Design		20			
2. Style		14			
3. Designer/Builder				0	
4. Architectural Integrity			14		
<b>ARCHITECTURAL TOTAL</b>					<b>48</b>
<b>ENVIRONMENT CATEGORY</b>	<b>E</b>	<b>G</b>	<b>F</b>	<b>P</b>	<b>SCORE</b>
1. Design Compatibility		40			
2. Landmark / Community Context			14		
<b>ENVIRONMENT TOTAL</b>					<b>54</b>

\*Date of Construction in Lowertown area.

Excellent ( Pre-1878 ), Good ( 1878 to 1913 ), Fair ( 1914 to 1957 ), Poor ( After 1957 )

Criteria Scoring completed by: EVALUATION COMMITTEE

Date:

<b>CATEGORY SCORE</b>	<b>DETERMINATION OF THE PHASE TWO TOTAL SCORE</b>	
	<b>IN A POTENTIAL HERITAGE DISTRICT</b>	<b>NOT IN A POTENTIAL HERITAGE DISTRICT</b>
History	54 x 20% = 10.8	X 40% =
Architecture	48 x 35% = 16.8	X 40% =
Environment	54 x 45% = 24.3	X 20% =
<b>PHASE TWO TOTAL SCORE</b>	<b>51.4/100</b>	<b>/100</b>

**HERITAGE CLASSIFICATION FOR THE LOWERTOWN WEST AREA.**

Phase Two Total Score	(above )	(to )	(to )	(Below )
Group	1	2	3	4

**PHASE TWO EVALUATION SUMMARY:**

Summary Prepared By:

Date:

79 Guigues St.

## **Document 4 Heritage Character Statement**

The original plan for settlement of Bytown included both Upper Town and Lower Town, with Upper Town planned as a more institutional centre and Lower Town as the residential and commercial core. Lower Town grew quickly and included commercial properties in the Byward Market area and residential sections east and west of King Edward. The residential neighbourhood west of King Edward and north of the Market is now known as Lowertown West.

Lowertown West comprises the oldest area of residential settlement in the City of Ottawa. The area was the civilian centre of Ottawa, from the British survey of the townsite in 1826 until the turn of the twentieth century. From about 1890 to the mid-1970s growth occurred in other areas of the city at the expense of Lowertown and much of historic fabric of Lowertown east of King Edward and north of Boteler was demolished during urban renewal. Urban renewal commenced with zoning changes in the 1950s and demolitions throughout the 1960s and 1970s.

The Lowertown West Heritage Conservation District encompasses all of the remaining older buildings of Lowertown west of King Edward, with the exception of the area now designated as the Byward Market Heritage Conservation District and a number of isolated buildings south of Murray Street. The District includes a number of significant early institutional buildings, many of which are already designated under the Ontario Heritage Act, including the Basilica and the Elizabeth Bruyère Centre, and a rich collection of residential buildings which demonstrate the early history of Lowertown and its gradual evolution through time. This evolution through time is a crucial characteristic of the area, and it requires a recognition of the heritage importance of both the earliest buildings and later buildings. It also requires an awareness that many of the incremental alterations which have occurred to the earlier building reflect later historical and social trends which contribute to the historical record of the neighbourhood. The history of Lowertown West is the history of generations of Ottawa's working people, both French and English speaking, and the physical record of that social history, represented by both the institutions and the residential buildings, is a major cultural resource for the City of Ottawa.