

2. **Application to alter 124 Boteler Street, a property located in the Lowertown West Heritage Conservation District, designated under Part V of the *Ontario Heritage Act***
- Demande de modification du 124, rue Boteler, une propriété située dans le district de conservation du patrimoine de la Basse-Ville Ouest et désignée en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario***

Report Recommendations

That Council:

1. **Approve the application to temporarily lift the original building at 124 Boteler Street above its foundations, remove the existing foundations to build new foundations, and replace the building in its current location on the new foundations, as per the report submitted by Giovannitti Structural Design LTD attached as Document 5, conditional upon:**
 - a. **The applicant providing detailed plans from the house lifting company hired to carry out the work, reviewed by the applicant's engineer for approval by heritage staff and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, prior to the issuance of a Building Permit.**
 - b. **The new foundations not rising any higher above grade than the existing foundations.**
2. **Approve the addition of a new dormer to the recently approved rear addition ([ASC2019-PIE-RHU-0013](#)), according to the revised drawings attached as Document 6.**
3. **Delegate authority for minor design changes to the General Manager, Planning, Infrastructure and Economic Development;**

4. Approve the issuance of the heritage permit with a two-year expiry date from the date of issuance.
5. Suspend the distribution and delivery requirements under subsections 29(3) and 34(1) of the Procedure By-law to consider this report at its meeting on December 11, 2019, so that Council may consider this application within the statutory 90-day timeline under the *Ontario Heritage Act*.

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on January 20, 2020.)

(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 Conseil :

1. approuve la demande d'élévation temporaire du bâtiment d'origine au 124, rue Boteler au-dessus de ses fondations, de remplacement des fondations existantes par de nouvelles fondations et de remise en place du bâtiment à son emplacement actuel sur les nouvelles fondations, conformément au rapport soumis par Giovannitti Structural Design LTD et ci-joint en tant que document 5, sous réserve des conditions suivantes :
 - a. avant la délivrance d'un permis de construire, le requérant devra soumettre les plans détaillés de l'entreprise de soulèvement de maison dont les services ont été retenus, plans révisés par l'ingénieur du requérant en vue de l'approbation du personnel chargé du patrimoine et de la satisfaction du directeur général de Planification, Infrastructure et Développement économique.
 - b. les nouvelles fondations ne devront pas être plus élevées au-dessus du sol que celle existantes.

2. approuve l'ajout d'une lucarne à l'annexe arrière dont la construction a été approuvée récemment ([ASC2019-PIE-RHU-0013](#)), conformément aux dessins révisés ci-joints en tant que document 6.
3. délègue au directeur général de Planification, Infrastructure et Développement économique le pouvoir d'effectuer des changements mineurs de conception;
4. approuve la délivrance du permis en matière de patrimoine et de fixer sa date d'expiration à deux ans après la date de délivrance.
5. suspend les règles de distribution énoncées aux paragraphes 29(3) et 34(1) du Règlement de procédure pour que le Conseil puisse prendre connaissance de ce rapport à sa réunion du 11 décembre 2019, et ainsi étudier la demande dans le délai de 90 jours prescrit par la Loi sur le patrimoine de l'Ontario.

(Nota : Le délai réglementaire de 90 jours d'examen de cette demande, exigé en vertu de *la Loi sur le patrimoine de l'Ontario*, prendra fin le 20 janvier 2020.)

(Nota : L'approbation de la demande de modification aux termes 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.)

Documentation/Documentation

1. Manager's report, Right of Way, Heritage and Urban Design Services, Planning, Infrastructure and Economic Development Department, dated November 22, 2019 (ACS2019-PIE-RHU-0025)

Rapport du Gestionnaire, Services des emprises, du patrimoine et du design urbain, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 22 novembre 2019 (ACS2019-PIE-RHU-0025)

2. Extract of draft Minutes, Built Heritage Sub-Committee, 10 December

2019.

Extrait de l'ébauche du procès-verbal, Sous-comité du patrimoine bâti, le
10 décembre 2019.

**Built Heritage Sub-Committee
Report 8
December 11, 2019**

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**Sous-comité du patrimoine bâti
rapport 8
le 11 décembre 2019**

**Report to
Rapport au:**

**Built Heritage Sub-Committee / Sous-comité du patrimoine bâti
December 10, 2019 / 10 décembre 2019**

**and Council / et au Conseil
December 11, 2019 / 11 décembre 2019**

**Submitted on November 22, 2019
Soumis le 22 novembre 2019**

**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**

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Services du Patrimoine
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Ward: RIDEAU-VANIER (12)

File Number: ACS2019-PIE-RHU-0025

**SUBJECT: Application to alter 124 Boteler Street, a property located in the
Lowertown West Heritage Conservation District, designated under
Part V of the *Ontario Heritage Act***

OBJET: Demande de modification du 124, rue Boteler, une propriété située dans le district de conservation du patrimoine de la Basse-Ville Ouest et désignée en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario*

REPORT RECOMMENDATIONS

That the Built Heritage Sub-Committee recommend that Council:

1. Approve the application to temporarily lift the original building at 124 Boteler Street above its foundations, remove the existing foundations to build new foundations, and replace the building in its current location on the new foundations, as per the report submitted by Giovannitti Structural Design LTD attached as Document 5, conditional upon:
 - a. The applicant providing detailed plans from the house lifting company hired to carry out the work, reviewed by the applicant's engineer for approval by heritage staff and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, prior to the issuance of a Building Permit.
 - b. The new foundations not rising any higher above grade than the existing foundations.
2. Approve the addition of a new dormer to the recently approved rear addition ([ASC2019-PIE-RHU-0013](#)), according to the revised drawings attached as Document 6.
3. Delegate authority for minor design changes to the General Manager, Planning, Infrastructure and Economic Development;
4. Approve the issuance of the heritage permit with a two-year expiry date from the date of issuance.
5. Suspend the distribution and delivery requirements under subsections 29(3) and 34(1) of the Procedure By-law to consider this report at its meeting on December 11, 2019, so that Council may consider this

application within the statutory 90-day timeline under the *Ontario Heritage Act*.

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on January 20, 2020.)

(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 ce qui suit au Conseil :

1. Approuver la demande d'élévation temporaire du bâtiment d'origine au 124, rue Boteler au-dessus de ses fondations, de remplacement des fondations existantes par de nouvelles fondations et de remise en place du bâtiment à son emplacement actuel sur les nouvelles fondations, conformément au rapport soumis par Giovannitti Structural Design LTD et ci-joint en tant que document 5, sous réserve des conditions suivantes :
 - a. Avant la délivrance d'un permis de construire, le requérant devra soumettre les plans détaillés de l'entreprise de soulèvement de maison dont les services ont été retenus, plans révisés par l'ingénieur du requérant en vue de l'approbation du personnel chargé du patrimoine et de la satisfaction du directeur général de Planification, Infrastructure et Développement économique.
 - b. Les nouvelles fondations ne devront pas être plus élevées au-dessus du sol que celle existantes.
2. Approuver l'ajout d'une lucarne à l'annexe arrière dont la construction a été approuvée récemment ([ASC2019-PIE-RHU-0013](#)), conformément aux dessins révisés ci-joints en tant que document 6.
3. Déléguer au directeur général de Planification, Infrastructure et Développement économique le pouvoir d'effectuer des changements mineurs de conception;

4. Approuver la délivrance du permis en matière de patrimoine et de fixer sa date d'expiration à deux ans après la date de délivrance.
5. Suspendre les règles de distribution énoncées aux paragraphes 29(3) et 34(1) du Règlement de procédure pour que le Conseil puisse prendre connaissance de ce rapport à sa réunion du 11 décembre 2019, et ainsi étudier la demande dans le délai de 90 jours prescrit par la Loi sur le patrimoine de l'Ontario.

(Nota : Le délai réglementaire de 90 jours d'examen de cette demande, exigé en vertu de *la Loi sur le patrimoine de l'Ontario*, prendra fin le 20 janvier 2020.)

(Nota : L'approbation de la demande de modification aux termes 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 124 Boteler Street is located on the south side of Boteler Street, approximately mid-block between Dalhousie and Cumberland Streets at the north-east boundary of the Lowertown West Heritage Conservation District (HCD) (see Location Map, Document 1). It contains a one-and-a-half-storey, wood frame building with horizontal siding, a front gable roof with dormers on both slopes and a small, one-storey rear addition. The building is the last house in a group of five remaining modest 19th century buildings within the Boteler streetscape. Outside of the HCD and adjacent to the boundary are two contemporary buildings: to the east is the Korean Embassy, and across the street to the north is a multi-building complex for the Embassy of the United Arab Emirates (see Current Condition Photos, Document 2).

The Lowertown West HCD was designated in 1994. Its cultural heritage value lies in its role in the residential settlement in the city of Ottawa during the 19th and 20th centuries. The district includes a number of significant institutional buildings but is primarily comprised of a rich collection of residential buildings which together 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 3.

The applicant received approval earlier this fall to construct a new rear addition and repair the main building (ASC2019-PIE-RHU-0013). Upon further investigation, it has been determined that the foundation of the building is in an advanced stage of deterioration. The applicant has submitted this application to lift the existing building, pour a new foundation and then place the building back in its existing location. The applicant has indicated that the new foundation will not result in the building being any taller than it is currently. The application also includes a request to add an additional dormer to the east slope of the new rear addition. The dormer may require variances from the zoning by-law. This report has been prepared because alterations that could impact the character defining attributes of a heritage resource in heritage conservation districts designated under Part V of the *Ontario Heritage Act* require approval of City Council.

DISCUSSION

Recommendation 1

Removal of Existing Foundation Walls

As noted in the Heritage Survey Form for this property, the building at 124 Boteler Street has undergone a number of alterations, including previous alterations to the foundation that resulted in a raised basement. The property is a Category 2 building in the Lowertown West HCD as it contributes to and is compatible with the character of the district in terms of scale, materials and its location on the lot.

As was discussed in the previous staff report, when the owner originally purchased the property and was advised of its overall condition, the intent was to demolish the existing building. The Lowertown HCD study discourages the complete demolition of buildings in the HCD, so in consultation with staff, the owner retained a Heritage Engineer to complete a building condition report (see Document 4). The report provided that the original rubble stone foundation had been modified by adding a short section of cement block units to raise the basement and parging on the exterior. A layer of cement block units was also added to the interior walls. The condition report identified concerns with the foundation, but only in two areas that were exposed and visible enough to assess.

These areas were determined to be in poor condition but had been heavily modified. The report cautioned that the condition in these areas was not necessarily indicative of the entire foundation but recognized that in other cases of stone masonry foundations of comparable age without routine maintenance, the condition often determined to be poor. The report recommended further assessment be completed by removing the outer parging and inner layer cement units to determine condition.

Since obtaining the previous approval for this property, the applicant has retained a subsequent engineer who has completed a further investigation of the foundation. Staff were invited to attend a site visit to observe the exposed foundation along with the owner and engineer. A further condition report has been provided which outlines that the interior cement block layer, together with the exterior parging (that has now failed) have been trapping moisture and hiding extensive damage to the stone foundation walls. Based on these investigations, the engineer determined the foundation walls have been significantly weakened, and thus they have deteriorated beyond repair. The report recommends that the existing foundation walls be removed and replaced with a new concrete foundation.

The Lowertown West HCD study strongly discourages demolition, “either partial or complete” (7.5.4 (1)). Instead, the guidelines recommend the conservation of existing buildings in Lowertown through projects that encourage their continued use and viability. While the guidelines recognize that many of the buildings in the district have been altered, some quite extensively, in general, they seek to preserve the existing buildings and as much of their original material as possible (Section 7.5.2, 7.5.3 and 7.5.6). In particular, 7.5.6 (3) notes that “the building’s original material should be retained whenever possible”.

In accordance with the HCD guidelines, the applicant pursued the repair of the foundation in good faith, despite the risk in uncovering further damage. As per the engineer’s report, the foundation was determined to be severely damaged. In consideration of the report’s recommendations and the damage observed onsite, staff are of the opinion that the foundation is beyond reasonable repair. The condition of the original foundations and basement are a major concern for the property owner. In order to ensure the retention of the original house and given that the foundation of a building is integral to the continued viability of the structure, in this case, staff are supportive of

the removal of the existing foundation walls as the best way to fulfill the requirement of the reuse of existing building, rather than its demolition. The applicant has indicated that he intends to hire an expert who specializes in house-lifting to raise building off of its existing foundations, replace the existing foundation walls with a new concrete foundation, and then set it back down in its current location. The engineer's report outlines the lifting process in Document 5. Staff are recommending that as a condition of approval, the owner provide further details/plans of how the building will be stabilized once the company has been hired, to be approved by the engineer and to the satisfaction of heritage staff.

Replacement Foundations

Section 7.5.6 (4) recommends that "conservation work should be appropriate to the character and age of the particular building in both material and detail. If a replacement element is required, such as a new wood window sash, it should match the original in proportion and profile as closely as possible." Section 7.5.1 (3) also recommends that "the guidelines should not encourage restoring Lowertown to an artificially set time period." While the use of a traditional stone foundation would be most historically accurate to use for new foundation walls, staff are of the opinion that a new concrete foundation would be compatible with the character of the HCD, without giving a false sense of history. Given that the foundation will be largely below grade and will not result in raising the building, staff are supportive of the new concrete material, as it will provide the structural support necessary for the house and will not detract from the character of the HCD.

Recommendation 2

The applicant is proposing to add a new dormer to the east side of the recently approved rear addition. The applicant has indicated that the dormer is necessary as the upper floors as originally planned do not provide useable living space for a bedroom, now that the stairs and floor plan has been finalized. The infill guidelines (Section 7.5.5) note that new construction should respect the scale, design and material that are typical of the district, and the streetscape guidelines (Section 7.4) note that the general overall height of buildings should be maintained. The dormer is proposed to match the rear addition in materials and the slope of its roof will remain lower than the height of the gable of the new addition. While the additional dormer will add massing, given that it will

be at the rear of the property, staff are of the opinion that the main building will remain the focus in the streetscape and not detract from the HCD. Further, the mature trees to the east side of the property help to mitigate the impact of the additional mass, largely obscuring it from view from the street. Accordingly, staff are of the opinion that the new dormer meets the guidelines of the HCD.

Standards and Guidelines for the Conservation of Historic Places in Canada

City Council adopted the Parks Canada “Standards and Guidelines for the Conservation of Historic Places in Canada” in 2008. This document establishes a consistent set of conservation principles and guidelines for projects involving heritage resources. Heritage staff consider this document when evaluating applications under the *Ontario Heritage Act*. The following Standards are applicable to this

Standard 3: Conserve the heritage value by adopting an approach calling for minimal intervention.

Standard 7: a) Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. b) Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

Standard 10: c) Where character defining elements are too severely deteriorated to repair, and where there is insufficient physical evidence to match sound versions of, make the form, material and detailing of the new elements compatible with the character of the historic place.

Standard 11: a) Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. b) Make any new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.

Standard 12: Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

The building at 124 Boteler Street has been modified over its lifetime, with previous alterations or repairs that have now failed. Although initially intending to repair the

foundation, the applicant has completed an assessment of the extent of the deterioration and, in consultation with experts has determined that the most appropriate intervention is replacement. The proposal allows for the structural stability of the foundation to be addressed, while ensuring the retention of the original house and respecting the heritage value of the building. This proposal therefore meets both Standard 3 and 7. Having determined that the foundations can not be repaired, the applicant is proposing to replace them with a compatible material, matching in form and scale. In this way, the proposal also meets Standard 10.

Standard 11 recognizes that in some cases, new additions may be necessary to ensure the continued use of an historic place. When this is the case, part b) of Standard 11 requires both physical and visual compatibility. The new dormer is proposed to match the previously approved rear addition in material and will be located largely out of view from the street. Its height will not exceed the ridgeline of the rear addition, which will continue to reflect the gable form of the main building. As it will not add new overall height, the addition will remain consistent with the general scale of the HCD. It is important to highlight that the Standards and Guidelines note that subordination is not necessarily about size, but about whether a new addition detracts from the heritage value of the resource. Although the new dormer adds mass to the east side of the rear addition, it will be largely obscured from view by the trees that line the property. In consideration of the property's location at the edge of the District boundary, the dormer's design, and the existing mature trees, staff are satisfied that there will be no impact on the Lowertown West HCD. In these ways, the proposal meets Standard 11.

Finally, staff are of the opinion that the proposed work will preserve the legibility of the buildings original form, and the integrity of the remaining original elements. Should the dormer be removed in the future, there will be no impact on the heritage value of the main building or the HCD. Accordingly, the proposal meets Standard 12.

Principles of the HCD

The guidelines for the Lowertown West HCD are based on four principles that relate to preserving the architectural variety and mix of buildings from different time periods, stimulating awareness and understanding of how the district has evolved and how each building contributes to that record of history, encouraging the conservation of all buildings, not just those that remain intact. Staff have reviewed these principles and are

satisfied that the proposal meets their intent it will ensure the building's continued use and viability.

Cultural Heritage Impact Statement

A Cultural Heritage Impact Statement was not required as part of this application as Heritage staff determined that the application would not adversely affect the HCD.

Conclusion

Staff recommend approval of this application to alter the building at 124 Boteler Street as well as construct a new rear dormer, as it meets the applicable guidelines for the Lowertown West HCD, as well as Parks Canada's Standards and Guidelines.

Recommendation 3

Minor design changes to a building may emerge during the working drawing phase of the project or the Committee of Adjustment process. As is common practice for heritage applications, this recommendation is included to delegate the authority to the General Manager, Planning, Infrastructure and Economic Development Department to undertake these changes.

Recommendation 4

The *Ontario Heritage Act* does not provide any timelines for the expiry of heritage permits. A two-year expiry date is recommended to ensure that projects are completed in a timely fashion.

Recommendation 5

For this report to be considered within the statutory 90-day timeline for this application under the *Ontario Heritage Act*, staff recommend that City Council suspend the notice required under Procedure By-law 2017-377 to consider this report at its meeting on December 11, 2019.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

The plans and supporting documents were posted on the City's DevApps website on November 5, 2019.

Neighbours within 30 metres of the subject property were notified of the application and meeting dates and offered the opportunity to provide written or verbal comments.

Heritage Ottawa (HO) was notified of the application on November 5, 2019. Staff received preliminary comments on November 15, 2019 from HO reiterating their support for the overall project provided with the previous approval. HO acknowledged the need for the proposed foundation work, but also cautioned the risk associated with lifting an historic building and urged that staff and the owner monitor the project carefully.

The Lowertown Community Association (LCA) was notified of the application on November 5, 2019. The LCA provided comments on the previous approval that expressed concern with the appropriateness of the height of the rear addition, noting that in their opinion, the height was not subordinate to the main building, and therefore did not conform with the Standards and Guidelines (Standard 11). As described above, the Standards and Guidelines note that subordination is not necessarily about size, but about whether a new addition detracts from the heritage value of the resource. Staff are satisfied that on balance with the design, the location at the side and to the rear of the main building and on the lot, the mature landscaping, and in relation to the overall building heights in the area, the new dormer is appropriate.

Comments on this application were received from the LCA on November 20, 2019 (Document 7). The comments recognize the poor condition of foundation, acknowledging the conclusions of the engineer's report. Several recommendations were provided that stressed the need for undertaking this work very carefully. Staff have

reviewed these and have included a condition of approval that will capture the intention of the majority recommendations provided.

COMMENTS BY THE WARD COUNCILLOR

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

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendations of this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with the recommendations of this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

- HC4 - Supports Arts, Heritage and Culture

APPLICATION PROCESS TIMELINE STATUS

The application was processed within the 90-day statutory requirement under the *Ontario Heritage Act*.

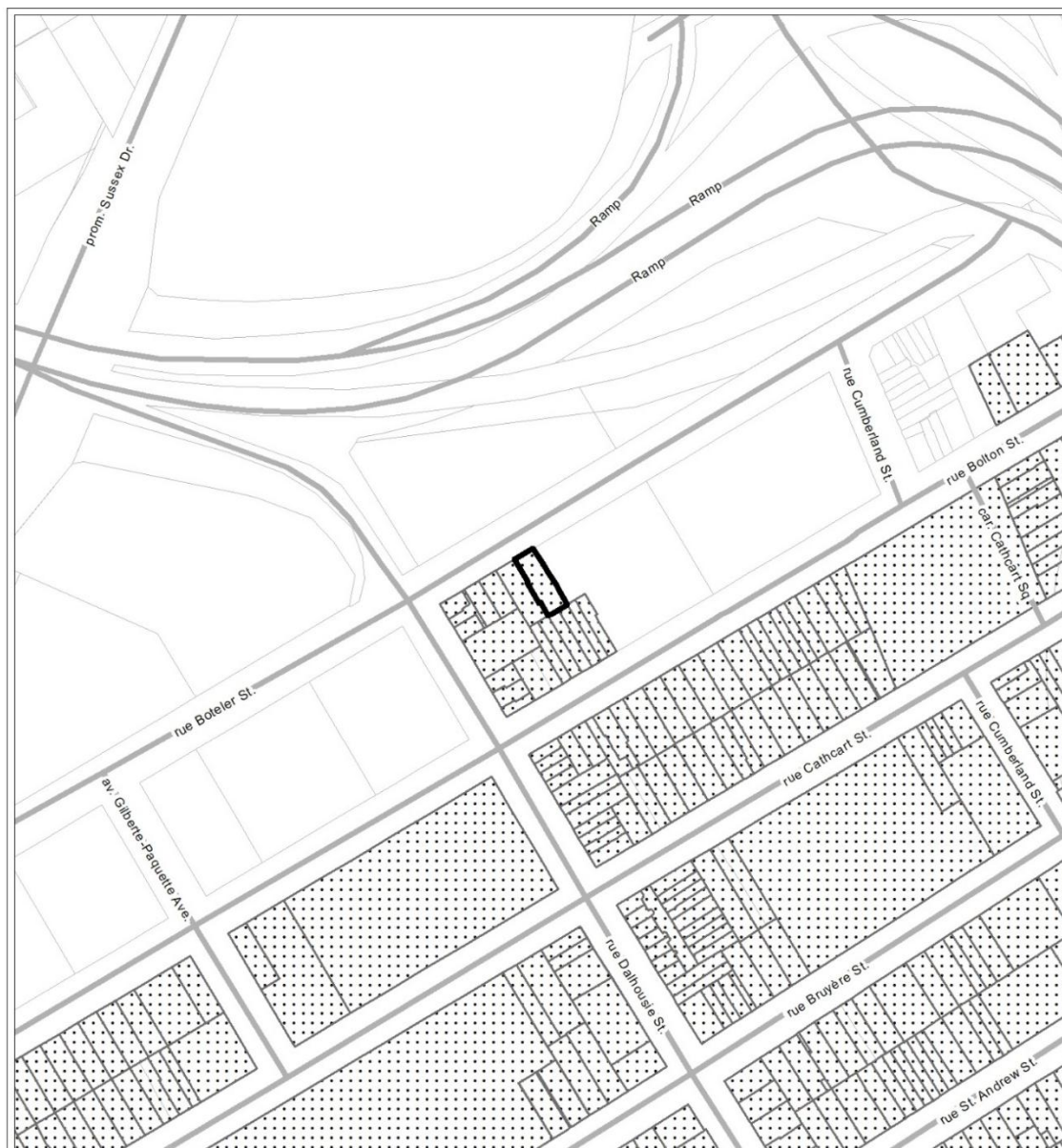
SUPPORTING DOCUMENTATION




- Document 1 Location Map
- Document 2 Current Conditions Photos
- Document 3 Heritage Character Statement, Survey Form and HCD Guidelines
- Document 4 Previously provided Building Condition Report
- Document 5 Foundation Condition Report, Giovannitti Structural Design LTD
- Document 6 Revised Plans
- Document 7 Comments received from Lowertown Community Association

DISPOSITION

Office of the City Clerk and Solicitor, 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



		<p>LOCATION MAP / PLAN DE LOCALISATION HERITAGE / PATRIMOINE</p>	
D09-01-BOTE124	19-0739-B		
<p>I:\CO\2019\Heritage\Boteler_124</p>		<p> 124 rue Boteler Street</p>	
<p><small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY</small></p>			
<p><small>©Les données de parcelles appartiennent à Teranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small></p>			
<p>REVISION / RÉVISION - 2019 / 07 /18</p>		<p> NOT TO SCALE</p>	

Document 2 – Existing Photos

Existing Building



View of streetscape looking to the west on Boteler Street



View looking east on Boteler Street showing north side of streetscape



View on Boteler Street looking east, showing south side of streetscape



Exterior of foundation



Interior
stone



of basement
showing
condition of
foundation

Interior of basement showing cement block extension and perimeter wall.

