

**City Council, Standing Committee and Commission
Conseil, comités permanents et commission**

Council Motion

Report / Agenda: 31.3 Application to demolish 79 Guigues Avenue, a property designated under Part V of the *Ontario Heritage Act*, located in the Lowertown West Heritage Conservation District

Item / Article: Demolition Control

Moved by / Motion de: Councillor Leiper
Seconded By: Councillor Plante

WHEREAS the property at 79 Guigues Avenue has been subject to long term demolition by neglect by the property owner;

WHEREAS the building was severely damaged in a fire in August 2024 and requires demolition for safety reasons; and

WHEREAS report ACS2024-PDB-RHU-0088 recommends approval of demolition under the Ontario Heritage Act and a waiver of the requirements of the demolition control by-law;

WHEREAS there is no replacement building proposed at this time and the Heritage Conservation District guidelines discourage demolition without a replacement building;

THEREFORE BE IT RESOLVED that Council approve an amendment to the report to replace Recommendation 3 with the following:

3. **Approve demolition control for 79 Guigues Avenue subject to the following condition:**
 - a. **In the absence of plans for new construction and in order to conserve the streetscape of the HCD, the Owner will enter into a Development Agreement with the City prior to the issuance of a demolition permit. The agreement will require:**
 - i. **The owner to submit a heritage permit application within six months from the date of issuance of a demolition permit for the building or by June 30, 2025, whichever comes first;**
 - ii. **The owner to obtain a building permit within six months of the issuance of the heritage permit by City Council;**

- iii. The replacement building shall be substantially completed within 24 months from the date of issuance of the building permit; and
- iv. If the owner is in default on any of the timelines outlined, the City Clerk shall enter onto the collector's roll the sum of \$1,000.00 for the residential dwelling which was demolished for each month thereafter that a residential dwelling is not constructed except insofar as any delay is attributable to the City not meeting policy or statutory review and approval deadlines.