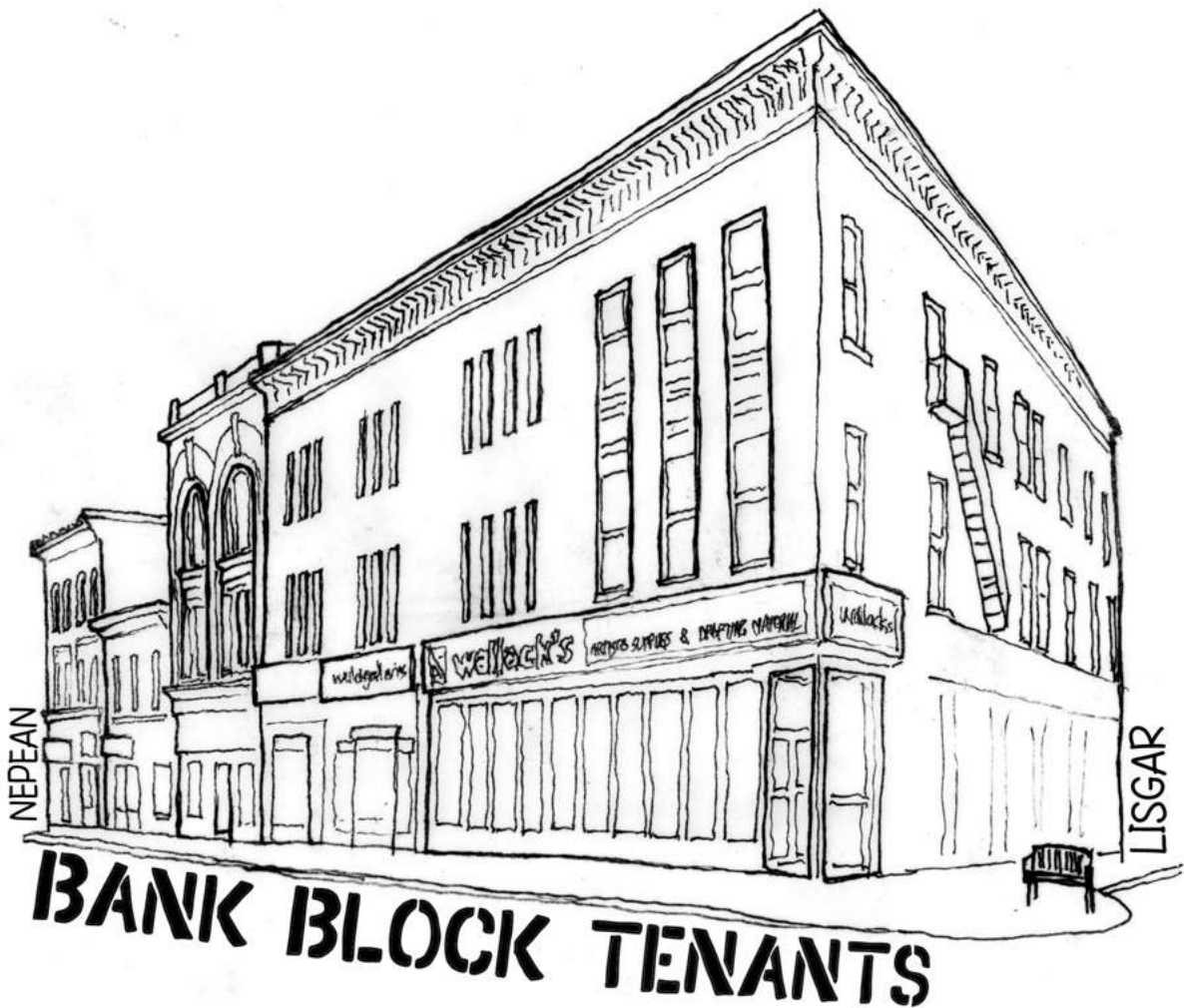


Beyond the Facade:
Tenant Impact Report
for 178 Nepean St. and 227 Bank St.

Presented to the City of Ottawa Planning and Housing Committee meeting on November 28, 2024.



Credit: Julie Ivanoff (Member of Bank Block Tenants)

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I. Introduction

We are the residential tenants who live at 178 Nepean Street and 227 Bank Street in downtown Ottawa. We formed a tenant association called Bank Block Tenants (BBT) shortly after our buildings were purchased by Smart Living Properties (SLP) in 2022.

On October 31, 2023, we received N13 eviction notices from our landlord. We knew of the demolition plan well before receiving the N13s, however, not because our landlord communicated this to us, but because consultations were held in early 2023 for the commercial tenants.

Despite the housing emergency declared by the City of Ottawa in 2020 and the well-documented and visible crisis of homelessness, there are no protections safeguarding residential tenants from landlords who want to demolish their homes for profit. Consequently, we formed Bank Block Tenants to defend our human right to housing and to protect affordable housing stock in the City of Ottawa.

Due to the location of the property within the Area of Demolition Control, the City of Ottawa requires SLP's development application be approved by the Planning and Housing Committee prior to pursuing demolition. In addition, the heritage status of our building's facade introduces further requirements to be met for this development application. The City of Ottawa has demanded multiple supporting documents for this development application, such as a wind study, environmental assessment, and a heritage impact assessment, to name a few.

Of the 27 reports submitted for this development application, not a single one mentions us, the residential tenants who currently occupy these buildings. As a result, we are left to take the view that neither SLP nor the City are concerned with us as the people who live in these homes, let alone our wellbeing, our security of tenure, or our human right to housing.

The purpose of this tenant impact report is to correct this omission by providing an assessment of the effects of demolition on us, the tenants, the Centretown neighbourhood and the city as a whole. We aim to demonstrate that rejecting SLP's proposal is the only reasonable option, that the City has the power to reject it, and is obligated to do so based on legal precedent and its own policies and directives.

“What gives me hope is seeing that there is so much community support, because I haven't seen the City of Ottawa supporting us, I haven't seen the Landlord Tenant Board supporting us. So I don't have much confidence in that. But I do have confidence in hundreds of people... who say no this shouldn't be allowed and you deserve a place to live.”

— Julie Ivanoff, 227 Bank St. tenant and member of BBT

II. Our Preservation Plan

We are a tenant association made up of working class people who have developed deep ties and roots in the neighbourhood. Some of us live on fixed incomes and rely on Old Age Security, Canada Pension Plan, Ontario Disability Support Program, Ontario Works, or Employment Insurance to get by. Some of us have lived at Bank Block for decades.

We cannot be subjected to market rate rents. Our fear is very real. If our building is demolished, it is guaranteed we will end up spending the majority of our incomes on trying to put a roof over our heads or worse: entering the shelter system or living on the street.

We, the Bank Block Tenants, demand that the City:

1. Prevent the mass loss of housing by rejecting Smart Living's development application.
2. Enforce the bylaws that would protect tenants at 178 Nepean St. and 227 Bank St. from "constructive eviction," which is the creation and maintenance of conditions so adverse as to coerce tenants into leaving against their own best interests. Examples of this are excessive noise/dust from work on common areas or adjacent units or unreasonable utility disruptions.
3. Protect our housing from long term maintenance neglect which could culminate in the block being deemed uninhabitable.

Every household on Bank Block qualifies for the City's Housing Registry. Instead of us entering the decade-long pool for subsidized units, the City can save our rent controlled units by preventing the demolition of our homes. Any new apartment buildings will not have rent control, while our current units are subjected to the provincial yearly guideline amount.

No demolition should occur on this block. Instead, SLP should complete any and all outstanding work to ensure healthy, sustainable living on Bank Block. SLP should meet its obligations to the City's maintenance and building bylaws.

We demand the City take the path that maintains the dignity of tenants, preserves affordable housing, supports artists, and works towards envisioning a future in which buildings like ours are not simply viewed as a commodity. By taking this path, the City would not be going above and beyond its mandate to the public; rather, it would simply be enforcing a number of established and well documented City mandates related to our situation. These measures would protect subsidized housing stock in Ottawa, which is dangerously scarce.

III. The Tenants of Bank Block

We formed the Bank Block Tenants soon after Smart Living purchased our building in August of 2022. Through weekly meetings, we began to plan a response to the threat of mass eviction and a strategy for how to keep our homes.

In our windows, we posted bright orange signs facing Bank Street and the side streets of Nepean and Lisgar. The signs read, “WE LIVE HERE” “THIS IS MY HOME” and “NO MASS EVICTIONS.” We also began to connect with other tenants in the neighbourhood facing similar issues of housing precarity by going door-to-door in buildings on surrounding blocks to raise awareness about our struggle and build support.



Image of “We Live Here” Sign posted in the windows of 227 Bank Street.

Since then, we have had to defend ourselves against increased surveillance of our homes via cameras placed around the entry doors to the buildings, attempts to enter units for supposed inspections with less than 24 hours notice provided (as set out in the *Residential Tenancies Act*), additional false claims of late rent payments, and even placing illegal notices of trespass on the building with photos of one of our community supporters. These relentless attempts at intimidation have been incredibly stressful for us, however we have supported each other throughout.



Bank Block Tenants meet in one of our apartments.

In this section, members of BBT highlight our experiences organizing against SLP, and the real impact that the displacement and demolition will have on our lives. The quotes below are pulled from various interviews.

JOHN

[Billboards went up on either side of the block when it was bought out by Bank Street Holdings, saying they would be in further touch and] they never told us anything.

Smart Living... they don't know what they bought here. They bought a block of buildings...

By slowing this project down a little bit, or putting a stop to it for good, they're going to learn what they bought. They're going to learn the historical value, they're going to learn how it was all put together in the first place before fucking destroying it all.

I can see that there's a lot to be saved here. Instead of just destroying it all. If they started out with that approach... I think it would be a better outcome.

ERIC

The tenants on the block were gradually becoming aware that this development was being planned and that our homes were at risk. We started talking to each other pretty soon after the information got out.

There's really young students and young working people here. There are several senior citizens. And I guess that's also reflected in the length of different tenancies on the block. There are people who've been on the block for 40 years and people who've been on the block for a couple of years.

Income on the block is pretty uniformly low, I would say. Low and often fixed in the case of some of the older tenants. And also tenants who are on ODSP... folks supplementing ODSP with informal work. There are a few tenants who regularly access community dinners on several nights a week. I don't know if there are too many neighbourhoods outside of centretown where you could access 3, 4, 5 community dinners per week.

Now that we are immersed in it, maybe it feels inevitable that these addresses would be targeted. Up until the moment though, I never thought this was going to happen to us in our building or on this block. And that's despite seeing an incredible amount of evidence of other people going through the same thing. Sleeping in our doorways and a rotating cast of characters who end up spending time on the block but who don't have a home.

When you are faced with a threat like this you start looking into the options. What is out there and what would happen if it went through. I think for us on this block, the change in our conditions would be so drastic that it was actually easy for us to start talking to each other and agree to work together to try to resist.

We started doing door to door in other buildings in November and we've been out every weekend except for a couple weekends around the holidays, so we covered a lot of ground. Maybe 10, 15 buildings talking to neighbours.

One of the central purposes of us organising as tenants is to force them to re-evaluate. And as tenants, of course, we want them to consider that there are humans living on this block. The city doesn't necessarily emphasize that for development applications, but we want to make that very clear to them.

The vacancies across the street are four vacant storefronts, [it was the result of a fire], helped create the conditions for someone like SLP to come in here and frame this as a block that needs help. When really the first thing they did was to evict all the commercial tenants and then... they're saying "the block really needs help. It's really dead here. They need us to come in and save them."

How much of their motivation is depending on this provincial law that any new building that is built after 2018 is not subject to any kind of rent control? If that law was not on the books, there would be less motivation for developers to be destroying entire blocks.

I would add the detail of at this point after having hundreds of conversations with neighbours, there's a theme. Although a lot of centretown has already been turned over by developers, there's

still plenty of older buildings like ours that have not been through that process yet. And those buildings are full of tenants who have concerns that are very similar to ours... It's really comforting to know that there's a lot of other people who are pretty happy to help us out, not just because they don't want to see this block disappear, but they're also thinking "this could easily happen in my own building" as well.

JULIE

I think it was February 2023 when we received notice that there was a public consultation for the proposal of the new development for this block. That's when the threat to our tenancy became real and that's when we decided to meet and find out who lived on the block.

[The people here are] families, single people, couples. Men, women, all ages, all races, it's completely diverse. [artists as well] It's a nice place to live. It's been the convenience of being downtown. It's close to amenities. Some really rely on those amenities. The community is built in this area.

I think it's important for tenants to resist because the systems aren't set up to support us. I learned this when we had to figure out what do you do when you're being evicted, what is the process? What is involved in an LTB hearing? What are the options? What are the protections? There aren't any.

It's scary to have to fight this alone and I definitely wouldn't. And then once we talked to other neighbours and our friends it became a whole lot easier. It's comforting not to be alone and to have that support but at the same time it's so sad to know that you're not alone and that other people are being evicted... So many people have had this process happen to them with no resistance, no fight, no opportunity to keep their homes, find new ones. They were just alone. It really strengthens your resolve to try anything to resist that. And also what's the alternative? You have to fight for your home, because the alternative is homelessness. What are you willing to do?

When we went to deliver the demand letter to Smart Living's office... almost all of the tenants came out. I don't think there is anything more supporting than having a whole team of your neighbours backing you up. Despite our demand for a response within 1 week and also a follow-up email with the letter... there was no response from Smart Living. Those were the longest tenancies, multiple decades were served threats saying that they did not pay rent for a previous month. Which was untrue for all circumstances.

Their only response was some bullying to a vulnerable group. But luckily since we were organized, we were able to talk through that. But that doesn't undo the amount of stress that was put on them.

We've been out of the corner for five weeks... it's amazing how much support has come from our neighbours. It's been awesome. A lot of people have been through it so they are very

sympathetic or they know someone who has... It's really comforting to know that despite being strangers your neighbours still want you to be here and want to fight for that. Some of them have come back and brought friends out to meet us... We've even had a few neighbours come out because they've heard of us and they're going through a similar situation and they feel threatened... The word is getting around. People are feeling empowered to join with us and do something on their own or form their own tenant group in their building and that there's actually something they can do to resist against this.

What gives me hope is seeing that there is so much community support, because I haven't seen the city of Ottawa supporting us, I haven't seen the landlord tenant board supporting us. So I don't have much confidence in that. But I do have confidence in hundreds of people... who say no this shouldn't be allowed and you deserve a place to live.

Despite money being such a huge influence in the city, it's awesome to see that the relationships between people are so much stronger... so that gives me hope.

AMY

Our building is located on a lively street. It's downtown. Many shops and grocery stores in the area. Office buildings, restaurants. It's a normal downtown area. Are they referring to the homeless perhaps? Because if so, evicting all of us and gentrifying our building isn't going to "fix the neighbourhood". Lowering the availability of actual affordable housing like 178 Nepean/211-231 Bank, believe it or not, will actually INCREASE Ottawa's homeless population. If lowering the homeless population is your concern then you should be on our side.

If the societal norm expects me to simply give up my home and potentially end up homeless, SACRIFICE myself just because someone wants to make more money, then that's a norm that we must strive to change. I'm not going to be a statistic in this housing crisis.

I've lived here since January 2022. It's been lovely, I'm right on the bus line that takes me straight to school and my work is in close proximity. All of my friends live in walking distance. My apartment is the perfect size for me, with lots of natural light in my big windows. To top it off, the rent is great! It allows me to focus more on my studies. If it were any higher I would need to work more and spend less time on school.

The threat of eviction looming over my head while going through midterms and assignments stressed me out further and I began searching for a new spot during finals. Unfortunately, the search was fruitless. I couldn't find anything close to what I had. I'm currently paying \$825 for a one-bedroom apartment and everything I was seeing would've been \$1150 minimum. I barely make more than that.

I decided to reach out to SLP to try their relocation assistance, and I specified that my budget was \$1000 all-inclusive, MAX. They responded with a list where the lowest option was approximately \$1150 and for some reason also sent a unit that was \$1390.

If THEY couldn't find a spot for me within my budget and location needs then how did they expect ME to?

Smart Living wants to mass evict my neighbours and I, just to demolish and create tiny apartments intended to take advantage of students by calling \$1800 “affordable”?

IV. History of Bank Block

In the words of one Bank Block tenant, “I don't think that you can demolish a building or put up anything new without acknowledging what you're destroying or taking away.”¹ We felt it important to acknowledge the history of the place we call home and in that process, call attention to what could be lost with the demolition. Without these stories and without this past, the Bank Block as it exists today would not exist.



The Bank Block was built in phases between 1888 and around 1910. Since at least 1908², the building of 227 Bank Street was known as the “Lisgar Apartments.”

From as far back as 1923³, the building of 178 Nepean Street was known as the “Norway Apartments.” In 1923, the block of the Southeast corner of Bank and Nepean Streets, which included the Norway Apartments, was sold for \$50,000.⁴

The sense of community amongst the people living at Bank Block has been long standing. On December 29, 1946, a fire broke out at nearby apartments between Lisgar and Cooper Street which left 25 residents displaced onto the street in the midst of harsh winter winds.⁵ Residents of 227 Bank Street welcomed their displaced neighbours into their homes, ensured they found a place to stay within the building, and provided the neighbours with sandwiches and coffee.⁶

Artists on Bank Block

For 15 years, the Bank Block housed the Invisible Cinema/Wurm Gallery, a video rental shop and art gallery where devoted customers felt that it was “like a film club and video store rolled into one.”⁷ It held indie films that were unavailable at the big-box chain retailers and instead focused on, “the great, the strange, the amazing, the wonderful and the terrible films.” Wurm Gallery was an art gallery that showcased regional and national visual artists for fourteen years.

¹ Quote of Julie Ivanoff, “[Plan to revamp downtown Ottawa block sparks debate over intensification](#)”. 19 April 2024. CBC News.

² [The Evening Citizen \(1898-1915\)](#); Ottawa, Ontario. 14 May 1908: 4.

³ [The Ottawa Evening Citizen \(1915-1940\)](#); Ottawa, Ontario. 17 Sep 1923: 1.

⁴ [The Ottawa Evening Citizen \(1915-1940\)](#); Ottawa, Ontario. 17 Sep 1923: 1. According to the Bank of Canada's inflation calculator, this would be \$859,000 in today's currency.

⁵ <https://www.proquest.com/hnpottawacitizen/docview/2338059700/65F35F3270F4414CPO/1?source-type=Historical%20Newspapers>

⁶ [The Evening Citizen \(1941-1953\)](#); Ottawa, Ontario. 30 Dec 1946: 8.

⁷ CBC News. “Invisible Cinema closing.” <https://www.cbc.ca/player/play/video/1.2700869>

Known for their large light-filled windows, high ceilings, and expansive spaces with relatively affordable rent, the Bank Block apartments has been a hub for artists across Ottawa for decades. Leslie Reid, a Bank Block Tenant and artist has said that, “every single artist in the Ottawa scene has lived here at some point or another.” Gallery 101 is an artist-run centre currently located on Catherine Street, however it began on the Bank Block. Several of the artists who lived on the Bank Block also ran, worked, and exhibited at the Gallery.⁸

Wallack’s Art Store had been located on the Bank Block for nine decades from the 1930’s up until March 2024, when they were forced to relocate with the threat of Smart Living’s demolition plan hanging over them.⁹ Throughout its communications with the public, SLP has maintained that it will continue to make all efforts to ensure that Wallack’s will have a space to return to the newly developed Bank Block in the future. In SLP’s severely lacking Heritage Impact Assessment, it is noted that:

“The Wallack [sic] Art supply is an important and long-term retail operation servicing the art community. It is unfortunate that this widely recognized landmark anchor will be displaced. Efforts are being made to ensure that they have the opportunity to return following redevelopment. Although not necessarily a heritage concern, the preservation and retention of studio and exhibit space are positive.”¹⁰

SLP implies that Wallack’s displacement is simply collateral damage, as opposed to a key part of their demoviction plan.

Wallack’s has been a central point for artists in the city to get supplies, attend art classes, take part in life drawing, and view local artists’ work. SLP has emphasized its willingness to work with Wallack’s to return into the commercial space under the proposed microunit apartment building. Wallack’s has stated they have no intention of returning to Bank Block if the demolition goes through.

On March 14, 2023, tenants at 227 Bank Street were informed with same-day notice that we were invited to an online city councillor meeting with SLP to voice their concerns as to how the demoviction plan would affect us; tenants in 178 Nepean were not invited. In that meeting, a representative of SLP reiterated the wish for Wallack’s to return to the block following construction, as if they had not themselves forced Wallack’s to relocate. Furthermore, when Leslie Reid emphasized the lack of affordable art studio spaces in the city and noted how moving

⁸ https://robmcclennan.blogspot.com/2009/02/ottawa-unknown-city_13.html

⁹

<https://ottawacitizen.com/news/local-news/thanks-to-a-centretown-shuffle-nine-decades-old-wallacks-arts-stores-find-a-new-lease-on-life>

¹⁰

chrome-extension://efaidnbnmnibpcjpcglclefindmkaj/https://webcast.ottawa.ca/plan/All_Image%20Referecing_Zoning%20Bylaw%20Amendment%20Application_Image%20Reference_2023-11-07%20-%20Heritage%20Impact%20Assessment%20-%20D02-02-22-0127.PDF at p 35

would impact her artistic livelihood, SLP responded that once the new microunits building was up, she was welcome to use the building's "recreation room" for her art, *provided that she cleaned up afterwards*.

This response is emblematic of the kind of attitude that SLP has in its approach towards us, the Bank Block Tenants. Not only does SLP belittle the work of artists and artist spaces, but it is fundamentally uninterested in engaging with the impact that its plan would have on our lives. If SLP's plan comes to fruition, yet another Ottawa block filled with character, history, and hope will fall. All the while residents of Ottawa are told that they can be assured that the *facade* is maintained.

It is notable that SLP's Heritage Impact Assessment does not feature the word "artist" once (just as there is no mention of tenants). It does not recommend any preservation of the homes of tenants, the artist studios, or their history. We feel it is important to highlight the stories and work of those who have filled the walls of Bank Block with their creativity, their reflections of the current environment, and their representations of hope for a better world.

According to our research through historical phone books, the following artists have been residents of the Bank Block:

- Richard Nigro is a photographer, sculptor, and printmaker who has exhibited at the National Gallery. You can find his sculpture, "In Context" (located at Fire Station 13 on King Edward Ave.) of wooden figures facing the street.¹¹ The showing of his 1978 photo series, *Intimate Silence*, challenged Canadian indecency laws application to art.¹²
- Daniel Sharp is a painter and photographer who explores form, colour and shape through his work.¹³ He has directed galleries and curated the Canadian government's art collections for embassies and diplomatic missions abroad.¹⁴ In particular, he ran the artist-run gallery "Gallery 101." He is currently a member and works out of the Enriched Bread Artists,¹⁵ an artists' collective and studio space that is also being targeted for demoviction in Ottawa.¹⁶ On the decimation of artist spaces in Ottawa, Sharp has noted:

"The artists don't know when they will have to leave or whether they will be able to afford to come back after the renovation...There are no other municipally-supported studio spaces in downtown Ottawa. Artists will typically

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<https://ottawa.ca/en/arts-heritage-and-events/public-art-and-city-ottawa-art-collection/city-ottawa-art-collection/art-search/context>

¹²<https://www.gallery.ca/collection/artist/richard-nigro;>

<https://akimbo.ca/listings/shows-of-solidarity-50-years-of-video-and-performance-at-saw/>

¹³ http://www.danielsharp.ca/p/blog-page_22.html

¹⁴ <https://ohfoundation.ca/meet-the-artists/>

¹⁵ <https://www.enrichedbreadartists.com/daniel-sharp/>

¹⁶ <https://www.cbc.ca/news/canada/ottawa/towers-proposed-for-gladstone-avenue-arts-mecca-1.4899037>

go to a less-desirable community where rents are low...And then the neighbourhood becomes cool and the restaurants move in. And the artists have to leave.”¹⁷

- Michael Dennis was a prominent poet who shared his apartment with the painter and photographer Daniel Sharp.¹⁸ He wrote about his experience living with Sharp in the Lisgar Apartments in the poem, “I SHARE AN APARTMENT WITH TWO ARTISTS,” in which the narrator walks us through his experience of taking a bath in a tub which previously had photo-developing chemicals in it:

when i got out to dry myself off
my skin was its usual post-bath lobster red
i sprinkled myself liberally with baby powder
and got dressed to face the day

as i walked down the stairs and towards the street
i could feel the pictures beginning to develop
on my chest and thighs¹⁹

As a staunch supporter of the Ottawa arts scene, Michael Dennis and his wife had a vast collection of paintings, many of which included pieces of Bank Block’s other resident artists, like that of Adrian Göllner, Daniel Sharp, and Richard Nigro²⁰

After Dennis passed away, his friend reflected upon his life and expressed just how much Dennis valued the Bank Block,

During those days that they lived above Wallacks, the artist-run centre Gallery 101 sat in the same building, and I know he took great pleasure in being able to enter the gallery during openings through the back door, not even needing to step outside to attend (he did the same later on, once the space became the gallery/rental space Invisible Cinema). I apartment-sat for them back in fall 1994, spending a week or so moving through Michael’s extensive poetry library (I only know the date because I published a chapbook-length poem on the experience) as

¹⁷

<https://ottawacitizen.com/news/local-news/ottawa-to-explore-ways-to-make-city-affordable-for-creatives>

¹⁸ <https://robmcclennan.blogspot.com/2021/01/michael-dennis-september-1-1956.html>

¹⁹ *Fade to Blue- Michael Dennis*

²⁰

<https://slingshotsandarrows.wordpress.com/2015/10/07/on-collecting-michael-dennis-and-kirsty-jackson/>

the two of them cycled to Quebec City. I wrote terrible poems from their small apartment, enjoying the view from their Bank Street-facing front window, which he reminded me to keep closed, for the sake of encroaching dust, via the “Bank Street wind tunnel.” Michael and Kirsty remained there until 2002, when they ended up in a house back in Vanier. I suspect the move was as much to do with their expansive art collection as it was anything else.²¹

- Adrian Göllner’s art focuses on trying to translate the experience of sound, time, and motion into art.²² He works in a vast variety of mediums, including painting, pottery, and sculpture. His installation art, “Stand” is on display at the Shenkman Arts Centre.²³ There you can see a glass installation meant to reflect the colours of the natural world and its seasonal changes. Another glass installation piece, “Shelf 759-760,” is exhibited at the Greeboro Branch Public Library and the glass design reflects “the type of binding found on the first book on each row of the fine arts shelf.”²⁴ Göllner also collaborated with Joanna Swim to create the “Winston Chandelier” sculpture which is at the Winston Plaza.²⁵
- [Justin Wonnacott](#) is a photographer who currently teaches in the Visual Arts Department at uOttawa. He has photographed everything from the hospital food he ate following a surgery, the public artworks across the National Capital Region, and engaged in a decade-long project of photographing almost every building on Somerset Street between Bank Street and Wellington Street. You can find his installation, “At Shelter - Its Loss and Replacement”²⁶ set into the sidewalk at Rideau Street and Waller Mall.
- [David Cation's](#) work features bold paintings depicting “portraits of lovers, dancers, boxers, day-glow skeletons and angels.” His work was exhibited alongside art by Andy Warhol and Georgia O'keefe.
- [Jennifer Dickson](#) is a photographer who captures monuments and beautiful gardens. She is most known for her examinations of ancient European gardens. She was also a part of

²¹

<https://robmcclennan.blogspot.com/2021/01/michael-dennis-september-1-1956.html#:~:text=During%20those%20days%20that%20they%20once%20the%20space%20became%20the>

²² <https://adriangollner.ca/>

²³

<https://ottawa.ca/en/arts-heritage-and-events/public-art-and-city-ottawa-art-collection/city-ottawa-art-collection/art-search/stand>

²⁴

<https://ottawa.ca/en/arts-heritage-and-events/public-art-and-city-ottawa-art-collection/city-ottawa-art-collection/art-search/shelf-759-760>

²⁵

<https://ottawa.ca/en/arts-heritage-and-events/public-art-and-city-ottawa-art-collection/city-ottawa-art-collection/art-search/winston-chandelier>

²⁶

<https://ottawa.ca/en/arts-heritage-and-events/public-art-and-city-ottawa-art-collection/city-ottawa-art-collection/art-search/shelter-its-loss-and-replacement>

the fight at the Supreme Court of Canada to ensure artists received mandatory minimum fees when museums used their art.²⁷

- [Eliza Griffiths](#)' vivid paintings have examined everything from gender identity, sexuality, periods of transition, the experience of attending therapy, and themes of domesticity. She has had her work exhibited all over Canada.
- David Cooper is a comic artist, oil painter, and animator.²⁸ He released an award-winning short film "The Absence of Eddy Table" in 2016 and in 2019, he directed his first live-action short film, "Squash."

One prominent artist, [Leslie Reid](#), a member of BBT, was interviewed by a community supporter on her experience working at 227 Bank St. since 2008, after being evicted from her previous studio in Sandy Hill:

"It's been great to have the company and people to talk to. It is a community, and it has been even more so in the past. There are so many artists who have lived in these spaces over time and they're kind of tied to the memory of the place. There's no other place in Ottawa that has that kind of memory of artists studios that goes back so far. The EBA (Enriched Bread Artists) has been here a while, but you know, half the time that this [the Bank Block] has been here."

Leslie noted the lack of affordable working artist spaces in Ottawa, and voiced her concern with what she is seeing across the city:

"It's tragic because all these [new buildings that are going up]- they're corporate. They're not what most people would choose to think of as home. It's developer driven, for sure. I've seen enough that it's getting worse and worse. [...] I think it's absolutely despicable that they keep tearing down affordable housing. And then they say, well, "we have to build housing." But then it is not really affordable."

The History of Invisible Cinema/ Wurm Gallery

One of the Bank Block's most beloved spaces, the Invisible Cinema, closed down in 2014 after fourteen years of providing Ottawa's cinephiles and alt-weirdos with good conversation, events, and films. To commemorate the history of the Block, one of the former owners was interviewed. Snippets from the interview have been written below.

²⁷

<https://ottawacitizen.com/entertainment/local-arts/in-the-70s-ottawa-was-a-city-that-didnt-value-its-visual-artists-the-n-jennifer-dickson-came-to-town>

²⁸ <https://davegraphics.com/>



What made you decide to run Invisible Cinema/ Wurm Gallery?

I'd always wanted to run a cultural library of sorts - supplying an international selection of either film, books or music to the community - but I was worried I might lose my passion for viewing, listening, or reading if I was immersed in them all day long. I eventually decided my appreciation for cinema was the safest to potentially sacrifice, because it was my third favorite amongst those mediums. Surprisingly, however, running the store had the opposite effect: my love for cinema increased exponentially, and I saw that film can sometimes be the "greatest art" - because it can combine writing, photography, music, fashion, design, etc. I still try to watch 3 to 5 films a week, time permitting.

The art gallery came about for different reasons. [We] saw a pressing need for exhibition space in Ottawa. At that particular time there were very few small galleries available for emerging artists, especially in the wake of Ufundi Gallery shuttering. Even mid-career artists were having trouble finding wallspace in town. We were very fortunate to open the gallery with a show from Mark Marsters, an artist we both admired greatly. Having his endorsement made many artists take our humble space seriously. When we moved to Lisgar Street, following our first year operating on Elgin, we renovated the space so that the gallery had more presence, and it soon became a very important part of the enterprise.

What year did you move in? What drew you to the space?

I believe it was 2001 - our 'Space Odyssey'. We had been ousted from our initial store on Elgin and were desperate to find a new venue... It was a real boon to land that space.

Tell me about setting up the rental/gallery space when you first arrived. What kind of budget were you working with? Who did the work of preparing the space?

We extended our line of credit to renovate 319 Lisgar. It was very challenging having two "first" years in a row... we had just finished paying off the renovations from that first year on Elgin and here we were starting all over again. To keep the costs down, we did a lot of the work ourselves. We both worked furiously renovating the space, with help from our dear friends and family. We

had everything ready within 2 or 3 months, though we were still tweaking details for quite some time after the doors opened.

How have you made community ties through this space- whether that be bumping into people nearby on the street, exhibiting at galleries nearby, or getting in touch with the neighbours?

After running the store it almost felt like I was known by most of Centretown, and it could sometimes take an extra hour of (enjoyable) stop-talks just to travel the few blocks between here and the grocery store. The store and gallery ultimately made us feel far more connected to the city and rooted in this neighborhood, and to this day it's an absolute thrill to run into our old clients - and friends!



Sign for Invisible Cinema at the corner of Lisgar St. and Bank St before the store closed. (Google Street View, May 2015).

V. Defending Our Critical Root Zone

Bank Block is situated in the Centretown neighbourhood of Ottawa, in Somerset Ward (14). It comprises the buildings on the eastern side of Bank Street, between Lisgar Street and Nepean Street. While there are multiple addresses, of which eight are commercial spaces on the ground floor, the residential apartments are located at 178 Nepean Street and 227 Bank Street. The current structures on Bank Block have stood for well over a century and have provided space to work, congregate, and live for single people, roommates and families, including refugees, artists, cinephiles, seniors and students.

In September 2022, the entirety of Bank Block was purchased by Tamer Abaza as the sole corporate director of 211-231 Bank Street Holdings Inc.²⁹ This holding company's registered office is 226 Argyle Avenue, which is Smart Living Properties' (SLP) head office. SLP is owned by CEO Abaza and COO Rakan Abushaar.

Operating in Ottawa, primarily in areas with high student populations, SLP relies on a value-add business strategy. The company targets neglected properties with tenants paying below-market rents. SLP uses the eviction process and extra-legal measures, such as disruptions and intimidation, to remove tenants. Once the property is empty, SLP conducts cosmetic upgrades to improve the property's curb appeal and markets these units for short-term occupancy, often to students. The result is an increase of rents, tripling or even quadrupling rents before acquisition.³⁰

As soon as SLP acquired the block, BBT learned that their new landlord's goal was to displace, demolish, and construct luxury "micro suites."³¹

Beginning in 2022, SLP hired consultants and contractors to prepare thousands of detailed pages for the City in support of its application to set out the impact that its proposed demolition would have on everything from noise, to transportation, to how wind would affect pedestrians.³² A Heritage Impact Assessment was carried out to identify the historical significance of the Bank Block and determine what should be saved. In the end, this Assessment only identified the building "facades" as worth maintaining. In other words, the Assessment ignored over a century of rich community history, reducing SLP's responsibility to preserving only the exterior walls facing Bank, Nepean, and Lisgar Streets.

²⁹ Abaza purchased Bank Block in two transactions. The residential addresses 178 Nepean St. and 227 Bank St. were purchased on August 31, 2022 for \$8,075,000 from Potechin Investments, brothers David Wolfe and Stanley Wolfe, and the estate of their father Theodore Wolfe. Soon after, on September 23, 2022, Abaza purchased the commercial building between 178 Nepean St. and 227 Bank St. from Sophal Hardy for \$2,200,000.

³⁰ Rents at the Osgoode Chambers rooming house in Sandy Hill were around \$450. After Smart Living's renovation, rooms are now renting there for at least \$1,600.

³¹ "[Smart Living] introduced purpose built micro suites to the Canadian market" according to CEO Tamer Abaza's LinkedIn profile.

³² Environmental Site Assessment; Environmental Noise Control Study; Pedestrian Wind Level Study; Site Servicing and Stormwater Management study; Geotechnical Investigation; Transportation Impact Assessment; Heritage Impact Statement

SLP submitted a report on how the three trees would be affected by the proposed demolition. It is written that SLP's development plan, "does not propose to work within the Critical Root Zone (CRZ) of any of the existing trees. No impact to the existing trees is anticipated and all three trees are recommended for retention and protection during construction activities."³³

While the development plan may not harm the trees around Bank Block, the harm the demolition and development would cause to tenants, the roots they have established, affordable housing, and the city's cultural heritage are immense.

Bank Block Tenants DEFEND OUR CRITICAL ROOT ZONE



Illustration by Michelle Liu

³³ FOTENN. 15 December 2022. "Existing Tree Conditions Memo"

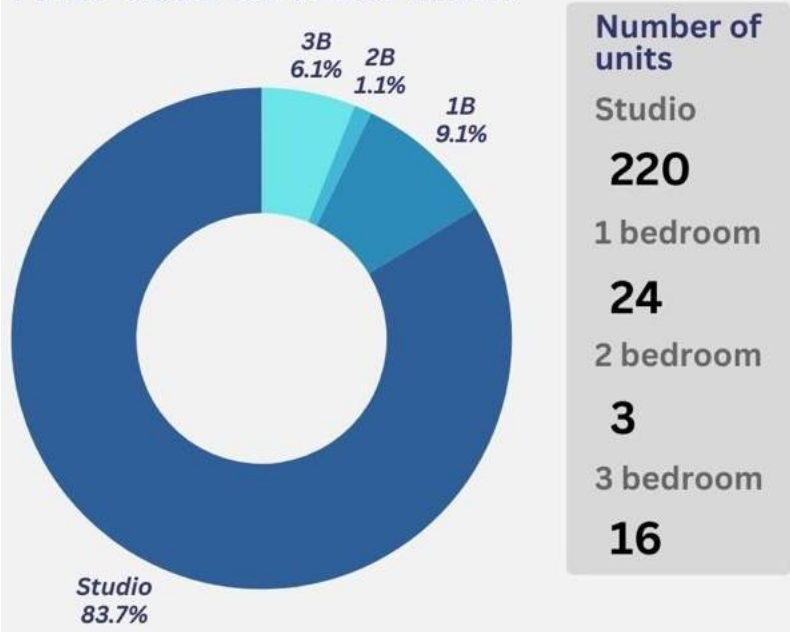
VI. The Duty to Reject the Application

This report demonstrates that the City of Ottawa has a duty to deny Smart Living Properties' development application. The City must prevent the demolition of our building to preserve affordable housing stock and to protect one of the most culturally significant buildings in Ottawa. Bank Block Tenants submit that the City must follow the legal precedent around the loss of affordable housing in Ottawa, its own policies and directives, Canadian law, international law, and the voices of constituents. In doing so, the City has the chance to lead by example and promote the maintenance of any and all affordable housing.

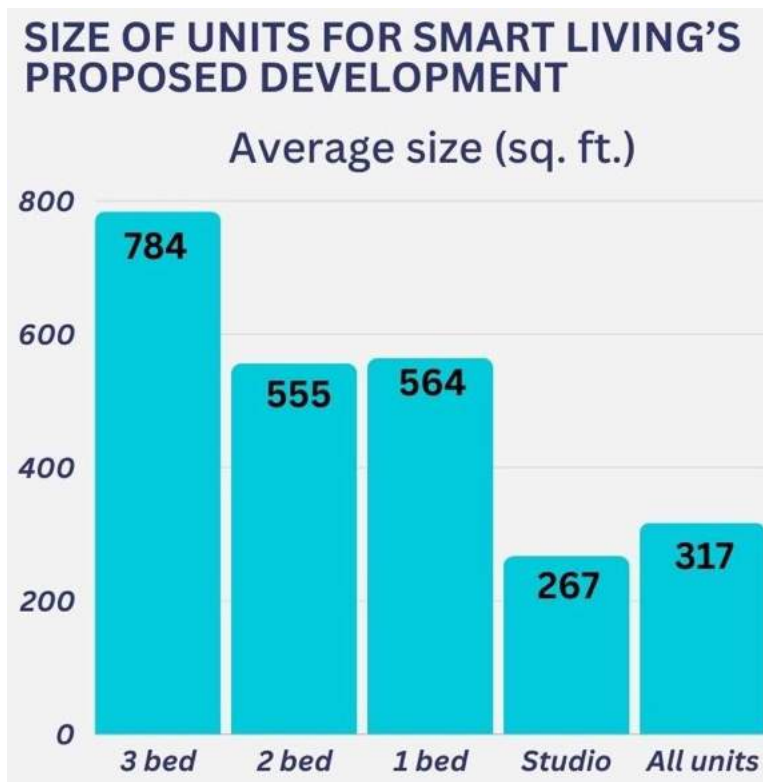
In the City of Ottawa's 2023-2026 Strategic Plan³⁴, the first strategic priority is listed as 'A city that has affordable housing and is more liveable for all.' Under this strategic priority, the City recognizes the "increasing need to support those living on low to moderate incomes" and "access to affordable housing options for singles and families of various sizes." An approach to this strategic priority includes the increase of housing supply through intensification, which this development application claims to do.

However, this application is an inadequate and poor application of the intensification goals set out by the city as it does not include any affordable housing and does not provide sufficient options for families or a range of household types. With 93% of the units as studios and 1-bed units (84% studios; 9% 1-bed) and only 7% as 2-bed and 3-bed units (1% 2-bed; 6% 3-bed), and the extremely small square footage of units, this application is clearly targeted to singles and small households. Furthermore, the development applicant's rent practices, notorious across the city for being unaffordable and targeting students, young professionals and short-term stays, are entirely out of reach for the low and moderate income residents the City identifies as needing to support through intensification.

UNIT COMPOSITION FOR SMART LIVING'S PROPOSED DEVELOPMENT



³⁴ City of Ottawa. "Strategic Plan 2023–2026." https://documents.ottawa.ca/sites/default/files/StrategicPlan_2023-2026_EN.pdf. Accessed Nov. 27, 2024.



A greater affordable housing supply is badly needed, and a 2023 study³⁵ has indicated the rapid erosion of already existing affordable housing across the city due to new development and has found that “addressing supply alone, will not be sufficient to address the issue of erosion.” The Housing Assessment Resource Tool (HART)³⁶ for Ottawa indicates 85% of the deficit in homes needed are for rents under \$1,000, and there is no need for rentals above \$1,700 in Ottawa. The greatest need for affordable and accessible housing is within low and moderate income family households. The rental rates of this applicant³⁷ far exceed what the HART tool outlines as housing need in Ottawa, and excludes and

evicts those most in need of housing.

The Ontario Municipal Board, which was replaced by the Local Planning Appeal Tribunal in 2018 and the Ontario Land Tribunal in 2021, issued a decision in 1985 that an Ottawa landlord could not proceed with converting rentals into private housing so as not to lose “low-cost housing.”³⁸

The City of Ottawa was the first municipality in Canada to declare a housing emergency. In addition, the City of Ottawa must comply with international law. Canada has officially recognized housing as a human right with the United Nations’ International Covenant on Economic, Social and Cultural Rights. We urge the City to adopt a clear definition of affordable housing that is adequate and suitable to the household incomes, especially those in greatest housing need, and a commitment to “progressively realizing the right to adequate housing,” as mandated under the National Housing Strategy Act (2019).³⁹ **The City has a duty to reject this application based on their strategic directives.**

³⁵ Pomeroy, Steve (2023) “Filling the holes in the bucket: Ottawa loss of affordable housing” (Canadian Housing Evidence Collaborative). <https://pub-ottawa.escribemeetings.com/filestream.ashx?DocumentId=174979>. Accessed Nov. 27, 2024.

³⁶ <https://hart.ubc.ca/our-resources/ottawa/>

³⁷ Dwell Properties. <https://listings.dwellproperties.ca/>. Accessed November 27, 2024.

³⁸ Miller, Jacquie. Ottawa Citizen. 03 Dec 1985. “OMB rejects conversion of Sandy Hill rooming house.”

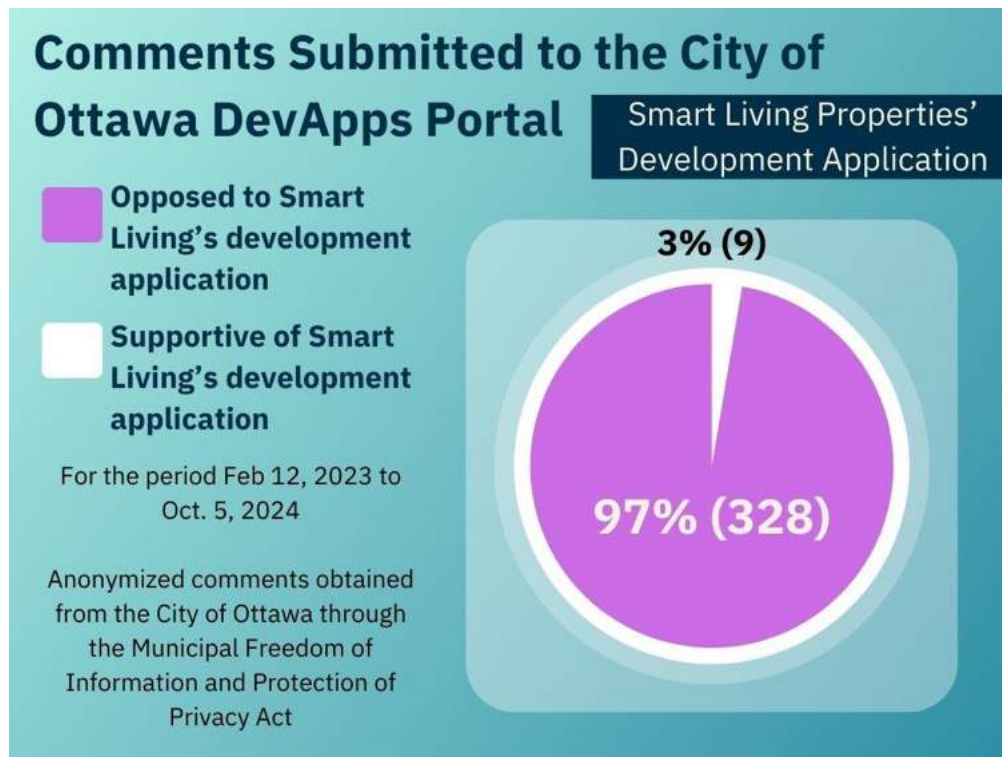
³⁹ <https://laws-lois.justice.gc.ca/eng/acts/n-11.2/FullText.html>

Appendix: DevApps Portal Comments

Smart Living's development application has received an unprecedented number of online public comments on the City of Ottawa's Development Applications portal.

No housing proposal in the history of the City of Ottawa has received this number of public comments. The city has a duty to its constituents.

While BBT has publicly made its opposition to SLP's development application very clear, the general public has also overwhelmingly condemned this proposal. Residents in Centretown and beyond continue to voice their concerns and opposition to the proposed demolition as the portal remains open due to immense public outcry, far beyond the regular period for other development applications.



Between February 12, 2023 and October 5, 2024, the City received 337 comments from the public on its DevApps portal for SLP's development application. 97% (328) of these comments vehemently oppose SLP's development application. The public wrote 29,579 words in protest of the proposal (only 662 words were written in support). This is despite the fact that only one on-site sign was installed, away from busy Bank St. and that it was not replaced after it was vandalized and damaged.



Development application sign located on the south-east end of Bank Block, on Lisgar St., far from any of the entrances to the building (Google Street View, April 2023)

The City requires a mandatory on-site sign for Zoning-Bylaw Amendments and Site Plan Controls in accordance with the “Public Notification and Consultation Policy for Development Applications”⁴⁰ Only one sign was posted (despite nine development applications submitted) for a period of about six months on Lisgar St. Despite

There is a vacant lot of comparable size (1410 square metres to Bank Block’s 2080 square metres) right across the street from Bank Block, on the south-east corner of Bank St. and Lisgar St. upon which a developer could build another apartment building. SLP should not be able to tear down Bank Block while a perfectly viable piece of land for development sits 16 metres away. This lot has been vacant for almost 10 years now. From our windows, we have watched it sit unused and become overgrown while we are being threatened with losing our homes.

⁴⁰ City of Ottawa. “Public Notification and Consultation Policy for Development Applications.” https://documents.ottawa.ca/sites/default/files/public_notify_consult_policy_en.pdf Accessed November 27, 2024