

Staff Report



Development Services Department

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REPORT TO: Heritage Kitchener

DATE OF MEETING: October 1, 2024

SUBMITTED BY: Garett Stevenson, Director of Development and Housing Approvals,
519-741-2200 ext. 7070

PREPARED BY: Michelle Drake, Senior Heritage Planner, 519-741-2200 ext. 7839

WARD(S) INVOLVED: Ward 9

DATE OF REPORT: September 11, 2024

REPORT NO.: DSD-2024-429

SUBJECT: Heritage Permit Application HPA-2024-IV-023
153 Courtland Avenue East
Proposed Demolition

RECOMMENDATION:

That pursuant to Section 34 of the Ontario Heritage Act, Heritage Permit Application HPA-2024-V-023 be approved to permit the demolition of the single detached dwelling at the property municipally addressed as 153 Courtland Avenue East; and further,

That pursuant to Section 31 of the Ontario Heritage Act, the Clerk be directed to publish a Notice of Intention to Repeal By-law 85-190 registered on December 3, 1985 as instrument number 833418 being a by-law to designate the property municipally addressed as 153 Courtland Avenue East.

REPORT HIGHLIGHTS:

- The purpose of this report is to present Heritage Planning staff's recommendation for the proposed demolition of the single detached dwelling at the subject property municipally addressed as 153 Courtland Avenue East.
- The key finding of this report is that the heritage attributes of the subject property are in a state of advanced deterioration whereby it may not be feasible to repair and the costs to repair and/or replace are significantly more expensive than demolition. Note that according to Section 15.1-15.8 of the Building Code Act, the Bylaw Enforcement Division is required to obtain quotes for both the repair and demolition of buildings that are not in compliance with the Property Standards By-law, and further that they are required to proceed with the lowest quote to bring the property into compliance.
- The financial implications are that the cost of the demolition will be invoiced to the property owner. If the invoice is not paid, the costs will be added to the property tax roll as a priority lien.

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

- Community engagement included consultation with the City’s Heritage Kitchener committee.
- This report supports the delivery of core services.

BACKGROUND:

The Development Services Department is in receipt of Heritage Permit Application HPA-2024-IV-023 seeking permission to demolish the single detached dwelling at the subject property municipally addressed as 153 Courtland Avenue East. The subject property is located on the south side of Courtland Avenue East between Cedar Street South and Madison Avenue South. The subject property is in very poor condition.

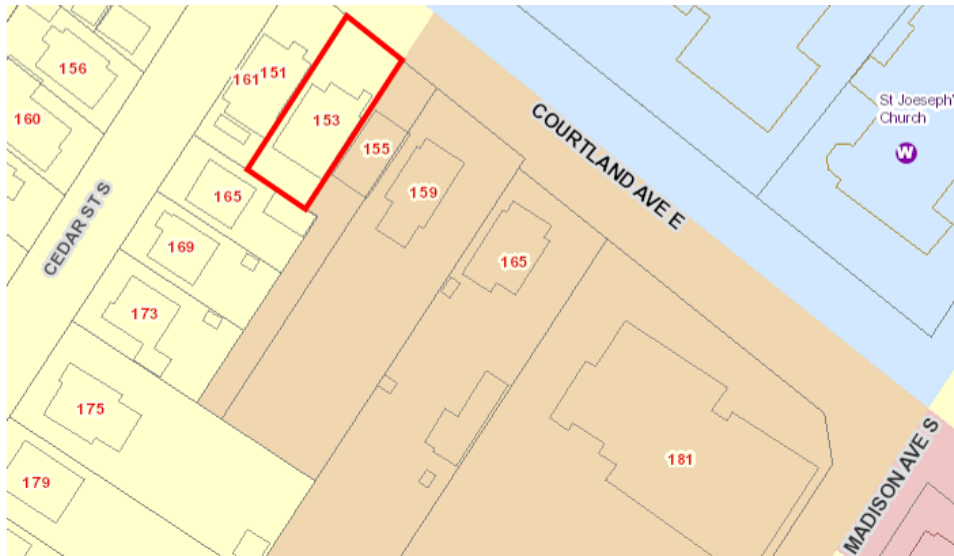


Figure 1. Location Map – 153 Courtland Avenue East

REPORT:

The subject property is designated under Part IV of the Ontario Heritage Act. By-law 85-190 designated the subject property as being of historical and architectural value. The historical value is described as *“Mr. Johann Hagen, a German sawyer, constructed this house in circa 1866. During the period 1952 to 1965, Mrs. Henrietta McGarry, Chairman of the Kitchener-Waterloo High School Board, owned the property. In 1956 – 57, His Worship Mayor Dominic Cardillo resided in the house, and from 1967 to 1982, Mr. Mike Reidel, a well known title searcher in Waterloo Region, and his wife, owned this property.”* The single detached dwelling is an example of the Salt Box architectural style, and the heritage attributes include the exterior of the building, and particularly the Courtland Avenue East façade, the side facades, the leaded diamond windows in the walls, and the roofline.

Bylaw Enforcement staff received a complaint expressing concerns about the exterior of the subject property in May 2020. In response to this complaint, an inspection was undertaken and subsequently resulted in the issuance of an Order to Comply in June 2020. The Order to Comply identified several deficiencies that required repair and/or replacement, including cladding, soffits and fascia boards, and window sills. The deadline to complete this work lapsed on July 15, 2020 with the owner failing to comply with the Order. Staff acknowledge that the pandemic posed some challenges to the owner

completing the work by the deadline. Bylaw Enforcement staff initiated the steps to bring the property into compliance; however, structural concerns were identified. In November 2023, permission to enter the building was granted by the owner and an interior inspection was completed that determined a structural analysis was required to be undertaken to determine the structural condition of the building before proceeding with exterior work. In March 2024, By-law Enforcement staff received a copy of a Structural Condition Assessment prepared by Tacoma Engineers dated April 4, 2024. This assessment determined that the exterior work required to bring the property into compliance could not be completed without addressing structural issues, which would require that the entire building be rebuilt. With this information, Bylaw Enforcement staff proceeded to obtain quotes to bring the property into compliance. Now that two quotes have been obtained, Bylaw Enforcement staff is proposing to demolish the single detached dwelling to comply with the Order requiring that the buildings be repaired or demolished. The demolitions will result in a vacant lot.

The requirement to submit a Heritage Impact Assessment (HIA) in support of the proposed demolition was waived given the structural issues and potential risk to public safety. Instead, photographs, a structural condition assessment and two quotes to repair/replace versus demolish the single detached dwelling were required. Heritage Planning staff used this information to develop their professional planning opinion and final recommendation.

Current Condition of Building

As noted earlier in this report, the Order to Comply identified several deficiencies that require repair and/or replacement, including cladding, soffits and fascia boards, and window sills.

The Structural Condition Assessment prepared by Tacoma Engineers dated April 4, 2024 was submitted to Bylaw Enforcement staff and reviewed by Heritage Planning staff. This assessment identified additional deficiencies/issues. The assessment concluded that the building is in poor condition; there is significant risk of portions of the building collapsing or becoming deteriorated beyond repair within the next two years; and, that a comprehensive restoration strategy would be required for both the exterior and interior of the single detached dwelling.

The assessment identified interior issues including peeling paint, high relative humidity, mould, roof and wall leaks, buckled hardwood floors, evidence of rodents, fair condition of rubblestone foundation mortar, fair condition of timber floor joists, and potential compromised basement foundation. The assessment recommends that the following interior items be repaired, reinforced and/or replaced: roof structure; all interior finishes; deteriorated structural members; framing; and, basement foundation. Interior work will also require mould abatement.

The assessment also identified exterior issues including bowing/missing/deteriorated clapboard siding, deteriorated wall studs, deteriorated porch beams posing a life safety hazard, missing fascia, hole in roof, and no eavestroughs or downspouts. The assessment recommends that the following exterior items be repaired, reinforced, replaced and/or added: roof; fascia; front porch; clapboard siding; wall studs; front wall; rear wall; and, eavestroughs and downspouts. The life safety concerns with the front porch have been

temporarily addressed with the installation of security fencing. With respect to the front and rear wall, the assessment concludes that reframing of large sections of these walls is required.

Exterior and interior photographs of the single detached dwelling were taken by both Bylaw Enforcement and Heritage Planning staff in 2020, 2023 and 2024. The following photographs provide a glimpse of the current condition of the building. Attachment C includes additional photos taken by staff in 2020 (exterior only), 2023 and 2024.



Photo 1. Front (North) Elevation in 2020



Photo 2. Side (East) Elevation in 2020



Photo 3. Side (East) Elevation in 2023



Photo 4. Side (West) Elevation in 2020



Photo 5. Front (North) Elevation in 2024



Photo 6. Side (East) Elevation in 2024

Cost to Repair Versus Cost to Demolish

Bylaw Enforcement staff obtained two quotes outlining both the cost to repair and the cost to demolish.

Cost to Repair

Quote 1 indicates that it would cost a significant amount of money to bring the single detached dwelling back to minimum property standards combined with a substantial cost to remove the contents that have been left in the interior of the building. This quote does not recommend repair, but at the request of the City a quote to repair was provided. The quote did not outline a scope of work (e.g., the building components that need to be repaired, replaced, and/or rebuilt). The first estimate to repair is \$200,000+. Quote 2 indicates that the entire single detached dwelling has structural damage and that beyond the work to repair there are also additional costs associated with removing the contents of the building and the removal of two (2) large trees. The second estimate to repair is \$450,000 - \$500,000.

Cost to Demolish

Quote 1 recommends demolition of the single detached dwelling. The first estimate to demolish is \$43,512.59. Quote 2 indicated that the cost to demolish is \$57,980.96.

As a result, the proposed repairs required to rehabilitate the single detached dwelling could be anywhere from \$156,487.41 - \$456,487.41 more than the cost to demolish the single detached dwelling. Based on the condition of the single detached dwelling, and the estimated cost to repair versus demolish, Heritage Planning staff do not object to the demolition.

In reviewing the merits of the application, Heritage Planning staff note the following:

- a property standards Order to Comply has been issued against the property requiring the owner to repair or demolish the singled detached dwelling;
- the deadline to bring the property into compliance lapsed on July 15, 2020 with the owner failing to comply with the Order;
- a Structural Condition Assessment prepared by Tacoma Engineers dated April 4, 2024 concluded that the exterior work required to bring the property into compliance could not be completed without addressing structural issues, which would require the single detached dwelling to be rebuilt;
 - the assessment also concluded that:
 - there is significant risk of portions of the building collapsing or becoming deteriorated beyond repair within the next two years;
 - the deteriorated porch beams pose a life safety hazard (Note: The security fencing that has been installed around the porch is a temporary measure to protect the public from the life safety hazard.)
- the heritage attributes of the single detached dwelling are in a state of advanced deterioration;
- since the owner has not brought the property into compliance, Bylaw Enforcement staff are required to bring the property into compliance;
- Bylaw Enforcement staff obtained two quotes outlining the costs to repair and the cost to demolish the single detached dwelling;

- in accordance with Section 15.1 – 15.8 of the *Building Code Act*, Bylaw Enforcement staff are required to proceed with the lowest quote to bring the property into compliance; and,
- the work to repair the single detached dwelling could range from \$156,487.41 - \$456,487.41 more than the cost to demolish the single detached dwelling.

Designating Bylaw 1985-190

Once the single detached dwelling is demolished, the design/physical value of the property will be lost. As a result, Heritage Planning staff recommend that the Clerk be directed to repeal Designating By-law 1985-190.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

The cost of demolition will be invoiced to the property owner. If the invoice is not paid, the costs will be added to the property tax roll as a priority lien.

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Heritage Kitchener committee meeting.

CONSULT – The Heritage Kitchener committee has been consulted regarding the Heritage Permit Application.

PREVIOUS REPORTS/AUTHORITIES:

- *Ontario Heritage Act, 2022*
- *Building Code Act, 1992*

APPROVED BY: Justin Readman, General Manager, Development Services Department

ATTACHMENTS:

Attachment A – Heritage Permit Application HPA-2024-V-020

Attachment B – Designating Bylaw 1985-190

Attachment C – Photographs