

Staff Report



Development Services Department

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REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: March 17, 2025

SUBMITTED BY: Garrett Stevenson, Director, Development and Housing Approvals Division, 519-783-8922

PREPARED BY: Arwa Alzoor, Planner, 519-783-8903

WARD(S) INVOLVED: Ward 9

DATE OF REPORT: February 25, 2025

REPORT NO.: DSD-2025-092

SUBJECT: Demolition Control Application DC25/001/C/AA
153 Courtland Avenue East

RECOMMENDATION:

That Demolition Control Application DC25/001/C/AA requesting permission to demolish a single detached dwelling at 153 Courtland Avenue East, BE APPROVED.

REPORT HIGHLIGHTS:

- The purpose of this report is to outline a request to be approved by Council to demolish an existing Single Detached Dwelling located at 153 Courtland Avenue East.
- The key finding of this report is that staff support the demolition of the Single Detached dwelling as the By-law Enforcement Division is requesting demolition and Heritage Planning Staff have issued a Heritage Demolition Permit for the site.
- 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.
- Community engagement included the information posted to the City's website with the agenda in advance of the Council/Committee meeting. All property owners within 30 metres of the subject property will receive notice of the demolition control application for information purposes immediately following Council approval.
- This report supports the delivery of core services.

BACKGROUND:

The Development Services Department has received an application to demolish an existing Single Detached Dwelling at 153 Courtland Avenue East.

The subject property is located in the Mill Courtland Woodside Park area, between Cedar Street South and Madison Avenue South on Courtland Avenue East. The existing building is in extremely poor condition and is currently vacant.

The property is designated as 'Strategic Growth Area A' on Map 3 – Land Use in the City's 2014 Official Plan. It is zoned 'Residential Five Zone (R-5)' under Zoning By-law 85-1 and 'Strategic Growth Area One Zone (SGA-1)' under Zoning By-law 2019-51 (currently under appeal).

The purpose of this application is to permit the demolition of the existing dwelling due to persistent by-law violations and ongoing complaints. As no resolution has been achieved, and repair costs are excessive, By-law Enforcement has determined that demolition is the most economical course of action.

Additionally, the property is designated under the Ontario Heritage Act. Heritage Planning staff have reviewed the proposed demolition and have no objections and a Heritage Permit Application for demolition was issued in October 2024.

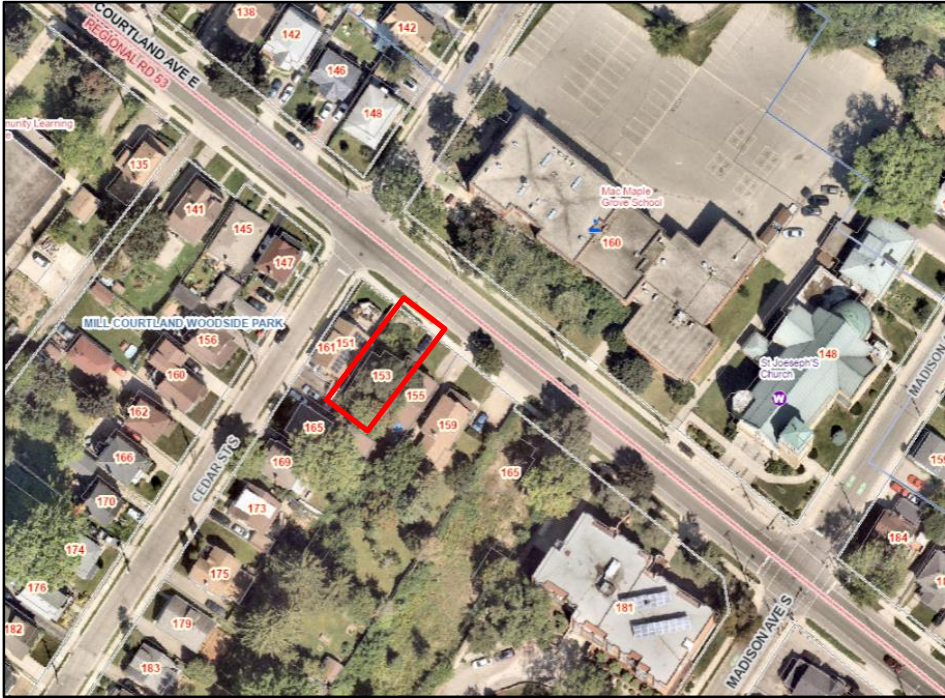


Figure 1: Location Map

REPORT:

Staff advise that the By-law Enforcement Division is proposing to demolish the unoccupied property due to the deterioration of the property, the costs of demolition are significantly less than the cost of the required repairs, and staff do not have 'right of entry' into the dwelling unit to complete the required repairs.

By-law Enforcement staff first received a complaint regarding the deteriorating exterior condition of the subject property in May 2020. In response, an inspection was conducted, leading to the issuance of an Order to Comply in June 2020. The order identified several

deficiencies requiring repair or replacement, including cladding, soffits, fascia boards, and windowsills. The deadline for compliance lapsed on July 15, 2020, with the property owner failing to complete the required work. While staff acknowledge that the COVID-19 pandemic may have posed challenges to meet the deadline, no corrective action was ever taken.

By-law Enforcement staff took further steps to bring the property into compliance. However, during this process, structural concerns were identified. In November 2023, the property owner granted permission for an interior inspection, which confirmed that a structural analysis was necessary before any exterior repairs could proceed.

In March 2024, By-law Enforcement staff received a Structural Condition Assessment prepared by Tacoma Engineers (dated April 4, 2024). The assessment concluded that the required exterior repairs could not be completed without addressing significant structural issues, which would ultimately necessitate a full rebuild of the building. Given this finding, By-law Enforcement staff proceeded to obtain cost estimates to bring the property into compliance.

By-law Enforcement staff are proposing to demolish the single-detached dwelling to comply with the original Order to Comply, which requires that the building either be repaired or demolished. Approval of this application will result in the property becoming a vacant lot.

Demolition Control Considerations

The property is located within the City's Demolition Control Area, as defined in the City's Demolition Control By-law. The demolition control provisions under Section 33 of the Planning Act are intended to:

- Prevent the premature loss of viable housing stock and the creation of vacant parcels of land.
- Protect the appearance, character, and integrity of residential neighborhoods and streetscapes where no redevelopment is planned.
- Prevent the premature loss of municipal property assessment.
- Retain existing dwelling units until redevelopment plans have been considered and approved.
- Ensure that redevelopment occurs in a timely manner, where proposed.

Heritage Considerations

As the property is designated under the Ontario Heritage Act, a Heritage Permit Application for demolition was required and was obtained in October 2024. The permit approval was based on the property being in an advanced state of deterioration, making repairs impractical and significantly more costly than demolition.

Regulatory Requirements

Under Sections 15.1 to 15.8 of the Building Code Act, the By-law Enforcement Division is required to:

- Obtain quotes for both the repair and demolition of buildings that do not comply with the Property Standards By-law.

- Proceed with the lowest quote to bring the property into compliance.

Since the demolition will result in the loss of a dwelling unit without an approved plan for redevelopment (such as a Building Permit, Zoning Occupancy Certificate, or Site Plan), a Council decision is required in accordance with the City's Demolition Control Policy.



Photo 1: Exterior Facing Courtland Ave



Photo 2: Front Elevation



Photo 3: Rear Elevation



Photo 4: Side Elevation

STRATEGIC PLAN ALIGNMENT

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

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 and the agenda have been posted to the City's website in advance of the Council / Committee meeting. Immediately following council approval, all property owners within 30 metres of the subject properties will receive notice of the demolition control application for information purposes.

PREVIOUS REPORTS/AUTHORITIES:

- City of Kitchener's Demolition Control By-law
- Zoning By-law 85-1 & 2019-051
- Official Plan, 2014
- *Ontario Heritage Act, 2022*
- *Building Code Act, 1992*

REVIEWED BY: Tina Malone-Wright, Manager, Development Approvals, Development and Housing Approvals Division

APPROVED BY: Justin Readman – General Manager, Development Services