



## The Corporation of the City of Stratford Planning and Heritage Sub-committee MINUTES

Date: March 28, 2019

Time: 4:30 P.M.

Location: Council Chamber, City Hall

Sub-committee Present: Councillor Ingram - Chair Presiding, Councillor Ritsma - Vice Chair, Councillor Bunting, Councillor Clifford, Councillor Vassilakos

Staff Present: Jeff Leunissen - Manager of Development Services, Jodi Akins - Council Clerk Secretary, Mike Beitz - Corporate Communications Lead, Jonathan DeWeerd - Chief Building Official

Also present: Gary Lingard and Daryl Pol (Item 4.1), Members of the Public

### 1. Call to Order

The Chair called the meeting to Order.

Councillor Clifford provided regrets for this meeting.

### 2. Disclosure of Pecuniary Interest and the General Nature Thereof

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No disclosures of pecuniary interest were made at the March 28, 2019 Subcommittee meeting.

**3. Delegations**

None scheduled.

**4. Report of the Chief Building Official**

**4.1 Demolition Control By-law (PLA19-006)**

**Staff Recommendation:** THAT Council receive the Demolition Control By-law report;

THAT prior to formal approval there is a Public Notification of Council's intent to pass a Demolition Control By-law;

AND THAT following notification Council consider approving the draft Demolition Control By-law.

**Sub-committee Discussion:** The Chief Building Official summarized the staff report and explained the purpose of a demolition control by-law is to give the municipality control over premature demolition of housing stock and ensuring that replacement structures are approved and built within a reasonable time.

The number of residential demolitions and rebuilds was pointed out in the report, with only 3 properties not rebuilt within 6 months of issuing a building permit.

Staff met with Heritage Stratford and the Stratford & Area Builder's Association and their comments are summarized in the report. Heritage Stratford was in general support and SABA expressed concern as to whether the numbers justified a by-law. No written concerns were received by Building staff, although SABA did submit written concerns to the Clerk's Office.

The CBO reviewed how the process for a Demolition Control Application process would work and recapped the highlights of the draft by-law.

It was questioned by Sub-committee whether there could be subsequent fines beyond the \$20,000 for leaving a property vacant past the two year deadline, expressing concern that the fine may be paid but the property could continue to sit vacant. The Manager advised that staff would have to consult with the City's solicitor regarding fines.

The Chair advised that correspondence from SABA dated February 15, 2019 was received by the Clerk's Office and was circulated to Sub-committee members and staff prior to the meeting.

Motion by Councillor Ritsma

**Sub-committee Decision: THAT a representative from the Stratford & Area Builder's Association be heard regarding the proposed Demolition Control By-law.**

**Carried**

Gary Lingard introduced himself and Daryl Pol as volunteers for SABA and provided some history on their experience in the building/developing industry. He stated that builders are here to make money and suggested that they will not sit on land. They want to solve any problems and build. Typically builders make \$10-15,000 per single family house. Developers can sometimes make more depending on the situation, and some examples were provided.

The cost of a house is 1/3 cost of building, 1/3 is cost of the land and 1/3 is taxes and fees. Mr. Lingard suggested that this by-law is a fee. He expressed concerns that this by-law would not help affordable housing, that the cost to build here was more expensive than London or Kitchener, that the number of demolitions did not justify this by-law and that additional costs would be added up front for site plans which may need to be changed.

He stated that the City, SABA and the builders all need to be on the same page. The current relationship is good but what the builders and developers need is a stable, cost-effective environment to build in.

Daryl Pol stated that his big question is why and what are they trying to accomplish with this by-law. They are being penalized for taking down homes and rebuilding new homes, noting that they have not taken down

a home without increasing the housing stock when rebuilding. They have started to shy away from purchasing, demolishing and rebuilding homes due to increasing costs and this may be another hurdle.

Mr. Pol stated that there are cost savings in utilities to removing a home quickly. He questioned timing in the by-law, noting that they understood they would have to apply for a site plan six months after demolition. The CBO clarified that under the draft by-law they would have 2 years to construct after demolition. Mr. Pol requested a longer time period, noting that they occasionally wait for neighbouring properties to become available for purchase before developing. He also expressed concern that they have to work very hard to make decent profit margin on infill properties and this is another deterrent. He expressed a want to build affordable housing in Stratford and he believes this by-law is more red tape.

In response to a question from Sub-committee regarding a timeline from purchase to construction, Mr. Pol replied it can take up to 3-4 years, depending on whether a zone change is required.

As to whether they have considered renting properties instead of demolishing until the time came to rebuild, Mr. Pol responded that in some situations they could but many times, the homes are not suitable for a renter and the cost to improve the home for a renter for a short period of time would not be recouped. Mr. Lingard suggested if it was worth fixing up to rent, it would be worth renovating and selling as a single family home.

The Chair stated that she put this motion forward as there have been a number of neighbourhoods in the city that have had their stability threatened due to premature demolitions and lots sitting vacant.

With respect to the three properties that fell outside of the six month building permit timeline, the CBO advised that they were rebuilt within a year.

A Sub-committee member suggested that builders of larger developments of condos or townhouses could apply to Council for an extension of the two year deadline. Mr. Lingard stated that they believe that Stratford is a

heritage town and that this control should be done by other means. Mr. Pol expressed concern that a Council exemption is still red tape to deal with. Mr. Lingard expressed understanding for where Sub-committee is coming from but noted that builders need to know as many rules prior to purchasing as possible and the possibility that Council may turn down an application for demolition is concerning.

Discussion took place regarding demolition control by-laws in other municipalities and whether there are provisions under the Heritage Act for demolition controls. The CBO advised that the draft by-law was based off the Kitchener, Waterloo and Hamilton by-laws.

Both Mr. Lingard and Mr. Pol suggested that this seems to be heritage specific and expressed concern that a blanket by-law is not appropriate.

The Chair clarified that this is not a heritage issue; it is to replenish housing stock and stabilize neighbourhoods by not letting lots sit vacant. She suggested that the cost of the program won't cost builders anything else, as it will be covered under the cost of the existing demolition permit.

Mr. Lingard stated that their concern is having to put site plans up sooner, as they understood that they would be required to file a site plan prior to getting a demolition permit. It was noted that the only additional fee would be the \$20,000 fine if the property is not rebuilt within two years, and only if they do not come to Council requesting an extension, as long as it is granted.

The CBO clarified that if it is a single residential, infill lot, site plan approval is not required prior to demolition.

The Manager added for clarity that there are two different permits. A demolition control permit under the Planning Act, which is what is being discussed and a demolition permit under the Building Code, which is existing.

Mr. Pol stated that he would need some additional time to think about it further as SABA had interpreted the proposed policy different than what they were hearing today.

In response to where the \$20,000 fine came from and whether Council

could reduce that, the CBO advised that is the maximum fine out of the Planning Act and the solicitor reviewed the fine structure based on what other municipalities were doing.

With respect to the two-year timeframe, that is the minimum time for a demolition control by-law and it can be extended.

The CBO advised that no dates have been set for public notification at this time.

Motion by Councillor Ritsma - Vice Chair

**Sub-committee Recommendation: THAT Council receive the Demolition Control By-law report;**

**THAT prior to formal approval there is a Public Notification of Council's intent to pass a Demolition Control By-law;**

**AND THAT following notification Council consider approving the draft Demolition Control By-law.**

**Carried**

## **5. Report of the Manager of Development Services**

### **5.1 Heritage Stratford Resolution-"Non-Designated" Properties for Municipal Heritage Register (PLA19-007)**

**Staff Recommendation:** THAT Council direct staff to notify the 44 property owners of the Heritage Stratford resolution and inform them of the upcoming public open house;

THAT staff hold a public open house to educate and inform affected property owners and the public on the objectives of including non-designated properties on the Municipal Heritage Register;

AND THAT following the public open house, staff forward a final recommended list of properties to be included on the Municipal Heritage Registry as non-designated properties for Council's consideration.

**Sub-committee Discussion:** The Manager of Development Services reviewed the staff report, explaining the purpose of the Municipal Heritage Register and that non-designated properties of interest could be added.

There are 44 properties that have been identified as having cultural or heritage value but that have not been designated. Heritage Stratford has suggested that they contact those property owners prior to adding to the list and staff concur.

Staff are recommending that property owners be contacted and explain what it means to be on the register. If on the Register, property owners wouldn't be able to demolish or materially change the house without Council approval. Council would have 60 days to give approval.

Staff are planning a consultation process and open house and intend to bring back a list of properties for addition to the Register.

Motion by Councillor Bunting

**Sub-committee Recommendation: THAT Council direct staff to notify the 44 property owners of the Heritage Stratford resolution and inform them of the upcoming public open house;**

**THAT staff hold a public open house to educate and inform affected property owners and the public on the objectives of including non-designated properties on the Municipal Heritage Register;**

**AND THAT following the public open house, staff forward a final recommended list of properties to be included on the Municipal Heritage Registry as non-designated properties for Council's consideration.**

**Carried**

## **6. Project Update**

The Manager of Development Services provided a verbal update on ongoing projects in the City, noting 1 new zone change application, 1 new condominium application and one new site plan application since last month. He reviewed numbers for various applications. The Project Update will be attached to the

April 8, 2019 Planning and Heritage Committee agenda in its entirety.

**7. Advisory Committee/Outside Board Minutes**

There are no Advisory Committee/Outside Board minutes to be provided to Sub-committee at this time.

**8. Next Sub-committee Meeting**

The next Planning and Heritage Sub-committee meeting is April 25, 2019 at 4:30 p.m. in the Council Chamber, City Hall.

**9. Adjournment**

Motion by Councillor Vassilakos

**Sub-committee Decision: THAT the Planning and Heritage Sub-committee meeting adjourn.**

**Carried**

Meeting Start Time: 4:30 pm

Meeting End Time: 5:19 pm