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Application for Demolition Control

Approval Process:

There are three processes that may apply to a residential demolition, as outlined below.

1. Demolition Control (By-law 138-2019 & Section 33 of the Ontario Planning Act – this application form)

Demolition Control applies to the demolition of any residential building within the Demolition Control Area, which includes the entire City of Stratford. Demolition Control also applies to any former residential dwelling that has been converted to a non-residential use. Any residential building or any building containing one or more dwelling units requires demolition control approval before a demolition permit can be issued by the City's Chief Building Official to physically remove the structure.

The purpose of demolition control is primarily to prevent the premature loss of viable housing stock and the creation of vacant parcels of land. Demolition Control does have related benefits of protecting the appearance, character, and integrity of residential neighbourhoods and streetscapes; preventing the premature loss of municipal assessment; retaining existing dwelling units until redevelopment plans have been considered and approved; and ensuring that redevelopment occurs in a timely manner, where proposed. Where a proposed residential demolition is exempted under certain criteria, demolition control approval is not required but an exemption must be obtained from the Development Services division.

2. Heritage Permit Application (Ontario Heritage Act)

The City has a responsibility to conserve cultural heritage resources. Where demolition is proposed on a property that is designated under Part IV (Individual) or Part V (Heritage Conservation District) of the Ontario Heritage Act, the submission and approval of a Heritage Permit Application is required. A Heritage Impact Assessment and/or Conservation Plan may be required to support the application.

Such applications must be considered by the Municipal Heritage Committee (Heritage Stratford) and Stratford City Council. Where demolition is proposed on properties that are listed as non-designated property of cultural heritage value or interest on the Municipal Heritage Register, the owner is required to give council at least 60 days' notice in writing of the intent to demolish. During this time, Council may choose to designate the property to provide protection from demolition. Where properties are listed on the Heritage Stratford Inventory of Historic Buildings, Planning Division staff will conduct a site visit to confirm the cultural heritage value and/or interest of the property.

3. Demolition Permit (Building Code Act)

The purpose of this permit is to enhance public safety and to ensure building services are disconnected in a safe and appropriate fashion prior to the City issuing approval for the demolition. It is also to ensure that the site will not have a negative impact on the surrounding properties post demolition. Demolition Permits are issued by the City's Chief Building Official. Please contact Building Services at 519-271-0250 x345 for more information and for the application procedure.

Demolition Control Procedure

Demolition Control Exemption

Where the proposed demolition of a residential building is within the Demolition Control Area but meets one of the Exemption Criteria (outlined in Section 4 of this form), demolition control approval is not required. However, the applicant must obtain approval of a Demolition Control Exemption, prior to issuance of a demolition permit by the Building Division.

If the property qualifies for an exemption, please check the box that states "Applying for Demolition Control Exemption" at the top of the form and complete all the relevant sections on the form as outlined in Section 1. Also include the required plan and submit any supporting documentation (if applicable). Review and approval of a Demolition Control Exemption may take up to 7 business days.

Demolition Control Application

Preliminary Review:

- a) Where demolition control approval is being sought for a building that is designated under Part IV or Part V of the Ontario Heritage Act, or is listed as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register, or is listed on the Heritage Inventory of Historic Buildings, the applicant should consult with the City's Planning Division staff prior to application submission to determine proper processing requirements. Note that any required heritage approvals must be granted prior to deciding the demolition control application.
- b) Where demolition control approval is being sought to facilitate a new development, the applicant should check at this time to determine whether a site plan application* and/or building permit will be required. If a site plan application is required, the applicant should discuss the proposal with Planning Division staff and/or the Building Division staff for building permits. A site plan application and/or building permit application should be filed prior to or concurrently with the demolition control application to Development Services.



*Note: A site plan application is required for the construction of a new building or structure, an addition, or alteration to an existing building or structure, which has the effect of substantially increasing its size or usability, or for the establishment of a commercial parking lot or sites for 3 or more trailers. It is not required for the construction of a farm building and, with certain exceptions, a single detached dwelling, a semi-detached dwelling or a duplex.

Demolition Control Application Submission and Process Summary

1. This application must be completed and submitted (first residential building and each additional residential building), as noted in the schedule above. The application form must also be accompanied by one (1) copy of an up-to-date property survey or an accurate site plan drawn to scale in metric, such as 1:250 or 1:500 showing:
 - a. The true dimensions and bearings of the property
 - b. The location and dimensions of the residential structure(s) to be removed together with the location and dimensions of any accessory buildings and structures. Show also any buildings proposed to remain.
 - c. Existing and proposed elevations, drainage slopes and gradients.
2. After receipt of the form, a staff member will circulate the application for a period of 14 consecutive days to the following departments, for comment:
 - a. Building Division staff - to determine the condition of the residential building(s) proposed to be demolished, if no redevelopment is proposed via a building permit and/or site plan application (if applicable). The application form requests authorization for a City Building Inspector to enter the property and have access to the building(s) for the purposes of carrying out an inspection.
 - b. Planning Division staff - to determine if the property is a significant cultural heritage resource, and if so, identify the required level of conservation and proper processing requirements. Should the property be designated under the Ontario Heritage Act, the consideration of a Heritage Permit Application seeking approval of a demolition, will be required before a decision on the Demolition Control Application can be made.
3. Concurrent with the demolition control application review, Planning staff may review the associated site plan application and the Building staff may review the building permit application for the redevelopment of the property, if applicable.
4. If a Heritage approval is required, this must be granted prior to the City's consideration of the demolition control application.
5. Upon review of all relevant issues, a staff recommendation will be made on whether or not the proposed demolition is supported, supported subject to standard approval conditions, or opposed by the Development Services Department. The applicant will be advised as to the department's recommendation.
6. Depending on the circumstances, as outlined in By-law 138-2019 (as amended),



the application will either be considered and decided by City Council, or be considered and decided by the City's Chief Building Official.

- a. If the proposal meets at least one of the Exemption Criteria on page 2 of the application form, then an exemption may be granted.
 - b. If the property does not meet at least one of the Exemption Criteria, then Demolition Control approval is required.
 - i. If the property does have status under the Ontario Heritage Act, then the demolition control application will be decided by Council. Any heritage approvals must be granted prior to a decision on the demolition control application. The application can be refused if no redevelopment is proposed. If redevelopment is proposed, the standard approval conditions may be applied.
 - ii. If the property does not have status under the Ontario Heritage Act, then the application will be decided by the Chief Building Official. The Chief Building Official may at their discretion refer any application to Council for the issuance of refusal of a demolition permit. The application can be refused if no redevelopment is proposed. If redevelopment is proposed, the standard approval conditions may be applied.
7. The Planning Act prescribes an appeal procedure whereby the applicant may appeal the City's decision to the Local Planning Appeal Tribunal.



Submission Checklist Review (For Staff Use Only)

Application Received by: Mail Courier Hand Delivery

- Application form received and date stamped
- Application fees submitted
- Signed Record of Pre-Submission Consultation attached, if applicable
- GIS checked for confirmation of ownership, address and legal description
- Plan is accurate and to scale (in metric units)
- Affidavit completed and signed by applicant and commissioner
- Authorization provided, if required

Staff member accepting submission: _____ Date: _____

Complete Application Review (For Staff Use Only)

- Complete application form received and reviewed
- Applicable fees submitted
- "Staff Use Only" fields completed on form
- Signed Record of Pre-Submission Consultation attached, if applicable
- Any additional information and materials provided, as required
- Plan is accurate and to scale (in metric units)
- Confirmation of ownership, address and legal description
- Affidavit completed and signed by applicant and commissioner
- Authorization provided, if required

Deemed as a completed application by: _____ Date: _____



Application for Demolition Control

For Staff Use:

| | |
|----------------------------|--|
| Date Application Received: | |
| Date Accepted as Complete: | |

Application Details:

- I have discussed this proposal with the following staff: _____
- I am applying for Demolition Control Approval *Complete sections 1-3 and 5-13*
- I am applying for Demolition Control Exemption *Complete sections 1-5 and 10-13*
- A site plan application and/or Building Permit application for the immediate redevelopment of the subject property has been applied for or is being applied for concurrently with this application.
 - o Site Plan Application Number: _____
 - o Building Permit Number: _____

Registered Owner

| | |
|------------------------------|--|
| Name(s) | |
| Company (if applicable) | |
| Street Address & Postal Code | |
| Phone Number(s) | |
| Email | |

Applicant (if other than registered owner)

| | |
|------------------------------|--|
| Name(s) | |
| Company (if applicable) | |
| Street Address & Postal Code | |
| Phone Number(s) | |
| Email | |



Exemption from Demolition Control (if applicable)

a) Exemption Due to Exemption Criteria Applicability.

The subject property is within the Demolition Control Area, but is exempt because it meets one or more of the following criteria (check all that apply):

- The proposed demolition does not result in the loss of any dwelling units
- The residential property is not a permitted use under the current zoning of the property
- The residential property has been found to be unsafe under 15.9 of the Building Code Act (unsafe order) and/or has been found to be an immediate danger to life safety under section 15.10 of the Building Code Act (emergency order)
- The proposed demolition is necessary to facilitate environmental remediation of the site and completion of a record of site condition as specified by a qualified professional (*supporting documentation required*)
- Demolition of the residential property is necessary to allow for the construction or establishment of a public work or service approved by the City, or Festival Hydro (*supporting documentation required*)
- The residential property is a mobile home
- The residential property is exempted under any provincial or federal statute or regulation (*supporting documentation required*)

b) Exemption Application Complete Submission Checklist:

- Plan submitted as per regular demolition control application form
- Supporting documentation included with application form, if applicable
- Above checklists completed



Description of Property and Building

| | |
|---|---|
| Municipal Address of Subject Property | |
| If multiple buildings, which are to be demolished: (indicate on plan as well) | |
| Assessment Roll Number | |
| Legal Description of Subject Property | |
| Are any of the existing buildings or structures 50 years of age or older? | <input type="checkbox"/> Yes, complete questions A-C below <input type="checkbox"/> No |
| A) Which buildings are 50 years of age or older? | |
| B) Date that each building or structure was constructed, if known | |
| C) Identify the type, height and dimensions/floor area of each building (in meters) | |
| Is the subject property designated under the Ontario Heritage Act? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the subject property listed on the Municipal Heritage Register? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Policy and Land Use

| | |
|--|--|
| Official Plan designation | |
| If applicable, identify the secondary plan and land use designation for the subject property | |
| Existing zoning, including any special provisions | |
| Type and number of dwellings/buildings to be demolished <i>(single detached dwelling, semi-detached dwelling, duplex, street townhouse dwelling, multiple dwelling, etc.)</i> | |



Reason for Demolition

For example:

- To allow immediate redevelopment of the site through a site plan application and building permit application that have been concurrently submitted.
- To allow the site to be used for open space (parking lot, landscaped area, etc.)
- To remove a dwelling that is in poor repair with no immediate plans to redevelop

Proposed Use of Land and Related Development Applications

Please include application type (i.e. zoning by-law amendment, consent, minor variance, etc.).

Proposed Use of Land and Related Development Applications

| | |
|--|---|
| Is the subject property located within a Source Protection Area? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|--|---|



Applicant's Agreement with Standard Approval Condition

- This section should only be completed if redevelopment of the site is proposed via the submission of a site plan application and building permit application.
- If owner agrees, the application will be decided by the Chief Building Official, unless the property is listed as a non-designated property of cultural heritage value or interest and not designated under the Ontario Heritage Act, 1990.
- If the owner does not agree, the application will be decided by City Council.

I, _____, the registered owner of the property that is subject of this application, hereby agree to the imposition of the following standard conditions as part of the approval of this application:

- a) That the owner obtains final site plan approval for the proposed redevelopment.
- b) That the owner obtains a building permit(s) for the proposed redevelopment.

Upon satisfaction of subsections a) and b), the City's Chief Building Official may authorize and issue a demolition permit under subsection 33(6) of the Planning Act. The demolition permit will be subject to the following condition:

That in the event that construction of the proposed redevelopment is not substantially complete within 2 years of the date of issuance of the demolition permit, the City Clerk may enter on the collector's roll, to be collected in like manner as municipal taxes, \$20,000 for each dwelling unit contained in the residential properties in respect of which the demolition permit is issued and such sum shall, until payment thereof, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

Signature of Owner

Date

Acknowledgement

As the owner of the subject property, I fully understand that:

- I am required to post a City-issued sign on the subject property in a location to be approved by the Chief Building Official within 24 hours of the approval of this application, should it be granted by the City, and that it shall be maintained in a state of good repair and remain in place until a demolition permit is issued and the building is substantially demolished,
- The submission of this application constitutes consent for authorized City staff to enter upon the subject property for the purposes of conducting a property and building inspection that may be necessary for the evaluation of this application.

Signature of Owner

Date



Authorization of Owner for Agent to Make the Application

If the applicant is not the owner of the land that is subject of this application, the written authorization of the owner is required, as below:

I, _____, the registered owner of the property that is subject of this application, hereby authorize _____ to make this application on my behalf.

Signature of Owner

Date

Affidavit

I, _____, of the City/Town/Township of _____, in the County/Region of _____, solemnly declare that the information contained in this application is true, the information contained in the documents that accompany this application is true, and that the owner as of the day on which this application is made has unconditional ownership of the subject lands and has disclosed any agreements or encumbrances that apply to the subject lands.

Signature of Owner/Applicant: _____

Declared before me at the City/Town/Township of _____ in the County/Region of _____ this _____ day of _____, 20_____.

Commissioner of Oaths: _____

Notice of Collection

The personal information collected on this form is collected by the Corporation of the City of Stratford under the authority of the Municipal Act, 2001, the Planning Act, 1990, the Ontario Heritage Act, 1990, and the Building Code Act, 1992, and will be used by Infrastructure and Development Services staff for the purpose of administering and enforcing the above Acts, considering this application, and for administrative purposes. Questions about the collection and use of this information may be made to the City Clerk, P.O. Box 818, Stratford, Ontario, N5A 6W1, or by telephone 519-271-0250 ext. 5329 during business hours.

