

**11. Demolition Control – 379 Wilmont Avenue**

**Demande d'approbation de démolition – 379, avenue Wilmont**

**Committee Recommendations**

**That Council approve demolition control for the existing building on the property at 379 Wilmont Avenue subject to the following conditions:**

- 1. that until the time of the construction of the first replacement building, the registered Owner shall landscape the property to the satisfaction of the General Manager of Planning Infrastructure and Economic Development; the registered Owner shall prohibit the use of the property for other interim uses and maintain the property in accordance with the Property Standards By-law;**
- 2. the landscaping of the property shall be finalized in collaboration with City staff;**
- 3. the Owner shall pay one hundred percent securities to the City for the value of landscaping the property, with the securities to be released once these works are completed;**
- 4. the Owner agrees that to the discretion of the General Manager, Planning, Infrastructure and Economic Development Department, a replacement building must be substantially completed within five years from the date of this approval and in default thereof, the City Clerk shall enter on the collector's roll the sum of \$5,000 for the residential dwelling to be demolished;**
- 5. the registered Owner shall enter into an Agreement with the City of Ottawa to include the foregoing conditions and pay all costs associated with the registration of said Agreement; at such time as a building permit is issued to redevelop the site and the replacement building is in place, the Agreement will become null and void and will be released upon request of the Owner; the Owner shall pay all costs associated with the release of the agreement;**
- 6. the Owner agrees that a demolition permit will not be issued and the**

building cannot be demolished until such time that the agreement referenced herein has been executed and registered on title;

7. this approval is considered null and void if the Agreement is not executed within six months of Council's approval.

#### **Recommandation du Comité**

Que le Conseil approuve la demande d'approbation de démolition du bâtiment situé au 379, avenue Wilmont aux conditions suivantes :

1. D'ici la construction d'un nouveau bâtiment, le propriétaire inscrit devra paysager la propriété à la satisfaction du directeur général de la Planification, de l'Infrastructure et du Développement économique, interdire son utilisation provisoire et l'entretenir conformément au Règlement sur les normes d'entretien des biens de la Ville d'Ottawa.
2. L'aménagement paysager devra être réalisé en collaboration avec le personnel de la Ville.
3. Le propriétaire devra payer à la Ville un cautionnement équivalant à 100 % de la valeur des travaux d'aménagement paysager, lequel sera remboursé une fois les travaux terminés.
4. Le propriétaire convient qu'à la discrétion du directeur général de la Planification, de l'Infrastructure et du Développement économique, la construction du nouveau bâtiment devra être substantiellement avancée dans les cinq ans suivant la date de la présente approbation, sans quoi le greffier municipal ajoutera au rôle du percepteur la somme de 5 000 \$ pour la démolition du bâtiment résidentiel.
5. Le propriétaire inscrit devra conclure avec la Ville un accord comprenant les conditions susmentionnées et payer les coûts d'enregistrement de cet accord. Une fois le permis de construire délivré et le nouveau bâtiment construit, l'accord deviendra nul et fera l'objet d'une renonciation, à la demande du propriétaire, qui assumera les coûts de cette renonciation.

6. **Le propriétaire convient qu'aucun permis de démolir ne sera délivré et que le bâtiment ne pourra être démolé avant que l'accord susmentionné n'ait été signé et inscrit au titre foncier.**
7. **La présente approbation est déclarée invalide si l'accord n'est pas signé dans les six mois suivant l'approbation du Conseil.**

Documentation / Documentation

1. Coordinator's report, dated June 17, 2019 (ACS2019-CCS-PLC-0009)  
  
Rapport du Coordonnatrice, daté le 17 juin 2019 (ACS2019-CCS-PLC-0009)

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
27 June 2019 / 27 juin 2019**

**and Council  
et au Conseil  
10 July 2019 / 10 juillet 2019**

**Submitted on June 17, 2019  
Soumis le 17 juin 2019**

**Submitted by  
Soumis par:  
Melody Duffenais, Committee Coordinator / coordonnatrice du Comité**

**Contact Person  
Personne ressource:  
Councillor / conseiller Jeff Leiper, ward / quartier 15  
613-580-2485; Jeff.Leiper@ottawa.ca**

**Ward: KITCHISSIPPI (15)**

**File Number: ACS2019-CCS-PLC-0009**

**SUBJECT: Demolition Control – 379 Wilmont Avenue**

**OBJET: Demande d'approbation de démolition – 379, avenue Wilmont**

#### **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend that Council approve demolition control for the existing building on the property at 379 Wilmont Avenue subject to the following conditions:**
  - a. That until the time of the construction of the first replacement building, the registered Owner shall landscape the property to the satisfaction of the General Manager of Planning Infrastructure and Economic Development. The registered Owner shall prohibit the use**

of the property for other interim uses and maintain the property in accordance with the Property Standards By-law;

- b. The landscaping of the property shall be finalized in collaboration with City staff;
  - c. The Owner shall pay one hundred percent securities to the City for the value of landscaping the property, with the securities to be released once these works are completed;
  - d. The Owner agrees that to the discretion of the General Manager, Planning, Infrastructure and Economic Development Department, a replacement building must be substantially completed within five years from the date of this approval and in default thereof, the City Clerk shall enter on the collector's roll the sum of \$5,000 for the residential dwelling to be demolished;
  - e. The registered Owner shall enter into an Agreement with the City of Ottawa to include the foregoing conditions and pay all costs associated with the registration of said Agreement. At such time as a building permit is issued to redevelop the site and the replacement building is in place, the Agreement will become null and void and will be released upon request of the Owner. The Owner shall pay all costs associated with the release of the agreement;
  - f. The Owner agrees that a demolition permit will not be issued and the building cannot be demolished until such time that the agreement referenced herein has been executed and registered on title;
  - g. This approval is considered null and void if the Agreement is not executed within six months of Council's approval.
2. That Planning Committee direct Staff in Planning, Infrastructure and Economic Development to review the process for demolition control to see where it can be streamlined in order to facilitate an expeditious demolition of derelict residential buildings that are a concern to public safety and make the necessary changes and report back to Planning Committee by Q1 2020.

## RECOMMANDATIONS DU RAPPORT

1. **Que le Comité de l'urbanisme recommande au Conseil d'approuver la demande d'approbation de démolition du bâtiment situé au 379, avenue Wilmont aux conditions suivantes :**
  - a. **D'ici la construction d'un nouveau bâtiment, le propriétaire inscrit devra paysager la propriété à la satisfaction du directeur général de la Planification, de l'Infrastructure et du Développement économique, interdire son utilisation provisoire et l'entretenir conformément au Règlement sur les normes d'entretien des biens de la Ville d'Ottawa.**
  - b. **L'aménagement paysager devra être réalisé en collaboration avec le personnel de la Ville.**
  - c. **Le propriétaire devra payer à la Ville un cautionnement équivalant à 100 % de la valeur des travaux d'aménagement paysager, lequel sera remboursé une fois les travaux terminés.**
  - d. **Le propriétaire convient qu'à la discrétion du directeur général de la Planification, de l'Infrastructure et du Développement économique, la construction du nouveau bâtiment devra être substantiellement avancée dans les cinq ans suivant la date de la présente approbation, sans quoi le greffier municipal ajoutera au rôle du percepteur la somme de 5 000 \$ pour la démolition du bâtiment résidentiel.**
  - e. **Le propriétaire inscrit devra conclure avec la Ville un accord comprenant les conditions susmentionnées et payer les coûts d'enregistrement de cet accord. Une fois le permis de construire délivré et le nouveau bâtiment construit, l'accord deviendra nul et fera l'objet d'une renonciation, à la demande du propriétaire, qui assumera les coûts de cette renonciation.**
  - f. **Le propriétaire convient qu'aucun permis de démolir ne sera délivré et que le bâtiment ne pourra être démoli avant que l'accord susmentionné n'ait été signé et inscrit au titre foncier.**
  - g. **La présente approbation est déclarée invalide si l'accord n'est pas signé dans les six mois suivant l'approbation du Conseil.**

2. **Que le Comité de l'urbanisme demande au personnel de la Direction générale de la planification, de l'infrastructure et du développement économique de passer en revue le processus de demande d'approbation de démolition pour voir s'il peut être simplifié afin d'accélérer la démolition des bâtiments résidentiels délabrés qui menacent la sécurité publique, d'apporter les modifications nécessaires et de lui présenter un rapport d'ici le premier trimestre de 2020.**

## **BACKGROUND**

At the Planning Committee meeting on June 13, 2019, Councillor J. Leiper introduced a Notice of Motion for consideration at the subsequent meeting. The purpose of the motion is to seek approval of demolition control for the existing building on the property at 379 Wilmont Avenue subject to certain conditions; it also seeks to give direction to staff to review the demolition control process to look for expeditiousness in the demolition of derelict and unsafe residential buildings. The motion is now before Planning Committee for consideration.

## **DISCUSSION**

Councillor Leiper has provided the following motion for Planning Committee's consideration:

WHEREAS the building at 379 Wilmont Avenue is in an advanced state of disrepair; and

WHEREAS there are neighbourhood concerns related to public safety and criminal activity in the building on the property; and

WHEREAS given the dilapidated condition of the building, the community has public safety concerns that make it in the public interest to demolish the building; and

WHEREAS there is currently no building permit application for a replacement building; and

WHEREAS the public safety concerns expressed by this community are common to other buildings in the area of the City where demolition control is applicable;

THEREFORE BE IT RESOLVED that Planning Committee recommend that Council approve demolition control for the existing building on the property at 379 Wilmont Avenue subject to the following conditions:

1. That until the time of the construction of the first replacement building, the registered Owner shall landscape the property to the satisfaction of the General Manager of Planning Infrastructure and Economic Development. The registered Owner shall prohibit the use of the property for other interim uses and maintain the property in accordance with the Property Standards By-law;
2. The landscaping of the property shall be finalized in collaboration with City staff;
3. The Owner shall pay one hundred percent securities to the City for the value of landscaping the property, with the securities to be released once these works are completed;
4. The Owner agrees that to the discretion of the General Manager, Planning, Infrastructure and Economic Development Department, a replacement building must be substantially completed within five years from the date of this approval and in default thereof, the City Clerk shall enter on the collector's roll the sum of \$5,000 for the residential dwelling to be demolished;
5. The registered Owner shall enter into an Agreement with the City of Ottawa to include the foregoing conditions and pay all costs associated with the registration of said Agreement. At such time as a building permit is issued to redevelop the site and the replacement building is in place, the Agreement will become null and void and will be released upon request of the Owner. The Owner shall pay all costs associated with the release of the agreement;
6. The Owner agrees that a demolition permit will not be issued and the building cannot be demolished until such time that the agreement referenced herein has been executed and registered on title;
7. This approval is considered null and void if the Agreement is not executed within six months of Council's approval.

AND BE IT FURTHER RESOLVED that Planning Committee direct Staff in Planning, Infrastructure and Economic Development to review the process for demolition control to see where it can be streamlined in order to facilitate an expeditious demolition of derelict residential buildings that are a concern to public safety and make the necessary changes and report back to Planning Committee by Q1 2020.

## **RURAL IMPLICATIONS**

There are no rural implications associated with the report recommendation.

## **CONSULTATION**

No specific consultation was conducted in respect of this report. The public was notified of this report in such that the Notice of Motion was raised at the public meeting of the Planning Committee on June 13 and was listed on the associated meeting Disposition, which was posted to Ottawa.ca. Subsequently, the meeting was advertised in community newspapers and on Ottawa.ca, and the agenda was published on Monday, June 17.

Public delegations may be received by the Committee.

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor Leiper raised this issue by way of Notice at the June 13 Planning Committee meeting and can provide further context upon request.

## **LEGAL IMPLICATIONS**

There are no legal impediments to adopting the recommendations in this report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no known risk management implications associated with this report.

## **FINANCIAL IMPLICATIONS**

All costs will be paid for by the registered Owner; the City Clerk shall enter on the collector's roll the sum of \$5,000.

## **ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with the report recommendation.

## **TERM OF COUNCIL PRIORITIES**

There is no direct impact on the 2014-2018 Term of Council Priorities.

## **DISPOSITION**

Staff will take direction from Committee and Council and proceed accordingly.