



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: July 8, 2025

Report No: PED25165

Subject/Title: Demolition Permit – 1123, 1131 and 1135 Stone Church Road East, Hamilton (Ward 06)

Ward(s) Affected: Ward 6

Recommendations

- 1) That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for 1123 Stone Church Road East in accordance with By-law 22-101, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with Section 6 of the Demolition Control Area By-law 22-101.
- 2) That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for 1131 Stone Church Road East in accordance with By-law 22-101, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with Section 6 of the Demolition Control Area By-law 22-101.
- 3) That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit for 1135 Stone Church Road East in accordance with By-law 22-101, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with Section 6 of the Demolition Control Area By-law 22-101.

Key Facts

- Demolition permit applications have been submitted to the Building Division.
- The buildings, while currently vacant, previously contained residential occupancies and are subject to the Demolition Control By-law.

- The Chief Building Official does not have delegated authority to issue the demolition permits as the applications do not meet the conditions for delegated authority.
- The buildings are in poor condition from an exterior inspection only.
- The owner has not submitted plans for redevelopment of the properties.

Financial Considerations

n/a

Background

Under the Demolition Control Area By-law, Council delegates the Chief Building Official it's authority to issue Demolition Control Approval to demolish Residential Property under certain scenarios. The most common scenario, which is applicable in this situation, is where the erection of a new building is proposed on the site of the Residential Property to be demolished and where the standard conditions, which are required to be registered on title, apply. Another scenario is where final Site Plan approval has been granted.

The owner has submitted the required demolition building permit applications; however, they do not meet the conditions for delegated authority and has requested council approval to demolish the buildings.

PRESENT ZONING: C6, District Commercial, By-law 05-200.

PRESENT USE: Vacant Single Detached Dwellings.

PROPOSED USE: Church

BRIEF DESCRIPTION: 1123 Stone Church Road East, Hamilton is a secure, vacant, 1-storey single detached dwelling in poor condition (from an exterior inspection).
See Appendix "A" to report PED25165 for photos.

1131 Stone Church Road East, Hamilton is a secure, vacant, 1-storey single detached dwelling in poor condition (from an exterior inspection).
See Appendix "A" to report PED25165 for photos.

1135 Stone Church Road East, Hamilton is a secure, vacant, 1-storey single detached dwelling in poor condition (from an exterior inspection).
See Appendix "A" to report PED25165 for photos.

This land is located in Ward 6. Please see Appendix “B” to report PED25165 for a location map.

Analysis

The owner of 1123, 1131 and 1135 Stone Church Road East has submitted the required demolition permit applications and is proposing to demolish the existing vacant, 1-storey, residential buildings.

These properties have no heritage status under the *Ontario Heritage Act*, nor are they on Hamilton’s inventory of heritage properties. As such there are no concerns from built heritage perspective.

The subject property meets the criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential, but there is no applicable law under the *Ontario Heritage Act* preventing issuance of a Building Permit related to potential disturbance of an area of archaeological potential. Therefore, Heritage staff recommend that the owner be advised of the following:

- The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbance, in addition to any areas impacted by the installation of services, such as water, electricity and ground-source heat pumps, and the proponent is advised to conduct an archaeological assessment prior to such impacts in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the MCM.
- Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-2128886).
- In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499)

There are no active Site Plan applications at this time. The owner has indicated that they are working towards a final design and timeline for the new construction, but they are not planning on applying for a building permit in the foreseeable future. While the owner has secured the buildings and hired security for twice nightly patrols on the property to ensure safety the buildings are continually being broken into.

Although the Chief Building Official does not have delegated authority to issue a building permit in this case—since the applications do not meet the necessary criteria for such delegation—the buildings in question are in a severe state of disrepair and are uninhabitable. Restoring them to a habitable condition would not appear to be economically feasible. Therefore, Building Division staff concur that demolition is the most appropriate course of action.

Alternatives

- 1) That the request to issue a demolition permit for 1123 Stone Church Road East, Hamilton **BE DENIED** as compliance with Section 6 of the Demolition Control By-law 22-101, pursuant to Section 33 *The Planning Act*, has not been demonstrated and staff consider the application to be premature.
- 2) That the request to issue a demolition permit for 1131 Stone Church Road East, Hamilton **BE DENIED** as compliance with Section 6 of the Demolition Control By-law 22-101, pursuant to Section 33 *The Planning Act*, has not been demonstrated and staff consider the application to be premature.
- 3) That the request to issue a demolition permit for 1135 Stone Church Road East, Hamilton **BE DENIED** as compliance with Section 6 of the Demolition Control By-law 22-101, pursuant to Section 33 *The Planning Act*, has not been demonstrated and staff consider the application to be premature.

Relationship to Council Strategic Priorities

1. Sustainable Economic & Ecological Development
 - 1.1. Reduce the burden on residential taxpayers
2. Safe & Thriving Neighbourhoods
 - 2.1. Increase the supply of affordable and supportive housing and reduce chronic homelessness
3. Responsiveness & Transparency
 - 3.2 Get more people involved in decision making and problem solving

Previous Reports Submitted

n/a

Consultation

Anita Macias, Administrative Secretary, Planning and Economic Development
Lisa Christie, Cultural Heritage Planner, Heritage & Urban Design, Planning and
Economic Development
Kevin Smith, Building Inspector, Building Division, Planning and Economic
Development

Appendices and Schedules Attached

Appendix A: Photos of Buildings

Appendix B: Location Map

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**Submitted and
recommended by:** Robert Lalli, P.Eng., Director, and Chief Building Official
Planning and Economic Development, Building Division