

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT *Building Services Division*

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: WARD 5
COMMITTEE DATE: March 1, 2011	
SUBJECT/REPORT NO: Demolition Permit - 218 Beach Boulevard (PED11025) (Ward 5)	
SUBMITTED BY: Tim McCabe General Manager Planning & Economic Development Department	PREPARED BY: Frank Peter 905 546 2424 ext. 2781 Maria Romano 905 546 2424 ext. 2722
SIGNATURE:	

RECOMMENDATION

That the Director of Building Services be authorized and directed to issue a demolition permit for 218 Beach Boulevard in accordance with By-Law 09-208 pursuant to Section 33 of The Planning Act, as amended, subject to the following conditions:

- (a) That the applicant has applied for and received a building permit for a replacement building on this property;
- (b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;
- (c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000;
- (d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building Services and to the City Solicitor; and

- (e) That if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum, until payment thereof, as a lien or charge upon the property until paid.

EXECUTIVE SUMMARY

The owner of this property is proposing to demolish the existing single family dwelling and leave the property vacant for future development. The applicant is proposing to purchase abutting property known as 210 Beach Boulevard and possibly 2 and 6 Kirk Road that are currently owned by the City and merge the lands in title with this property.

The Economic Development and Real Estate Division have advised that these lands are being offered on the open market as single family residential lots for new development with a building covenant to start construction within 12 months and completion within 24 months of the sale. They further advised that there is no guarantee that the applicant will be the successful bidder of the lands. Additionally, the applicant has indicated to them that the proposal may include a townhouse development with access off Kirk Road. Please note that the current C/S-1436 zoning district does not permit this use and a successful rezoning is required. Upon a successful rezoning, development of the lands is subject to a Site Plan Application in the normal manner. A Rezoning or a Site Plan Application has not been submitted as of this date.

Under Section 4 of the Demolition Control By-Law 09-208 the Chief Building Official has the delegated authority to issue a demolition permit for residential properties that are considered to be “routine applications”. This application has been deemed a “routine application” as this property is located in the middle of an established neighbourhood and current zoning would permit the replacement residential use. Therefore, the standard conditions required to be registered on title that would require a building permit to be issued in conjunction with the demolition permit and the replacement building to be substantially completed within two years of the date of the demolition would apply in accordance with the By-Law.

However, where the owner of the property does not agree with the conditions being imposed, Section 7 of the By-Law requires the Chief Building Official to advise Council. Council then retains all power to: issue, including imposing the standard rebuild condition; issue without conditions or refuse to issue the demolition permit.

This Report is presented to Council as the owners are not in agreement with the recommended conditions as set out in the Demolition Control By-Law.

Alternatives for Consideration – See Page 4

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: Not applicable

Staffing: Not applicable

Legal: Not applicable

HISTORICAL BACKGROUND (Chronology of events)

PRESENT ZONING: C

PRESENT USE: Single Family Dwelling

PROPOSED USE: Vacant

BRIEF DESCRIPTION: A recent inspection revealed that the one and one-half storey single family dwelling is structurally sound and not unsafe. However, the dwelling is in poor condition.

This land is in the Hamilton Beach Neighbourhood and is located in Ward 5. Please see attached location map shown as Appendix A to Report PED11025.

No interest to the Hamilton Municipal Heritage Committee.

Lot size: 27.6 m x 59.6 m and having a lot area of 1, 644.9 m².

The owner of the property, as per demolition permit application is:

Sheila and Gordon Crowe
29 Maida Vale
Toronto, ON M1K 2X8

POLICY IMPLICATIONS

Not applicable

RELEVANT CONSULTATION

The Economic Development and Real Estate Division were consulted, and responded with the information regarding the lots owned by the City as indicated in the Executive Summary.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

The present single detached dwelling is in poor condition and the applicant is proposing to demolish the single family dwelling. The owner intends to leave the land vacant for development at a later date with potential land assembly. The neighbourhood is well established with an urban neighbourhood character. To prevent a vacant lot from occurring within the existing neighbourhood the imposition of conditions for its replacement are deemed appropriate.

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Should the Committee wish to approve the demolition without imposing the conditions for a replacement dwelling, then the following recommendation may be appropriate:

That the Director of Building Services be authorized and directed to issue a demolition permit for 218 Beach Boulevard in accordance with By-Law 09-208 pursuant to Section 33 of The Planning Act as amended.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Growing Our Economy

- ◆ Investment in Hamilton is enhanced and supported.
- ◆ Redevelopment of this property with the construction of a new single family dwelling will enhance the neighbourhood, provide additional taxes and curb urban sprawl.

Environmental Stewardship

- ◆ Redevelopment within established neighbourhoods uses existing infrastructure and provides an opportunity to use green products and technologies.

Healthy Community

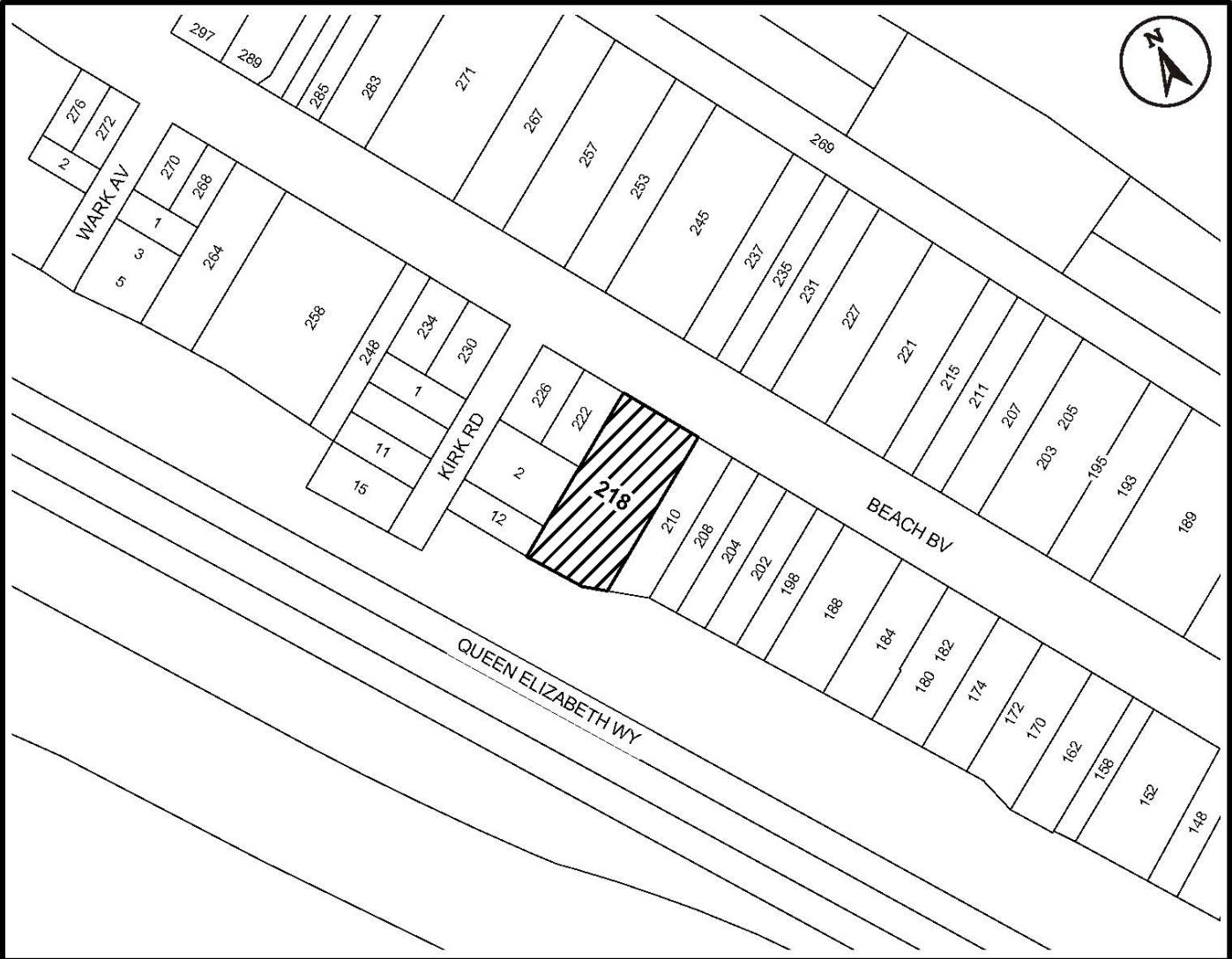
- ◆ Plan and manage the built environment.

- ◆ Replacing an older dwelling with new construction will enhance and add to the stability of the neighbourhood.

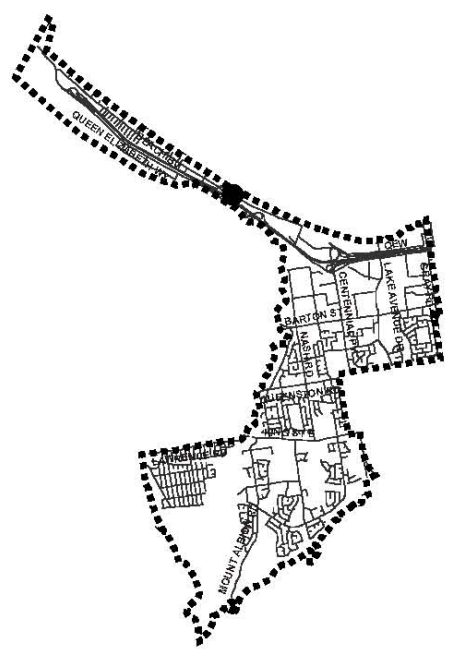
APPENDICES / SCHEDULES

Appendix "A": Location Map

JS:fp:mr
Attach (1)



● Site of the Application



Ward 5 Key Map

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
218 Beach Boulevard_PED11025

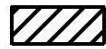
Date:
January 19, 2011

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
MR/IF

Subject Property



218 Beach Boulevard