To: Chair and Members
Planning & Economic Development Committee
PED05129(a)

From: Lee Ann Coveyduck
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Planning and Economic
Development Department
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Date: November 22, 2005

Re: Demolition Permit - 209 Wellington Street North (Ward 2) (PED05129(a))

Council Direction:
Not applicable.

Information:
On October 12, 2005, Council authorized and directed the Director of Building and Licensing to issue a demolition permit for 209 Wellington Street North, in accordance with Demolition Control By-law 74-290 pursuant to the demolition control provisions of 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 and Licensing and to the Director of Legal Services and Corporate Counsel; 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.

Subsequent to Council approval, the property owner hired a Professional Engineer to examine the existing single family dwelling with respect to safety. The Engineer has reported to the Building and Licensing Division that, “the foundation…is in a state of imminent collapse at several locations and has actually collapsed along a 15’ to 20’ section of the south wall.” He further comments that, “it is difficult to see how the foundation could be rebuilt”, and “there is no possible way of removing the (foundation) fieldstone without demolishing the building.”

Upon receipt of this report, the Building and Licensing Division attended the property on November 18, 2005 and gained access to the building. It is our opinion that because of the deteriorated foundation, although the superstructure is in reasonable condition, the building is unsafe for habitation. If the dwelling were to collapse there could be property damage sustained on both adjacent properties as the separation between buildings is approximately 3’. The location of the dwelling in relation to the municipal sidewalk furthers the urgency for demolition to protect the safety of the public.

As a result of the above additional information, the Building and Licensing Division issued an Unsafe Order on November 23, 2005 and the demolition permit was issued forthwith without complying with the conditions required by the previous Council decision.

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Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

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Attach. (1)