SUBJECT: Demolition Permit – 3306 Homestead Drive (Glanbrook) (PED09065) (Ward 11)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 3306 Homestead Drive (Glanbrook) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended.

EXECUTIVE SUMMARY:

The owner of this property is proposing to demolish the existing two (2) storey building containing commercial and two dwelling units damaged by a fire on October 19, 2008. The proposal, upon the demolition, is to leave the lands vacant at this time for future commercial uses.

The current C3-048 (General Commercial) zone permits a wide range of commercial uses including residential ancillary to commercial however, the zone does not permit stand alone residential uses. The lands are located adjacent to vacant non-residential lands and a City fire station facility which would not be impacted by the absence of a residential use on the subject lands. Therefore, it is not appropriate to impose conditions for a replacement dwelling in this situation.

Imposing conditions for a replacement residential use would unfairly limit the potential redevelopment of the property especially since the intended redevelopment plans do not include residential.
Furthermore, although application of the conditions available to Committee and Council would ensure replacement of a building in this location, they could not ensure that the said building contains a residential component.

Site Plan Approval is required for future re-development. As of this date an application has not been submitted for review.

**BACKGROUND:**

**PRESENT ZONING:** C3-048  
**PRESENT USE:** Commercial with two (2) residential dwelling units  
**PROPOSED USE:** Vacant land for future commercial development  
**BRIEF DESCRIPTION:** A recent inspection revealed that this two (2) storey building is structurally sound with no major signs of exterior fire damage. The extent of the fire damage is not known, however, the estimated damage to the dwelling was reported at $50,000.

As of this date the required building permit application has not been submitted for the replacement building.

This property is located in Ward 11. Please see attached location map shown as Appendix A to Report PED09065.

No Hamilton Municipal Heritage Committee interest. Lot size 21.3m x 63.4m

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

Pat Petrunti  
3777 Highway #6  
Mount Hope, ON L0R 1W0

**ANALYSIS/RATIONALE:**

N/A

**ALTERNATIVES FOR CONSIDERATION:**

Although it is not recommended to impose conditions for the reasons mentioned earlier, Committee does have the right to impose conditions and as such the following recommendation may be appropriate:
(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 for each of the two dwelling units demolished;

(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.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

POLICIES AFFECTING PROPOSAL:

N/A

RELEVANT CONSULTATION:

N/A

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☐ Yes ☑ No

Environmental Well-Being is enhanced. ☐ Yes ☑ No

Economic Well-Being is enhanced. ☑ Yes ☐ No

Investment in Hamilton is enhanced and supported.

The future redevelopment of this property with the construction of a new commercial building will enhance the neighbourhood, provide additional taxes and provide employment opportunities.
Does the option you are recommending create value across all three bottom lines?
☐ Yes  ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants?
☐ Yes  ☑ No

VB:vb
Attach. (1)