SUBJECT: Demolition Permit – 3233 Hall Road (Glanbrook) (PED09173) (Ward 11)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 3233 Hall Road (Glanbrook) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended.

EXECUTIVE SUMMARY:

Staff has been advised by the applicant that during excavation of the foundation to solve a water problem, a collapse of a portion of the building occurred. The applicant demolished the remainder of the building to eliminate any possible unsafe conditions. Reportedly, this occurred in late 2008. The Building Services Division was not aware of these actions until the submission of the demolition permit application and subsequent inspection. The issuance of a demolition permit will serve to legalize the actions previously carried out. The applicant wishes to construct a new single family dwelling. As of this date, the required building permit application has not been submitted for the replacement dwelling.

This property is not located in the middle of an established neighbourhood and current zoning would permit the replacement residential use. The application of the special conditions by Council is not appropriate in this situation as the building has been demolished and the safety concerns have been eliminated.
BACKGROUND:

PRESENT ZONING: General Agricultural “A1” Zone.

PRESENT USE: Vacant

PROPOSED USE: Single Family Dwelling

BRIEF DESCRIPTION: A recent inspection revealed that there is no building on this property. The site has been levelled and graded.

This land is located in the Rural Area Neighbourhood within Ward 11. Please see attached location map shown as Appendix A to Report PED09173.

No interest to the Hamilton Municipal Heritage Committee.

Lot size 274.3 m Frontage and an Area of 95,667.68 m²

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

Daryl Whiteside
338 Woodworth Drive
Ancaster, ON L9G 2N1

ANALYSIS/RATIONALE:

According to the applicant’s information during excavation of the foundation to solve a water problem, a collapse of a portion of the building occurred. The applicant demolished the remainder of the building to eliminate any possible unsafe conditions. Unfortunately there is insufficient evidence of the actual circumstance and when the actions took place to support enforcement action; however, the issuance of a demolition permit will serve to legalize the actions previously carried out. Further, it will also support the application of applicable development charge credits when the permit for a new house is issued.

Due to the fact that the property is within the rural area and the land is not within an established neighbourhood, a continued vacant site will not have an adverse effect. Accordingly, application of conditions is not being recommended.

ALTERNATIVES FOR CONSIDERATION:

Should the Committee wish to approve the demolition imposing 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 3233 Hall Road (Glanbrook) in accordance with By-Law 08-226 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 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.

**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, and 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
The removal of an old building in deteriorated condition will enhance safety and quality of life.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human Health and Safety are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Redevelopment of this property with the construction of a new single family dwelling will enhance the area.

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

MR: mr
Attach. (1)
Location Map

File Name/Number: PED09173
Date: June 1, 2009
Appendix "A"
Scale: N.T.S.
Planner/Technician: MR/NB
Subject Property

3233 Hall Road, Glanbrook

Ward 11 Key Map N.T.S.