SUBJECT: Demolition Permit – 561 Quebec Street (PED09076) (Ward 4)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 561 Quebec Street 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 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.

Tim McCabe
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

The owner of this property is proposing to demolish the existing one storey single family dwelling and construct a new single detached dwelling. A building permit application has not been submitted for the replacement dwelling as of this date.

This property is located in the middle of an established neighbourhood and the current zoning would permit the replacement residential use. Therefore, the application of the special conditions by Council regarding demolition control that requires a building permit to be issued for a replacement dwelling on the property and for reconstruction within a specific time frame are deemed to be appropriate for this situation.

BACKGROUND:

PRESENT ZONING: C (Urban Protected Residential)

PRESENT USE: Single family dwelling

PROPOSED USE: Single family dwelling

BRIEF DESCRIPTION: A recent inspection revealed that this one storey dwelling is vacant, in very poor condition and not fit for habitation. The interior of the building is deemed structurally deficient with a significant amount of structural repairs recommended including but not limited to the deteriorated exterior wall, the leakage of water through the basement and the roof which is in deteriorated condition. Currently, there is a Property Standards Order issued against this property for the items mentioned above.

Services including plumbing, heating, and electric have been removed. Municipal water service to this property is still functional to the meter, however all fixtures have been removed including the distribution system.

Our records indicate that the owner commenced construction of a two storey rear addition in the summer of 2008 without the proper approval of a building permit. A partial demolition permit was issued on January 2009 to remove this addition, as it created zoning deficiencies which required approval from the Committee of Adjustment. There has been no activity to the partial demolition permit.

As of this date the required building permit application has not been submitted for the replacement building. The removal of this dwelling and the construction of a new single family dwelling will enhance the neighbourhood.
This property is in the Parkview East neighbourhood and is located in Ward 4. Please see attached location map shown as Appendix A to Report PED09076.

No Hamilton Municipal Heritage Committee interest. Lot size 9.1m x 32.0m

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

Abdorreza Pessaran
203 Broker Drive
Hamilton, ON L8T 2C3

**ANALYSIS/RATIONALE:**

N/A

**ALTERNATIVES FOR CONSIDERATION:**

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 561 Quebec Street in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act as amended.

**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

Replacing an older dwelling with new construction will enhance and add to the stability of the neighbourhood.
Environmental Well-Being is enhanced. ☑ Yes ☐ No

Human health and safety are protected. The requirement for a new dwelling will prevent unauthorized trespassers, the illegal dumping and the lack of landscape maintenance generally associated with vacant properties and thus improving the look of the neighbourhood and increasing harmony between adjoining properties.

Economic Well-Being is enhanced. ☑ Yes ☐ No

Investment in Hamilton is enhanced and supported.

Redevelopment of this property with the construction of a new single detached dwelling will enhance the neighbourhood, provide additional taxes and curb urban sprawl.

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)