SUBJECT: Demolition Permit – 211 Wood Street East (PED08085) (Ward 2)

RECOMMENDATION:

That the Acting Director of Building Services be authorized and directed to issue a demolition permit for 211 Wood Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended and that the special conditions regarding demolition control, in the “Central Area”, that requires a building permit to be issued for a replacement dwelling on the property and for reconstruction within a specific time frame in accordance with City Council’s resolution passed on July 26, 1994 not be applied.

EXECUTIVE SUMMARY:

The owners of this single family dwelling live at and own the single family dwelling on the adjacent parcel of land known as 209 Wood Street East. The proposal, upon the demolition, is to permit the installation of a driveway and the construction of a detached accessory garage in the rear yard to be used by the owners of the existing single family dwelling. The two parcels of land have been merged and are held under one title in order to facilitate the installation of the driveway and the construction of the desired garage. Currently, there is no parking on site for either of the two single family dwellings. The installation of the driveway and construction of an accessory garage will assist in alleviating any on street parking pressures that traditionally exist in this area of the City.

This property is located in the “Central Area” as defined in City Council’s resolution passed on July 26, 1994 regarding demolition control and is subject to special conditions 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. However, imposing conditions for a replacement dwelling would not permit the installation of the driveway or the construction of the accessory garage.

Furthermore, the owner’s solicitor, upon direction from the owners, merged the two parcels of land in order to facilitate the driveway and accessory building. This land merger created a contravention of Section 4.(3) of the Hamilton Zoning By-law which states that two single family dwellings on one parcel of land is not permitted. The demolition of this dwelling will bring the lands into compliance with that requirement of the Zoning By-law.

For these reasons, the conditions that would normally apply in accordance Council’s resolution passed on July 26, 1994 are not being recommended.

BACKGROUND:

PRESENT ZONING: D (Map E-2)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Accessory Garage for the Single Family Dwelling

BRIEF DESCRIPTION: A recent inspection by Building Services staff indicates that this one storey aluminium sided dwelling is structurally sound and in fair condition.

The installation of a driveway and the construction of an accessory garage would not have been possible on either of the two previous undersized parcels of land (Lots of Record). This newly created property is now 13.71m x 47.85m (44.98' x 156.99’) which conforms to the minimum required lot size for a single family dwelling and will facilitate the desired driveway and garage.

This land is in the North End East neighbourhood and is located in Ward 2. Please see attached location map shown as Appendix A to Report PED08085.

No LACAC interest. Lot size 6.55m x 47.85m

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

Wayne Kucharski & Patricia Buss
209 Wood Street East
Hamilton, ON L8L 3Z2
ANALYSIS/RATIONALE:  
N/A

ALTERNATIVES FOR CONSIDERATION:  
The alternatives for consideration (Imposing the special conditions regarding demolition control in the "Central Area") are not deemed appropriate in this situation as this property has been merged in title with the adjoining property and a replacement dwelling is not permitted on this single parcel of land.

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

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

FP:fp  
Attach. (1)
Location Map

Hamilton

File Name/Number: PED08085
Date: March 10, 2008
Appendix "A" Scale: N.T.S. Planner/Technician: FP/NB

Subject Property

211 Wood Street East

Ward 3 Key Map N.T.S.