908 Beach Boulevard was acquired from the City by Heather Robson on June 29, 2010. This conveyance is subject to certain performance covenants including commencement
of construction of a single family detached dwelling within twelve (12) months, and completion thereof within twenty-four (24) months.

Quality Homes has been contracted to build a custom 2,275 square foot detached dwelling on the property; a heritage permit application is currently under review by Community Planning and Design. As June 29, 2011, is quickly approaching, Mrs. Robson and her builder recognize that the site plan review process will likely extend beyond this date. Accordingly, an extension to the date(s) of commencement and completion of construction is being requested.

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS**

- **Financial:** N/A
- **Staffing:** N/A
- **Legal:** Staff in Legal Services will prepare a letter of confirmation for execution by the Mayor and Clerk.

**HISTORICAL BACKGROUND**

The information and recommendations contained in this Report primarily affect Ward 5.

908 Beach Boulevard is a vacant building lot comprising an area of 726 square metres (7,815 square feet) on the south side of Beach Boulevard, between Fourth and Third Avenue.

Heather Robson currently resides in the City of Burlington. Her property at 908 Beach Boulevard will be developed with 2,275 square feet of residential space being built by Quality Homes.

Although plans for construction of this residence are now complete and ready for submission, the site plan review process has yet to occur. As the date for commencement of construction (June 29, 2011) approaches, the timing to secure site plan approval and building permits is still unknown. At this time, the owner is requesting that the dates for commencement and completion of construction be extended.

**POLICY IMPLICATIONS**

- Real Estate Portfolio Strategy Plan
- Growth Related Integrated Development Strategy
Building a Strong Foundation
Provincial Policy Statement
Places to Grow

RELEVANT CONSULTATION

Development Planning, Planning & Economic Development Department
Real Estate Section, Planning & Economic Development Department

ANALYSIS / RATIONALE FOR RECOMMENDATION

Mrs. Robson is demonstrating a significant investment in the City’s Beach Neighbourhood. The land value together with construction value of the proposed residence will amount to about $434,000, the building representing $360,000 of this investment.

ALTERNATIVES FOR CONSIDERATION

To withhold Mrs. Robson’s request would mean that the City could invoke its right to re-purchase the lot, pursuant to the following covenant contained in the transfer:

If the Transferee fails to comply with the conditions within the time required, then the Transferor shall have the option to re-purchase the property and to receive a conveyance of it free and clear of all charges and encumbrances, liens, claims or adverse interests whatsoever, and the Transferor agrees to pay the Transferee the original purchase price for the said lands, less the deposit, less real estate commission, less arrears of realty taxes, penalty and interest (including local improvement charges), less amounts required to discharge any mortgages, liens, charges or other encumbrances against the said lands and less the costs of the Transferor incurred in entering on the land and retaking and reselling the land and without increase or compensation for any improvements, additions, alterations in, on or under the said lands.

Should the extensions not be granted, the City would be obliged to reimburse Mrs. Robson the amount of $73,900 for the lot, less her deposit of $7,390 and associated expenses as provided in the foregoing covenant. Following re-purchase, the City would again place the property on the market and wait for a buyer.

Considering the time, investment and commitment to this project by Mrs. Robson, staff recommends that the extension be granted so that she may complete her project and relocate to Hamilton.
CORPORATE STRATEGIC PLAN


Financial Sustainability
- Financially Sustainable City by 2020
- Enhancement to local property tax base
- Management of City asset in a sustainable and cost effective manner

Growing Our Economy
- Investment in Hamilton is supported

APPENDICES / SCHEDULES

Appendix “A” to Report PED11109 - Location Map

AM/sd