SUBJECT: Demolition Permit – 1078 Garth Street (PED09133) (Ward 8)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 1078 Garth 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 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 single family dwelling and a detached garage and 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 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 are deemed to be appropriate for this situation.

BACKGROUND:

PRESENT ZONING: “DE/S-184” Low Density Multiple Dwellings

PRESENT USE: Single Family Dwelling

PROPOSED USE: Single Family Dwelling

BRIEF DESCRIPTION: A recent inspection revealed that this is a one storey wood frame brick veneer in good condition, the detached garage is in poor condition.

This land is located in the Gilbert Neighbourhood of Ward 8. Please see attached location map shown as Appendix A to Report PED09133.

No interest to the Hamilton Municipal Heritage Committee.

Lot size 20.7m± x 30.5m±

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

Lucille Investments Ltd.
c/o Paul Valeri
2140 King Street East
Hamilton, Ontario L8K 1W6

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 1078 Garth 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 demolition of this deteriorated building reduces risk of possible accidents that could occur on the property.

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

MR:mr
Attach. (1)
Location Map

File Name/Number: PED09133
Date: April 21, 2009
Appendix "A"
Scale: N.T.S.
Planner/Technician: MR/SL

Subject Property

1078 Garth Street, Hamilton

Ward 8 Key Map N.T.S.