SUBJECT: Demolition Permit – 123 Chesley Street (PED06344) (Ward 8)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 123 Chesley Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

EXECUTIVE SUMMARY:

The owner of this property is proposing to demolish the existing single family dwelling that was damaged by a fire on May 3, 2006. The applicant has not indicated the intended use of the property upon the demolition of the single family dwelling.

BACKGROUND:

PRESENT ZONING: C (Map W-9B)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Not Indicated

BRIEF DESCRIPTION: The owner of this property is proposing to demolish the existing single family dwelling that was damaged by a fire on May 3, 2006. The applicant has not indicated the intended use of the property upon the demolition of the single family dwelling.
use of the property upon the demolition of the single family dwelling.
This property is not located in the “Central Area” as defined in City Council resolution passed on July 26, 1994 regarding demolition control and therefore is not subject to special conditions regarding demolition control that would have required a building permit to be issued for a replacement dwelling on the property, or Site Plan Agreement to be finalized for the site and for reconstruction within a specific time frame. This land is in the Gourley neighbourhood and is located in Ward 8. Please see attached location map shown as Appendix A to Report PED06344.

No LACAC interest. Lot size 21.34m x 80.39m

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

Gerard DiLivio
123 Chesley Street
Hamilton, ON L9C 3V9

**ANALYSIS/RATIONALE:**

N/A

**ALTERNATIVES FOR CONSIDERATION:**

Should the Committee wish to place conditions with respect to a replacement dwelling even though the property is not covered by the policy in the Central Area, then the following recommendation may be appropriate:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 123 Chesley Street in accordance with By-Law 74-290 pursuant to the demolition control provisions of 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 and Licensing 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, 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

Human Health and safety are protected.

The demolition of this fire damaged dwelling reduces risk of possible accidents that could occur on the property.

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

File Name/Number: 123_Chesley_St
Date: August 9, 2006

Appendix "A"
Scale: N.T.S.
Planner/Technician: FP/MF

Subject Property
123 Chesley Street

Ward 8 Keymap
N.T.S.