# Report to: Chair and Members Economic Development and Planning Committee

| Submitted by: | Tim McCabe  
| General Manager  
| Planning and Economic Development Department |

| Date: | December 12, 2007 |

| Prepared by: | Frank Peter  
| 905-546-2424 Ext. 2781 |

## SUBJECT: Demolition Permit – 336-338 Victoria Avenue North (PED08003) (Ward 3)

## RECOMMENDATION:

That the Acting Director of Building Services be authorized and directed to issue a demolition permit for 336-338 Victoria Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

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General Manager  
Planning and Economic Development Department

## EXECUTIVE SUMMARY:

The owner of this property is proposing to demolish the existing two storey, semi-detached dwelling and has not yet indicated the proposed use of the lands upon the demolition. As of this date the required building permit application has not been submitted for the replacement 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 and for reconstruction within a specific time frame.
BACKGROUND:

PRESENT ZONING: D (Map E-12)

PRESENT USE: Semi-detached Two Family Dwelling

PROPOSED USE: Not Indicated

BRIEF DESCRIPTION: A recent inspection of this two storey semi-detached two family dwelling indicates that this double brick dwelling is approximately 80 years old and is in fair to poor condition. The main dwelling is structurally sound however, there are rear additions which are in poor condition and it may not be financially feasible to repair these additions.

This land is in the Landsdale neighbourhood and is located in Ward 3. Please see attached location map shown as Appendix A to Report PED08003.

No LACAC interest. Lot size 16.46m x 43.89m

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

Victor Veri
Oreu Investments Ltd.
971 Hwy #6 North
Hamilton, ON L8N 2Z7

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 Acting Director of Building Services be authorized and directed to issue a demolition permit for 336-338 Victoria Avenue North 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 per unit for a total of $40,000;

(d) That the applicant be required to register on title to the subject properties (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 Acting 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.

The owner of this semi-detached dwelling also owns the properties to the south. An application to rezone the lands was submitted in 1991, however, the owner withdrew the application and the rezoning did not proceed. Demolition permits were subsequently issued in 2003 and 2004 to the same owner without the requirements for replacement dwellings and the lands have been vacant since. It may not be appropriate to impose the conditions for replacement dwellings in this situation as it appears that there are alternate development opportunities being pursued through land assembly. Numerous attempts to contact the owner have been unsuccessful to confirm this assumption. It is important to note that there are many vacant pockets along this portion of Victoria Avenue located across from the Hamilton General Hospital that have been rezoned to permit commercial development.

**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)