SUBJECT: Demolition Permit – 40 Maple Avenue (Flamborough) (PED09193) (Ward 14)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 40 Maple Avenue (Flamborough) 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 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 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.
EXECUTIVE SUMMARY:

The owner of this property is proposing to demolish the existing single family dwelling and construct a new single family dwelling. A portion of the property, at the edge of the escarpment, is within the development control area of the Niagara Escarpment Commission. As the existing single family dwelling is located in the portion of the property from Maple Avenue to the edge of escarpment, the Flamborough Zoning By-law applies and the City of Hamilton has jurisdiction over this area. A building permit application has not been submitted for the replacement dwelling as of this date.

This property is located in the middle of an established neighbourhood and current zoning would permit the replacement residential use. Therefore, the application of the special conditions by Council 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 are deemed to be appropriate for this situation.

BACKGROUND:

PRESENT ZONING: R2-8

PRESENT USE: Single Family Dwelling

PROPOSED USE: Single Family Dwelling

BRIEF DESCRIPTION: A recent inspection revealed that the one storey wood frame with vinyl siding single family dwelling is structurally sound and is in good condition.

This land is located in Ward 14. Please see attached location map shown as Appendix A to Report PED09193.

No interest to the Hamilton Municipal Heritage Committee. Lot size 31.39m x 114.3m

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

Robert Simpson
967 Hwy 8, R.R. 1
Dundas, ON L9H 5E1

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 40 Maple Avenue (Flamborough) 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

Redevelopment within established neighbourhoods uses existing infrastructure and provides an opportunity to use green products and technologies.

Economic Well-Being is enhanced. ☑ Yes ☐ No

Investment in Hamilton is enhanced and supported.

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

KR:kr
Attach. (1)
Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: PED09193
Date: July 20, 2009

Appendix "A"

Scale: N.T.S.
Planner/Technician: KR/NB

Subject Property

40 Maple Avenue, Flamborough

Ward 14 Key Map
N.T.S.