SUBJECT: Demolition Permit – 1081 Beach Boulevard (PED08201) (Ward 5)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 1081 Beach Boulevard in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

EXECUTIVE SUMMARY:

The owner of this property also owns the adjoining properties known as 1091, 1097 and 1105 Beach Boulevard. The proposal is to demolish the existing one and one half storey building containing a vacant commercial tenant on the ground floor with one dwelling unit above. Upon the demolition, the owner is proposing to merge the lands under one title and develop two (2) six unit street townhouse dwellings. The current H modified zone does not permit street townhouses however a rezoning application to permit the use has been submitted and is currently being circulated. A Site Plan Application is also required for the development of the lands and the application has not been submitted as of this date.

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 requires a building permit to be issued for a replacement dwelling on the property and for reconstruction within a specific time frame. Furthermore, it is not deemed appropriate to impose the conditions since the proposed development includes land mergers to facilitate a larger development project.
BACKGROUND:

PRESENT ZONING: H/S-1435

PRESENT USE: Commercial on the ground floor with a Single Family Dwelling above

PROPOSED USE: Street Townhouse Dwellings

BRIEF DESCRIPTION: A recent inspection revealed that this one and one half storey wood sided building is structurally sound however is in a much deteriorated condition.

This land is in the Hamilton Beach neighbourhood and is located in Ward 5. Please see attached location map shown as Appendix A to Report PED08201.

No LACAC interest. Lot size 14.02m x 37.03m

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

Fisherman’s Pier Limited
46 Village Centre Place
Mississauga, ON L4Z 1V9

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 1081 Beach Boulevard 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 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.

It is not deemed to be appropriate to impose conditions for a replacement dwelling in this situation since an application for a rezoning to permit the proposed street townhouses has been submitted and is currently under review and as mentioned previously, the owner of this property also owns the adjoining properties known as 1091, 1097 and 1105 Beach Boulevard. The proposal upon the demolition is to merge lands under one title and develop the lands for two six unit street townhouses.

In addition, should the rezoning not be approved imposing conditions for a replacement residential use would unfairly limit the potential redevelopment of the property precluding a variety of permitted uses. The current H modified zone permits a wide range of uses including, but not limited to; a single family dwelling, one or two dwelling units above commercial uses and a variety of stand alone commercial uses.

Site Plan Approval is required for the proposed re-development. As of this date an application has not been submitted for review.

**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

Economic Well-Being is enhanced. ☑ Yes □ No

Investment in Hamilton is enhanced and supported.

Redevelopment of this property with the construction of new street townhouses 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

FP:fp
Attach. (1)
Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: 1081 Beach Boulevard
Date: Aug. 8, 2008

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

Subject Property
- 1081 Beach Boulevard

Site of the Application

Ward 5 Key Map N.T.S.