SUBJECT: Demolition Permit – 363 Tapleytown Road (Stoney Creek) (PED09175) (Ward 11)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 363 Tapleytown Road (Stoney Creek) in accordance with By-Law 08-226 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 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 not 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 not appropriate in this situation as the removal of the very deteriorated dwelling will eliminate safety concerns.

BACKGROUND:

PRESENT ZONING: Agricultural “A” Zone

PRESENT USE: Single Family Dwelling
PROPOSED USE: Single Family Dwelling

BRIEF DESCRIPTION: A recent inspection revealed that this dwelling is in very poor condition including holes in the roof and the exterior walls are collapsing. There is no access to the inside of the dwelling as doors and windows have been blocked off for safety reasons. It is believed that this dwelling was built around 1925 and is not fit for habitation.

This land is located in the East Mountain Area Neighbourhood within Ward 11. Please see attached location map shown as Appendix A to Report PED09175.

No interest to the Hamilton Municipal Heritage Committee.

Lot size 333.375m frontage and an Area of ± 80940 m²

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

Rosalina and Joe Ditrapani
25 Viking Drive
Glanbrook, ON L0R IC0

ANALYSIS/RATIONALE:

Due to extremely deteriorating conditions of the dwelling, it is beyond rehabilitation. Further, the vacant site of the dwelling will not have an adverse effect on this large rural lot. Accordingly, application of conditions are not being recommended.

ALTERNATIVES FOR CONSIDERATION:

Should the Committee wish to approve the demolition imposing 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 363 Tapleytown Road (Stoney Creek) 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.

**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, and 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  
Demolishing this building will enhance safety and quality of life.

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 area.

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
Location Map

File Name/Number: PED09175
Date: May 29, 2009
Appendix "A"
Scale: N.T.S.
Planner/Technician: MR/NB

Subject Property

363 Tapleytown Road, Stoney Creek

Ward 11 Key Map N.T.S.