SUBJECT:  Demolition Permit – 7 King Street East (Stoney Creek) (PED09221) (Ward 9)

RECOMMENDATION:

That the Director of Building Services be authorized and directed to issue a demolition permit for 7 King Street East (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 building containing commercial units on the ground floor and one (1) dwelling unit on the second floor and also to demolish a detached garage in the rear yard. Demolition of the existing buildings is necessary to facilitate construction of a new building in the future. Details respecting the proposed uses and layout of the intended development have not been provided; however, the agent has indicated that a similar type of building containing a combination of commercial and residential uses is planned. The lands are subject to site plan control.

BACKGROUND:

PRESENT ZONING:  CA1 (Central Area Commercial)

PRESENT USE:  Commercial and one (1) residential dwelling unit.

PROPOSED USE:  Future commercial development
BRIEF DESCRIPTION: A recent inspection revealed that the two storey commercial and residential building of wood frame construction is structurally sound and is in good condition. The two storey detached garage of wood frame construction is structurally sound and is in fair condition.

This land is in the Battlefield neighbourhood and is located in Ward 9. Please see attached location map shown as Appendix A to Report PED09221.

No interest to the Hamilton Municipal Heritage Committee.

Lot size 16.76m x 47.85m and a lot area of approximately 755 square metres.

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

Arakel Demirci
59 King Street East
Stoney Creek, ON L8G 1J9

ANALYSIS/RATIONALE:

This property is located in the CA1 (Central Area Commercial) zone which permits a variety of commercial uses provided the required on-site parking can be provided. The zone allows for a stand alone commercial building or a stand alone residential building or a building containing a combination of commercial and residential uses. As a building can be constructed entirely for commercial purposes, it is not appropriate to require that a building permit be issued for a replacement dwelling on the property or for reconstruction within a specific time frame in this situation.

ALTERNATIVES FOR CONSIDERATION:

Should the Committee wish to approve the demolition by imposing conditions for a replacement dwelling unit, then the following recommendation may be appropriate:

That the Director of Building Services be authorized and directed to issue a demolition permit for 7 King Street East (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 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.

**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 building with new construction will enhance and add to the stability of the area.

- Environmental Well-Being is enhanced. ☑ Yes ☐ No
  - Redevelopment of the lot 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 building will enhance the surrounding area and provide additional taxes.

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)