

CITY OF HAMILTON

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building and Licensing Division**

Report to: Chairman and Members Planning & Economic Development Committee	Submitted by: Lee Ann Coveyduck General Manager
Date: September 30, 2005	Prepared by: Frank Peter
File: 05 265194	(905) 546-2424 Ext. 2781

SUBJECT: Demolition Permit – 56 Chipman Avenue (PED05149) (Ward 7)

RECOMMENDATION:

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 56 Chipman Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The owner of this property is proposing to demolish the existing single family dwelling and construct three (3) single family dwellings upon the demolition. This parcel of land has recently been approved by the Ontario Municipal Board for severance into three single family dwelling building lots and the removal or demolition of the dwelling is a condition of the Board.

BACKGROUND:

PRESENT ZONING: C (Map E-9C)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Three (3) Single Family Dwellings

BRIEF DESCRIPTION: The owner of this property is proposing to demolish the existing single family dwelling and construct three (3) single family dwellings upon the demolition. This parcel of land has recently been approved by the Ontario Municipal Board for

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severance into three (3) single family dwelling building lots and the removal or demolition of the dwelling is a condition of the Board. 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, or site plan agreement to be finalized for the site and for reconstruction within a specific time frame. These lands are in the Jerome neighbourhood and are located in Ward 7. Please see attached location map shown as Appendix A to Report PED05149.

No LACAC interest. Lot size 30.48m x 46.76m

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

Frank Toth
448 Lodor Street
Ancaster, ON L9G 2Z8

ANALYSIS OF ALTERNATIVES:

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 Director of Building and Licensing be authorized and directed to issue a demolition permit for 56 Chipman Avenue 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 and Licensing and to the Director of Legal Services and Corporate Counsel; and,

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- (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:

Financial – N/A

Staffing – N/A

Legal – N/A

POLICIES AFFECTING PROPOSAL:

N/A

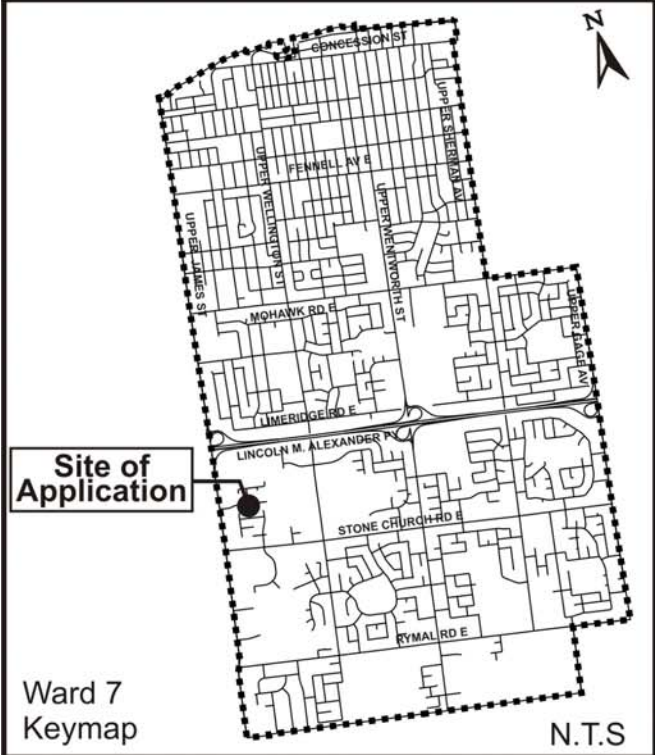
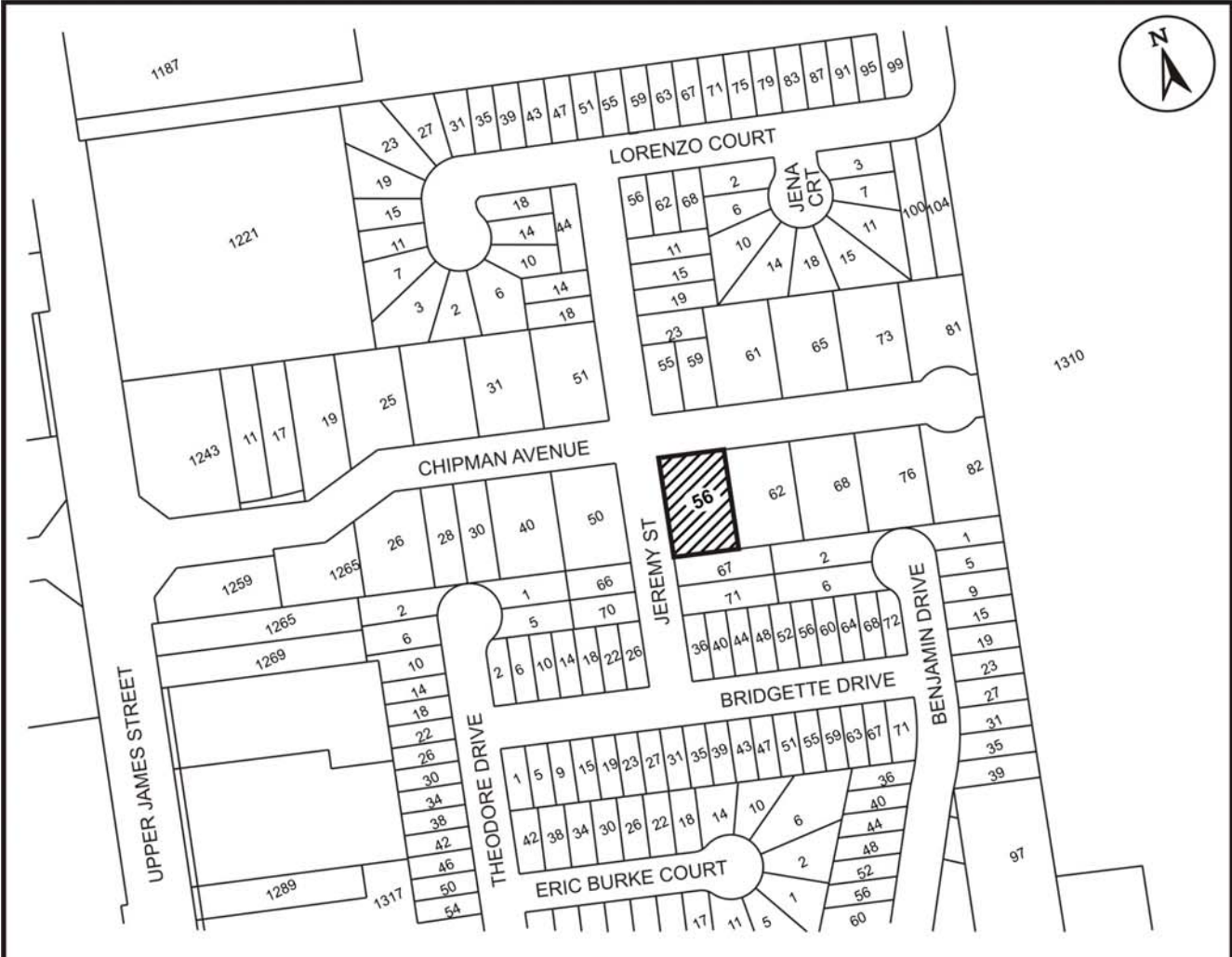
CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:


N/A

CITY STRATEGIC COMMITMENT:

This property is not listed on the City’s inventory list as being of interest to the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), therefore, there are no issues with heritage preservation.

:FP
Attach. (1)






Planning and Economic Development Department

Location Map

File Name/Number: PED05149	Date: September 27, 2005
Appendix "A"	Scale: N.T.S
Planner/Technician: FP/NB	



Subject Property
56 Chipman Avenue (Hamilton)

T&C File Name: