



Authority: Item 18, Economic Development
and Planning Committee
Report 08-016 (PED08188)
CM: September 10, 2008

Bill No. 226

CITY OF HAMILTON

BY-LAW NO. 08-226

Demolition Control

WHEREAS Section 33 of The Planning Act, provides that a municipality may by By-law designate any area within the municipality wherein a By-law prescribing standards of maintenance and occupancy is in force as an area of demolition control;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law 05-200;

AND WHEREAS it was desirable to enact Demolition Control of residential properties for the City;

AND WHEREAS Property Standards By-law No. 03-117, prescribing standards of maintenance and occupancy was enacted on the 14th day of May, 2003 and is in force in the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That for the purpose of this By-law the following shall apply:
 - a. "Residential Property"
 - i. means a building that contains one or more dwelling units, but does not include subordinate or accessory buildings the use of which is incidental to the use of the main building; and,
 - ii. for the purpose of this By-law, a residential property shall not include the following uses:

Lodging House

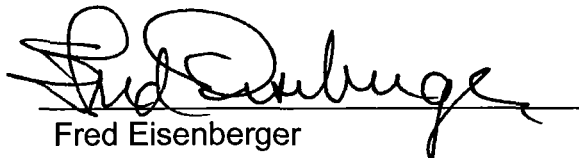
By-law respecting Demolition Control

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Residential Care Facility
Retirement Home
Long Term Care Facility
Hotel

- b. "Dwelling Unit" means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.
 - c. The demolition of a portion of a building that does not reduce the number of dwelling units within the building shall not be subject to Demolition Control.
 - d. Where a property is owned by the City and demolition is required for the imminent implementation of a City capital works project, previously approved by City Council, this By-law shall not apply except where the property is designated under the Ontario Heritage Act.
2. That the area comprising the municipality of the City of Hamilton is hereby designated as an area of demolition control.
 3. That the former City of Hamilton By-law 74-290 – "Demolition Control" be repealed.
 4. That the former Town of Ancaster By-law 89-35 – "To establish Demolition Control" be repealed.
 5. That the former Town of Dundas By-law 3169-80 – "A By-law of the Corporation of the Town of Dundas, being a By-law to establish Demolition Control" and By-law 3499-84 – "A By-law of the Corporation of the Town of Dundas, being a By-law to adopt a flow chart for Demolition Control" be repealed.

PASSED and ENACTED this 24th day of September, 2008.



Fred Eisenberger
Mayor


Kevin C. Christenson
City Clerk

CI-08-H