

Authority: Item 3(c), Planning Committee
Report 23-005 (PED23038)
CM: April 12, 2023
Ward: 2

Bill No. 103

CITY OF HAMILTON

BY-LAW NO. 23-

To Repeal By-law No. 01-225, being a By-law Designating 14 Mary Street, Hamilton, under Part IV of the *Ontario Heritage Act*

WHEREAS the lands known municipally as 14 Mary Street, Hamilton, and more particularly described in Schedule “A” hereto, were designated under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 by municipal By-law No. 01-225, passed on October 2, 2001;

AND WHEREAS the former heritage building located at 14 Mary Street, Hamilton, has been demolished and the property no longer retains any cultural heritage value or interest under Section 29 of the *Ontario Heritage Act*;

AND WHEREAS the Council of the City of Hamilton has received and considered the recommendations of its heritage committee pertaining to the intention to repeal By-law No. 01-225 under Section 31 of the *Ontario Heritage Act*, arising from the meeting of the Hamilton Municipal Heritage Committee held on March 27, 2023;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on April 12, 2023, resolved to direct the City Clerk to take appropriate action to give notice of Council’s intention to repeal By-law No. 01-225, in accordance with the requirements of Section 31(3) of the *Ontario Heritage Act*, which resolution was confirmed by By-law No. 23-065;

AND WHEREAS the Council of City of Hamilton has given notice of its intention to repeal By-law No. 01-225, in accordance with Section 31(3) of the *Ontario Heritage Act*, by serving notice on the owner of 14 Mary Street, Hamilton, and upon the Ontario Heritage Trust, and causing notice to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule “B”;

AND WHEREAS no notice of objection to the notice of intention to repeal By-law No. 01-225 has been served upon the Clerk of the municipality under Section 31(5) of the *Ontario Heritage Act*;

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

1. By-law No. 01-225, being a by-law designating 14 Mary Street, Hamilton, under Part IV of the *Ontario Heritage Act*, is hereby repealed.
2. The City Clerk is hereby authorized and directed:

- a. to cause a copy of this By-law to be served on the owner of 14 Mary Street, Hamilton, on the Ontario Heritage Trust, and any person who served an objection to the notice of intention to repeal, by a method permitted by the *Ontario Heritage Act*, as required by Section 31(8)(1) of the *Ontario Heritage Act*;
 - b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton;
 - c. to serve a copy of the registered repealing by-law on the Ontario Heritage Trust, as required by Section 31(10)(b) of the *Ontario Heritage Act*; and
 - d. to cause reference to 14 Mary Street, Hamilton, to be deleted from the Municipal Heritage Register referred to in Section 27(1) of the *Ontario Heritage Act*, as required by Section 31(10)(c) of the *Ontario Heritage Act*.
3. The City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the property located at 14 Mary Street, Hamilton, in the proper registry office once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*.

PASSED this 7th day of June, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Schedule "A"
to
By-law No. 23-103

14 Mary Street
Hamilton, Ontario

PIN: 17168-0199

Legal Description:

LT 21-22 RCP 1393; PT ALLEYWAY RCP 1393 (CLOSED BY VM263679) PT 1
62R16852, T/W VM256160 EXCEPT THE EASEMENT THERIN RE: LT 6, 7, 14 & 23
RCP 1393, T/W INTEREST IN VM256161; CITY OF HAMILTON

Schedule "B"
to
By-law No. 23-103

Notice of Intention to Repeal By-law No. 01-225
14 Mary Street, Hamilton, Ontario

Notice of Intention to Repeal

The City of Hamilton intends to repeal the designation by-laws for the following properties under Section 31 of the *Ontario Heritage Act*, because the former heritage buildings have been demolished and the properties retain no cultural heritage value or interest under Section 29 of the *Ontario Heritage Act*:

By-law Number 83-183 to designate 14 Belvidere Avenue, Hamilton

By-law Number 01-225 to designate 14 Mary Street, Hamilton

Any person who objects to the proposed repealing of any by-law shall, within thirty days after the date of publication of the notice, serve on the clerk of the municipality a notice of objection setting out the reasons for the objection and all relevant facts.

Dated at Hamilton, this 19th day of April, 2023.

Andrea Holland
City Clerk
Hamilton, Ontario

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www.hamilton.ca/heritageplanning

