

ORDER

Pursuant to Subsection 15.2(2) of the Ontario Building Code Act, 1992
Property Standards Order No. 23-307144 00 MLE

Order issued to:
FONTAINEBLEAU APARTMENTS LIMITED
50 KING STREET. E.
HAMILTON, ON
L8N 1A6

Municipal Address to which Order applies:
121 HUNTER ST. W.
HAMILTON, ON

Property Identification Number
17136-0504 (LT)

An inspection on or about **November 10, 2023** of your property, **121 HUNTER ST. W., HAMILTON, ON** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #23-162, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	<p>23(3) A waste chute in a building containing three (3) or more dwelling units shall not be closed to use except when:</p> <p>(b)(i) the owner provides a waste storage area on each floor of the building and daily collection of waste from such waste storage areas.</p> <p>(ii) the occupants are not required to deliver waste to the ground floor, basement or parking lot of the building; or</p> <p>(c) the owner has a current and valid permit to close a waste chute issued by the Director.</p>	<ul style="list-style-type: none"> • Ensure that the owner provides a waste storage area on each floor of the building and daily collection of waste from such waste storage areas. • Ensure that the occupants are not required to deliver waste to the ground floor, basement or parking lot of the building. • Ensure that the owner has a current and valid permit to close a waste chute issued by the Director.

You are ordered, no later than December 15, 2023:

The owner of any property which does not conform to the standards in this By-law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures or debris and shall leave the property in a graded and levelled condition. However, no building or structure on a Part IV or Part V heritage property shall be altered or cleared, including but not limited to removed, demolished or relocated, except in accordance with the Ontario Heritage Act.

The City of Hamilton may carry out the work or clear the property at your expense if you do not comply with

ORDER

121 HUNTER ST. W., HAMILTON, ON

this Order.

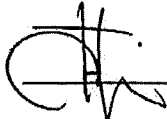
You may appeal this Order within 14 days of service of this order by delivering a Notice of Appeal together with the appeal fee (\$152.21 plus HST of \$19.79 for a total of \$172 via cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards Committee, City Hall, 71 Main St. W., 1st Floor, Hamilton, ON L8P 4Y5. The Notice of Appeal form can be found at <http://www.hamilton.ca/propertystandards> or picked up from the Secretary of the Property Standards Committee.

Notes:

1. A Building Permit is required before any material alteration or repair to a building or system or before any demolition.
2. If the building is used as rental residential property, you must comply with any applicable requirements under the Residential Tenancies Act, 2006.
3. Failure to comply with this Order is an offence pursuant to paragraph 36(1)(b) of the Building Code Act, 1992 which could result in a fine of up to \$50,000 for a first offence and \$100,000 for a subsequent offence for an individual and \$500,000 for a first offence and \$1,500,000 for a subsequent offence for a corporation.
4. If such repairs are not completed within the time specified herein, the City of Hamilton may register this order on title with the Land Registry Office. Upon discharge of the order, the property owner shall be responsible to pay the fee for discharge of an order as set out in the City's *User Fees and Charges* by-law. Failure to obtain payment will result in the fee being added to municipal property taxes.

Issued on: **November 16, 2023**

Signature: _____



Damir Vincetic
Municipal Law Enforcement Officer
905-977-8216

For office use only
Order drafted by: JJ
Order served: _____

by: _____ electronic service

_____, 20____

_____ personal service

Serving officer's initials: _____

_____ registered mail