

CITY OF HAMILTON
Municipal Law Enforcement Section, Planning and Economic Development Department
330 Wentworth St. N, Hamilton, ON L8L 5W3

ORDER

Pursuant to Subsection 15.2(2) of the Building Code Act, 1992
Property Standards Order No. 24-356-22 00 MLE

Order issued to:
 HWYFIVE INC
 2844 DUNDAS STREET WEST
 TORONTO, ONTARIO M6P 1Y7

Municipal Address to which Order applies:
 367 HIGHWAY 5 WEST
 HAMILTON, ONTARIO

Property Identification Number
 17548-0050(LT)

An inspection on or about March 20, 2024, of your property, 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	7(2) A tree that is dead or part of a tree that is dead or in a decayed or damaged condition and that may be hazardous to persons or property, shall be removed.	Remove to grade level, four dead ash trees located in the front yard of your property. Trees are marked with green X. Location of trees in the diagram attached. Stack woody debris in the property.

You are ordered, no later than APRIL 14, 2024, to carry out the required work and to clear the property of any resulting debris.

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 at your expense if you do not comply with 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 (\$159.29 plus \$20.71 hst for a total fee of \$180.00 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. Failure to comply with this Order is an offence pursuant to paragraph 36(1)(b) of the Building Code Act, 1992 which

ORDER

367 HIGHWAY 5 WEST, HAMILTON, ONTARIO

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.

1. 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: March 20, 2024



Signature: _____

Arben Pustina
Municipal Law Enforcement Officer
905-973-2573

For office use only

Order drafted by: J. Reeves

Order served:

by _____ electronic service

_____, 20____

_____ personal service

Serving officer's initials: AP _____

regular mail