

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 Ontario Building Code Act, 1992

Property Standards Order No. 25-371-82 MLE

Order issued to:
HAMILTON 98 GP INC.
HAMILTON 98 LP
12-30 ADELAIDE ST E
TORONTO, ON
M5C 3G8

Municipal Address to which Order applies:
98 JAMES STREET SOUTH
HAMILTON, ONTARIO

Property Identification Number:
17171-0260 (LT)

An inspection on or about **April 15, 2025**, of your property, **98 JAMES STREET SOUTH, HAMILTON, ONTARIO**, 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	5(2) Where any building is vacant or is damaged by accident, storm, fire, neglect or otherwise, the owner may be required to protect such building and adjoining properties against damage arising from the entry of unauthorized persons by closing and securing openings to the building.	Secure all open windows and doors on building from unauthorized persons. Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.
2	6(1) Where features, including but not limited to building design and placement, site access and servicing, waste storage, parking, loading, landscaping, grading, drainage and storm water management, have been required by the City as a condition of development or redevelopment approval or, in the case of grading or drainage, by an approved grading plan, such features shall be repaired or maintained so as to ensure continuous compliance with the City development or redevelopment approval requirements or the approved grading plan.	Re-grade property as per approved plan. Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.
3	10(1) Storm water, including storm water discharged from a roof, shall be drained so as to prevent recurrent	Re-direct and extend downspout at rear west corner of the building

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	standing water, erosion, or other damage on the property or on an adjoining property.	<p>away from the foundation of the building.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.</p>
4	10(3) An eavestrough or downspout shall be maintained: (a) watertight and free from leaks; (b) free from any obstructions; (c) in a stable condition, securely fastened to the building or structure it drains; and (d) so as to properly perform its intended function.	<p>Repair missing eavestrough on rear south-west roof corner of property.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.</p>
5	12(4) An exterior wall and its components and attachments shall be: (a) maintained to prevent their deterioration by painting, restoring, or repairing the walls, coping, or flashing or by waterproofing the wall itself.	<p>Re-point masonry on exterior of building to preserve heritage attributes.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.</p>
6	14(1) (a) A door, window, hatch or other opening and its frame and any additional features relating to accessibility shall be maintained to properly perform its intended functions and repaired or replaced if damaged including but not limited to an exterior door, window, hatch or other opening and its frame being constructed to minimize drafts and heat loss through the infiltration of outside cold air.	<p>Repair broken plastic cover on front east facing stained glass windows.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if</p>

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ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
7	28(3) Despite subsections 5(3) and 5(4), where a building on a Part IV heritage property or a Part V heritage property is vacant or damaged by accident, storm, fire, neglect or otherwise, the owner may be required to protect the building against the risks described in subsection 5(2) and shall effectively prevent the entrance of all unauthorized person by closing and securing openings to the building with boarding: (a) which completely covers the opening and is properly fitted in a watertight manner within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding; (b) on the window openings, which is painted a matte black to resemble window glass; (c) on door openings, which is painted a color that matches the color of the original door; (d) on an opening other than a window or door opening, which is painted or otherwise treated so that the color matches the color of the surrounding exterior of the building; and (e) which is fastened securely with screws at least 50 mm in length and installed at appropriate intervals on center.	applicable. Paint all boarded windows matte black to resemble window glass; Paint all door openings a color that matches the color of the original door. Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.

You are ordered, no later than December 17, 2025.

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 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 (\$164.60 plus HST of \$21.40 for a total fee of \$186.00 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. 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

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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.
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Issued on: **April 17, 2025**

Signature: *Tori Yachetti*
Tori Yachetti
Municipal Law Enforcement Officer
905-536-1567

For office use only
Order drafted by: JJ.

Order served: _____ by: electronic service.

April 17 2025 _____ personal service

Serving officer's initials: Ty registered mail