

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (1988) – 12922 (amended by By-law Number (1989)-13162 and (1990)-13516)

A By-law to designate the City of Guelph as an area subject to demolition control in accordance with Section 33 of The Planning Act, 1983.

WHEREAS the Corporation of the City of Guelph wishes to retain the existing stock of residential units and former residential buildings in the City of Guelph;

AND WHEREAS Section 33 of the Planning Act, 1983, enables the municipality to designate an area of demolition control with respect to residential buildings, and buildings designed for residential use, if there is a by-law in force for properties in the same area which prescribes standards of maintenance and occupancy;

AND WHEREAS By-law Number (1979)-10110, as amended, prescribes standards of maintenance and occupancy for properties in the City of Guelph.

NOW THEREFORE the Corporation of the City of Guelph enacts as follows:

1. That, subject to all provisions of Section 33 of The Planning Act, 1983, from and after the date of passing of this by-law, no person shall demolish or otherwise remove the whole or any part of any residential property in the City of Guelph unless that person is the holder of a demolition permit issued for that residential property by the Council for the Corporation of the City of Guelph under Section 33 of The Planning Act, 1983.
2. That, for the purposes of this by-law, the term “residential property” shall be defined as “a building that contains one or more dwelling units”. The term does not include subordinate or accessory buildings, the use of which is incidental to the use of the main building.
3. That, for the purpose of this by-law, as used in Section 2 above, the term “dwelling unit” shall be defined as “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”.
4. That where a zone change has been granted by the City which will require a change in the structure (removal of all or part of a residential building) of an existing residential building, in order to develop the lands in accordance with such approved zoning, the provisions of the Demolition Control By-law will not apply.
5. That every person who demolishes a residential property, as defined in Sections 2 and 3, or any portion thereof, in contravention of Section 1, recongizing the exemptions specified in Section 4 above, is guilty of an offence and on conviction, is liable to a fine or not more than \$20,000.00 for each dwelling unit contained in the residential property demolished and/or to imprisonment for a term of not more than six months.

That By-law Number (1989)-13162, which provided for an automotic exemption of heritage buildings has been repealed.

PASSED this 18th day of July, 1988.

Original signed by John Counsell (Mayor) and Lois Giles (Clerk)
Amending By-law (1990)-13516 passed the 7th day of May, 1990
signed by Carl Hamilton (Acting Mayor) and Lois Giles (Clerk)