



City of Hamilton

PROPERTY STANDARDS COMMITTEE

established under the Building Code Act, 1996 and the Property Standards

By-law No. 10.221

Meeting #: 18-003

Date: May 30, 2018

Time: 9:30 a.m.

Location: Room 264, 2nd Floor, City Hall
71 Main Street West

Ida Bedioui, Committee Secretary (905) 546-2424 ext. 4605

	Pages
1. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
2. CONFLICTS OF INTEREST	
3. MINUTES	
3.1 March 26, 2018	2
4. CONSENT	
4.1 38 Pearl Street South, Hamilton Ward 1	4
4.2 20 Nisbet Boulevard, Waterdown Ward 15	6
4.3 16 Nisbet Boulevard, Waterdown Ward 15	7
4.4 219 Gibson Avenue, Hamilton Ward 3	8
5. HEARINGS	
6. TRIBUNAL BUSINESS	
7. ADJOURNMENT	



Hamilton

MINUTES

PROPERTY STANDARDS COMMITTEE

Monday, March 26, 2018

9:30 a.m.

Room 264, Hamilton City Hall

71 Main Street West

Hamilton, Ontario

Present: Charles Dimitry, Chair,
Nancie Mleczko, Brian Tisdale, Ernest Eberhard

Also Present: Janet Rutherford, Adjudicator
Justyna Hidalgo, Solicitor for the Committee
Ida Bedioui, Legislative Co-ordinator, City Clerk's Office

The meeting was called to order.

1. CHANGES TO THE AGENDA

The Legislative Co-ordinator advised that there was an added request received from the Appellant regarding Item 4.1 respecting 330 Locke Street South to adjourn the matter to the next meeting.

(E. Eberhard/B. Tisdale)

That the March 26, 2018 Property Standards Committee agenda be approved, as amended.

CARRIED

2. DECLARATIONS OF INTEREST

There were none declared.

3. APPROVAL OF PREVIOUS MINUTES

(i) January 8, 2018 (Item 3.1)

(N. Mleczko/E. Eberhard)

That the Minutes of the January 8, 2018 meeting be approved.

CARRIED

**Property Standards Committee
Minutes**

**March 26, 2018
Page 2 of 2**

(B. Tisdale/ E. Eberhard)

That the order of the agenda be changed to consider Item 4.2 first and Item 4.1 last.

CARRIED

4. TRIBUNAL BUSINESS (Item 6)

(i) Letter of Resignation (Item 6.1)

(E. Eberhard/B/ Tisdale)

That the letter of resignation from Steve Devisser be received.

CARRIED

5. ADJOURNMENT

(E. Eberhard/B. Tisdale)

That the Property Standards Committee meeting be adjourned at 10:31 a.m.

CARRIED

Ida Bedioui
Legislative Co-ordinator,
Property Standards Committee
City Clerk's Office

CITY OF HAMILTON
Municipal Law Enforcement Section, Planning and Economic Development Department
77 James Street North, Suite 250, Hamilton, ON L8R 2K3

ORDER

4.1

Pursuant to Subsection 15.2(2) of the Building Code Act, 1992

Property Standards Order No. 18-103309 00 MLE

Order issued to

Municipal Address to which Order applies

38 PEARL ST. S
HAMILTON, ON

An inspection on or about **January 29, 2018** of your property, **38 PEARL ST. S HAMILTON, ON** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #10-221, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	<p>8(3) The exterior of a building shall be: (a) maintained to prevent the entry of vermin and birds.</p> <p>8(5) A roof and its components and attachments including the fascia board, soffit, cornice and flashing shall be maintained to properly perform their intended functions including but not limited to being in a weather-tight condition able to prevent the leakage of water into the building.</p>	<p>Replace missing fascia on the south-side of the house.</p>

You are ordered, no later than March 22, 2018:

- **to carry out the work as set out above; OR, IN THE ALTERNATIVE,**
- **to clear the property of all buildings, structures, debris or refuse and leave it in a graded and levelled condition**

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 no later than **February 26, 2018** by delivering a Notice of Appeal together with the appeal fee (\$134.00 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.

ORDER

38 PEARL ST. S HAMILTON, ON

-
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.
-

Issued on: **February 07, 2018**

Signature:



Paul Brown
Municipal Law Enforcement Officer
905-546-2424 Ext. 1328

ORDER

4.2

Pursuant to Subsection 15.2(2) of the Building Code Act, 1992

Property Standards Order No. 18-105189-00-EN

Order issued to:

Municipal Address to which Order applies:

20 NISBET BLVD.
HAMILTON, ON

An inspection on or about **February 7, 2018** of your property, **20 NISBET BLVD., HAMILTON, ON** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #10-221, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	6 (6) The exterior walls and other surfaces of a building that is vacant or is damaged by accident, storm, fire, neglect or otherwise shall be maintained so as to properly perform their intended function.	Repair and/or replace all damaged exterior walls and other surfaces including but not limited to; roof, exterior walls, fire separations. **NOTE: A BUILDING PERMIT IS REQUIRED FOR ANY REPAIRS OR WORK TO BE DONE ON OR INSIDE THE BUILDING. ** A DEMOLITION PERMIT IS REQUIRED FOR DEMOLITION OR PARTIAL DEMOLITION.

You are ordered, no later than **March 23, 2018**:

- to carry out the work as set out above; **OR**, IN THE ALTERNATIVE,
- to clear the property of all buildings, structures, debris or refuse and leave it in a graded and levelled condition

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

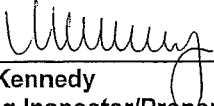
You may appeal this Order no later than **March 15, 2018** by delivering a Notice of Appeal together with the appeal fee (\$134.00 cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards Committee, City Hall, 71 Main St. W., 1st Floor, Hamilton, 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.

Issued on: **February 23, 2018**

Signature:


Trudy Kennedy
Building Inspector/Property Standards Officer
905-546-2424 Ext. 2034

ORDER

4.3

Pursuant to Subsection 15.2(2) of the Building Code Act, 1992

Property Standards Order No. 18-105240-00-EN

Order issued to:

Municipal Address to which Order applies:

16 NISBET BLVD.
HAMILTON, ON

An inspection on or about **February 7, 2018** of your property, **16 NISBET BLVD., HAMILTON, ON** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #10-221, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	6 (6) The exterior walls and other surfaces of a building that is vacant or is damaged by accident, storm, fire, neglect or otherwise shall be maintained so as to properly perform their intended function.	Repair and/or replace all damaged exterior walls and other surfaces including but not limited to; roof, exterior walls, fire separations. **NOTE: A BUILDING PERMIT IS REQUIRED FOR ANY REPAIRS OR WORK TO BE DONE ON OR INSIDE THE BUILDING. ** A DEMOLITION PERMIT IS REQUIRED FOR DEMOLITION OR PARTIAL DEMOLITION.

You are ordered, no later than **March 23, 2018**:

- to carry out the work as set out above; **OR**, IN THE ALTERNATIVE,
- to clear the property of all buildings, structures, debris or refuse and leave it in a graded and levelled condition

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

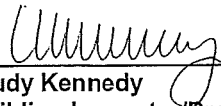
You may appeal this Order no later than **March 15, 2018** by delivering a Notice of Appeal together with the appeal fee (\$134.00 cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards Committee, City Hall, 71 Main St. W., 1st Floor, Hamilton, 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.

Issued on: **February 23, 2018**

Signature:


Trudy Kennedy
Building Inspector/Property Standards Officer
905-546-2424 Ext. 2034

3362 R - Galati

CITY OF HAMILTON
Municipal Law Enforcement Section, Planning and Economic Development Department
77 James Street North, Suite 250, Hamilton, ON L8R 2K3

ORDER

Pursuant to Subsection 15.2(2) of the Ontario Building Code Act, 1992

Property Standards Order No. 18-109275 00 MLE

***** This order is being issued to rescind and replace order # 105652 00 MLE previously issued on Feb 27, 2018*****

Order issued to:

Municipal Address to which Order applies:

219 GIBSON AVENUE
HAMILTON, ONTARIO

Legal Description:

PLAN 245 PT LOT 99
REG
0.11AC 53.33FR 84.00D

An inspection on or about **February 26, 2018** of your property, **219 GIBSON AVENUE HAMILTON, ONTARIO** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #10-221, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	13(7) A wall or ceiling shall be maintained in a condition free from holes, open cracks, loose coverings or other substantial defects.	Repair the water damage to the ceiling in the living room and dining room area, including but not limited to the large hole in the ceiling, as well as all other wet drywall.
2	14(1) The plumbing system and every plumbing fixture in a building shall be maintained so as to properly perform its intended function and free from leaks and defects.	Repair or replace the hot water tap in the second level bathroom.
3	12(4)(a) An exterior stairway with more than 3 risers and less than 7 risers or an interior stairway in a dwelling or dwelling unit with more than 2 risers shall have at least one handrail, sufficient to prevent an accidental fall and such handrail shall be repaired or replaced if damaged	Install at least one handrail for the stairway leading from the first floor to the second floor.
4	13(7) A wall or ceiling shall be maintained in a condition free from holes, open cracks, loose coverings or other	Repair or replace the wall and the ceiling in the second level pink

ORDER

219 GIBSON AVENUE HAMILTON, ONTARIO

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
	substantial defects	bedroom.

You are ordered, no later than April 27, 2018.

- to carry out the work as set out above; **OR**, IN THE ALTERNATIVE,
- to clear the property of all buildings, structures, debris or refuse and leave it in a graded and levelled condition

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 no later than **April 16, 2018** by delivering a Notice of Appeal together with the appeal fee (\$131.00 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: **March 28, 2018**

Signature: _____

David Dean
Municipal Law Enforcement Officer
905-546-2424 Ext. 3202
