



**City of Hamilton
PROPERTY STANDARDS COMMITTEE
AGENDA**

**established under the Building Code Act, 1996 and the Property Standards
By-law No. 10.221**

Meeting #: 20-002
Date: February 11, 2020
Time: 9:30 a.m.
Location: Room 264, 2nd Floor, City Hall
71 Main Street West

Lisa Chamberlain, 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. APPROVAL OF PREVIOUS MINUTES	
3.1 January 21, 2020	2
4. CONSENT	
5. HEARINGS	
5.1 105 Trafalgar Drive (Ward 9)	4
6. TRIBUNAL BUSINESS	
7. ADJOURNMENT	



Hamilton

MINUTES

PROPERTY STANDARDS COMMITTEE

January 21, 2020

9:30 a.m.

Room 264, Hamilton City Hall

71 Main Street West

Hamilton, Ontario

Present: Thomas Lofchik, Chair,
Frank Perri, James Summers, Brian Tisdale

Also Present: Janet Rutherford, Prosecutor
Stephen Chisholm, Solicitor for the Committee
Lisa Chamberlain, Legislative Coordinator, City Clerk's Office

The meeting was called to order by the Legislative Coordinator.

(a) APPOINTMENT OF CHAIR AND VICE CHAIR

(a) Appointment of Chair

(Tisdale/Summers)

That Thomas Lofchick be appointed as Chair of the Property Standards Committee.

CARRIED

(b) Appointment of Vice Chair

(Lofchick/Summers)

That Brian Tisdale be appointed as Vice Chair of the Property Standards Committee.

CARRIED

Thomas Lofchik assumed the Chair.

(b) CHANGES TO THE AGENDA (Item 1)

The Legislative Coordinator advised that there were no additions to the agenda.

The Prosecutor advised that the order of the two Hearings scheduled for the January 21, 2020 meeting was being changed to hear Item 4.2 before 4.1.

(Perri/Tisdale)

That the January 21, 2020 Property Standards Committee agenda be approved, as amended.

CARRIED

(c) DECLARATIONS OF INTEREST (Item 2)

None declared.

(d) TRIBUNAL BUSINESS (Item 5)

(i) Update to Members on Abandoned and Cancelled Appeals (Item 5.1)

(Summers/Perri)

That the Update to members on Abandoned and Cancelled Appeals by Janet Rutherford, Prosecutor, be received.

CARRIED

(e) ADJOURNMENT

(Summers/Perri)

That the Property Standards Committee meeting be adjourned at 3:56 p.m.

CARRIED

Lisa Chamberlain
Legislative Coordinator,
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

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

Property Standards Order No. 19-151225 00 MLE

Order issued to:

VERONICA MERCEDES HAND
 RYAN EDWARD HAND
 105 TRAFALGAR DRIVE
 STONEY CREEK, ONTARIO, L8J 0E5

Municipal Address to which Order applies:

105 TRAFALGAR DRIVE
 HAMILTON, ONTARIO

Legal Description:

LOT 75, PLAN 62M1182; SUBJECT TO AN
 EASEMENT IN GROSS AS IN WE872585;
 TOGETHER WITH AN EASEMENT OVER PT LOT
 74 PLAN 62M1182, PART 13 ON

An inspection on or about **October 25, 2019** of your property, **105 TRAFALGAR DRIVE, 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	<p>18(1) Where drainage, grading, landscaping, parking areas, walkways, steps, hedges, trees, fences, curbs, or similar changes to a property have been required by the City as a condition of development or redevelopment approval or, in the case of drainage or grading by an approved grading plan, such works shall be repaired or maintained so as to ensure continuous compliance with the City development or redevelopment approval requirements or the approved grading plan.</p> <p>21(1) Storm water, including storm water discharged from a roof, shall be drained so as to prevent recurrent standing water, erosion or other damage on the property or on an adjoining property.</p>	<p>Restore rear yard swale on east side of property.</p> <p>Restore side yard swales on north and south sides of property.</p> <p>Restore grade to match drainage plans approved by the City to ensure continuous compliance of approved grading plans.</p> <p>Remove portion of concrete walkway built into the south-side yard swale.</p>

You are ordered, no later than November 24, 2019:

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.

ORDER

105 TRAFALGAR DRIVE, HAMILTON, ONTARIO

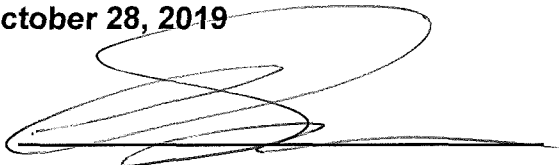
You may appeal this Order within 14 days of service of this order by delivering a Notice of Appeal together with the appeal fee (\$137.17 plus HST for a total fee of \$155.00 via cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards Committee, 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 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: **October 28, 2019**

Signature:



Craig Saunders
Municipal Law Enforcement Officer
905-546-2424 Ext. 4794

For office use only	
Order served:	
_____ , 20_____	by _____ personal service
Serving officer's initials: _____	_____ registered mail