



City of Hamilton
PROPERTY STANDARDS COMMITTEE
AGENDA

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

Meeting #: 23-005
Date: July 14, 2023
Time: 9:30 a.m.
Location: Room 264, 2nd Floor, City Hall (in-person)
71 Main Street West

Lisa Kelsey, 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 April 5, 2023	2
4. CONSENT	
5. HEARINGS	
5.1 455, 457 and 459 King Street East	4
6. TRIBUNAL BUSINESS	
6.1 45 Barlake Avenue - Request for Extension of Compliance Date	8
7. ADJOURNMENT	



Hamilton

MINUTES

23-003

PROPERTY STANDARDS COMMITTEE

April 5, 2023

9:30 a.m.

Room 264, Hamilton City Hall

71 Main Street West

Hamilton, Ontario

Present:	Thomas Lofchik, Chair, Frank Perri, James Summers
Absent with Regrets:	Ernest Eberhard, Joe Gerrior
Also Present:	Brandon Blackmore, Solicitor/Hearing Prosecutor Kaush Parameswaran, Solicitor Lisa Kelsey, Legislative Coordinator, City Clerk's Office

The meeting was called to order.

(a) BROADCASTING / RECORDING POLICY

The Chair asked the Parties and public audience if anyone wished to record and/or broadcast the meeting, as required by the Property Standards Committee's Broadcasting Policy.

Members of the media requested permission to record the meeting.

(Perri/Summers)

That the Committee grant permission to record the meeting.

CARRIED

(b) CHANGES TO THE AGENDA (Item 1)

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

(Perri/Summers)

That the April 5, 2023 Property Standards Committee agenda be approved, as presented.

CARRIED

(c) DECLARATIONS OF INTEREST (Item 2)

None declared.

(d) APPROVAL OF PREVIOUS MINUTES (Item 3)

(i) February 28, 2023 (Item 3.1)

(Summers/Perri)

That the Minutes of the Property Standards Committee meeting dated February 28, 2023, be approved, as presented.

CARRIED

(e) HEARINGS (Item 5)

**(i) 1276-1286 King Street East (also known as 1083 Main Street East)
(Ward 3) (Item 5.1)**

The parties presented a Joint Submission to the Committee.

For the outcome of this matter, refer to the Notice of Decision, attached hereto as Appendix "A".

(f) ADJOURNMENT

(Summers/Perri)

That the Property Standards Committee meeting be adjourned at 9:37 a.m.

CARRIED

Lisa Kelsey
Legislative Coordinator,
Property Standards Committee
City Clerk's Office

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. 23-114802 00 MLE

Order issued to:

UDINE ANGLIN
 455 KING ST E
 HAMILTON, ON
 L8N 1C7

SOPHIA ANGLIN
 15-78 PEACHWOOD CRES
 STONEY CREEK, ON
 L8E 5Z8

Municipal Address to which Order applies:

455 KING STREET EAST
 HAMILTON, ONTARIO

Property Identification Number

17179-0173 (LT)

An inspection on or about **April 6, 2023** of your property, **455 KING STREET EAST 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	5(2) Every building shall be kept free of any condition which constitutes a health or safety hazard.	<p>Repair or replace all structurally unsound areas of the building or in the alternative clear all buildings, structures or debris and leave in a graded and leveled condition.</p> <p>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</p>
2	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	<p>Repair or replace and maintain structural components inclusive of but not limited to the following so as to properly perform their intended function;</p> <p>Repair or replace damaged/displaced perimeter brick masonry wall on all levels of the south side of the building and deteriorated wood beams to properly support brick masonry</p>

ORDER

455 KING STREET EAST HAMILTON, ONTARIO

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
	production for inspection of documents or things, including drawings or specifications, that may be relevant to the property or any part thereof;	<p>City, to confirm all required work was completed by a licensed structural engineer and meets all relevant regulations and applicable by-laws as amended from time to time.</p> <p>In the alternative clear all buildings, structures or debris and leave in a graded and leveled condition.</p> <p>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</p>

You are ordered, no later than July 2, 2023.

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 (\$ 152.21 plus \$ 19.79 hst for a total fee of \$ 172.00.00 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.
1. If the building is used as rental residential property, you must comply with any applicable requirements under the Residential Tenancies Act, 2006.
2. 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.

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. 23-114801 00 MLE

Order issued to:

UDINE ANGLIN
 455 KING ST E
 HAMILTON, ONTARIO
 L8N 1C7

SOPHIA ANGLIN
 15-78 PEACHWOOD CRES
 STONEY CREEK, ON
 L8E 5Z8

Municipal Address to which Order applies:

457- 459 KING STREET E AST
 HAMILTON, ONTARIO

Property Identification Number

17179-0172 (LT)

An inspection on or about **April 6, 2023** of your property, **457- 459 KING STREET EAST 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	5(2) Every building shall be kept free of any condition which constitutes a health or safety hazard.	<p>Repair or replace all structurally unsound areas of the building or in the alternative clear all buildings, structures or debris and leave in a graded and leveled condition.</p> <p>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</p>
2	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	<p>Repair or replace and maintain structural components inclusive of but not limited to the following so as to properly perform their intended function;</p> <p>Repair or replace damaged/displaced perimeter brick masonry wall on all levels of the south side of the building and deteriorated wood beams to properly support brick masonry walls.</p>

ORDER

457 - 459 KING STREET EAST HAMILTON, ONTARIO

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
	including drawings or specifications, that may be relevant to the property or any part thereof;	<p>was completed by a licensed structural engineer and meets all relevant regulations and applicable by-laws as amended from time to time.</p> <p>In the alternative clear all buildings, structures or debris and leave in a graded and leveled condition.</p> <p>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</p>

You are ordered, no later than July 2, 2023.

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 (\$ 152.21 plus \$ 19.79 hst for a total fee of \$ 172.00 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.
1. If the building is used as rental residential property, you must comply with any applicable requirements under the Residential Tenancies Act, 2006.
2. 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.
3. 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

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. 23-118017 00 MLE

Order issued to:

PAT & DIA LTD
2520 BARTON ST. E. **STE 10**
HAMILTON, ON, L8E 3R5

Municipal Address to which Order applies:

45 BARLAKE AVENUE
HAMILTON, ONTARIO

Property Identification Number

18499-0001 to 18499-0295

An inspection on or about **March 31, 2023** of your property, **45 BARLAKE 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	<p>14 (5) a Ensure consistent water temperature (minimum 43 degrees Celsius) to all fixtures (kitchen sink, bathroom sinks and showers) in all units.</p> <p>A building to which water is available under pressure through piping shall be provided with:</p> <p>(a) piping for hot water, at a temperature of not less than 43° C, and cold water connected to every kitchen, bath or shower room, or laundry room plumbing fixture; and</p> <p>(b) piping for cold water connected to every toilet and hose bib.</p>	<p>Perform all required work to ensure that a minimum water temperature of 43 degrees Celsius is available at all times at all fixtures in all units of the building.</p>

You are ordered, no later than May 23, 2023.

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

45 BARLAKE AVENUE HAMILTON, ONTARIO

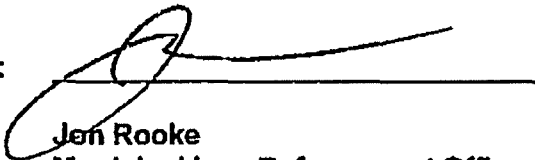
You may appeal this Order within 14 days of service of this order by delivering a Notice of Appeal together with the appeal fee (\$ 152.21 plus \$ 19.79 hst for a total fee of \$ 172.00 via cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards 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.
1. If the building is used as rental residential property, you must comply with any applicable requirements under the Residential Tenancies Act, 2006.
2. 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.
3. 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: May 03, 2023

Signature:



Jen Rooke
Municipal Law Enforcement Officer
365-323-0493

For office use only	
Order drafted by: J. Reeves	
Order served:	by: _____ electronic service
<u>May 3rd 20 23</u>	<input checked="" type="checkbox"/> personal service
Serving officer's initials: _____	_____ registered mail