



**City of Hamilton  
PROPERTY STANDARDS COMMITTEE  
AGENDA**

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

**Meeting #:** 23-006  
**Date:** August 30, 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

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	<b>Pages</b>
<b>1. APPROVAL OF AGENDA</b> (Added Items, if applicable, will be noted with *)	
<b>2. CONFLICTS OF INTEREST</b>	
<b>3. APPROVAL OF PREVIOUS MINUTES</b>	
3.1 July 14, 2023	2
<b>4. CONSENT</b>	
<b>5. HEARINGS</b>	
5.1 455, 457 and 459 King Street East (Continuation from July 14 Hearing)	6
<b>6. TRIBUNAL BUSINESS</b>	
<b>7. ADJOURNMENT</b>	



Hamilton

**MINUTES**

**23-005**

**PROPERTY STANDARDS COMMITTEE**

**July 14, 2023**

**9:30 a.m.**

**Room 264, Hamilton City Hall**

**71 Main Street West**

**Hamilton, Ontario**

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**Present:** Thomas Lofchik, Chair,  
Frank Perri, James Summers

**Absent with Regrets:** Ernest Eberhard, Joe Gerrior

**Also Present:** Brandon Blackmore, Solicitor/Hearing Prosecutor  
Stephen Chisholm, Solicitor  
Lisa Kelsey, Legislative Coordinator, City Clerk's Office

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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.

No one requested permission to record the meeting.

**(b) CHANGES TO THE AGENDA (Item 1)**

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

**(Perri/Summers)**

That the July 14, 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) April 5, 2023 (Item 3.1)**

**(Summers/Perri)**

That the Minutes of the Property Standards Committee meeting dated April 5, 2023, be approved, as presented.

**CARRIED**

**(e) HEARINGS (Item 5)**

**(i) 455, 457 and 459 King Street East (Ward 3) (Item 5.1)**

The parties presented a Joint Submission to the Committee.

**(Summers/Perri)**

That the Appeal for 455, 457 and 459 King Street East (Order #23-114801-00-MLE and #23-114802-00-MLE be dismissed; and that the Hearing be adjourned for 60 days at which time the compliance date will be set; and that the Committee members in attendance today not be bound to be the same members who hear the matter in 60 days.

**CARRIED**

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

**(f) TRIBUNAL BUSINESS (Item 6)**

**(i) 45 Barlake Avenue – Request for Extension of Compliance Date (Item 6.1)**

Brandon Blackmore requested that the Committee confirm the Order and extend the Compliance date to September 3, 2023.

**(Summers/Perri)**

That the Committee confirm Order #23-118017-00-MLE for 45 Barlake Avenue, and extend the compliance date to September 3, 2023.

**CARRIED**

**(g) ADJOURNMENT**

**(Summers/Perri)**

That the Property Standards Committee meeting be adjourned at 9:46 a.m.

**CARRIED**



## CITY OF HAMILTON

**INTERIM DECISION**  
of the  
**PROPERTY STANDARDS COMMITTEE**  
established under the *Building Code Act, 1996* and  
the Property Standards By-law No. 10-221

**APPEAL OF PROPERTY STANDARDS ORDERS**  
**No. 23-114801-00 MLE and No. 23-114802-00-MLE**  
**ISSUED FOR: 455 King Street East and 457-459 King Street East**  
**TO PROPERTY OWNER: Sophia and Udine Anglin**  
**APPEAL HEARD ON: July 14, 2023**

Brandon Blackmore, Solicitor, on behalf of the City of Hamilton; and, Sophia Anglin, Owner, advised the Committee that they were presenting a Joint Submission.

Brandon Blackmore advised that the City and Appellant are in agreement that the Orders are to be confirmed; that the building is in need of repair; and that the Owner requires additional time to obtain a Building Permit and an Engineering report to guide the repair.

### **INTERIM DECISION:**

The Property Standards Committee has decided to **confirm** Orders 23-114801-00 MLE and 23-114802-00 MLE, and adjourn the Hearing.

The Committee orders that a second Hearing be scheduled within 60 days after July 14, 2023, for the purpose of setting a compliance date for the Orders.

### **THE REASONS FOR THE COMMITTEE'S DECISION:**

In arriving at this Decision, the Committee finds that:

- The Committee is in agreeance with the Joint Submission to grant additional time to allow the Owner to obtain a Building Permit and Engineering Report.

**DATED AT HAMILTON** this 21<sup>st</sup> day of July, 2023.

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Thomas Lofchik, Chair

Members in Attendance:

Thomas Lofchik, Chair  
James Summers  
Frank Perri

APPEAL OF THE DECISION: The Municipality in which the property is situated or any owner or occupant or person affected by the decision of the Property Standards Committee may appeal to the Superior Court of Justice under Subsection 15.3(4) of the *Building Code Act, 1992* by notifying the Clerk of the City of Hamilton in writing and making application to the Superior Court of Justice within fourteen days after the copy of the decision is sent.

**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><b>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.</b></p> <p><b>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</b></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><b>Repair or replace and maintain structural components inclusive of but not limited to the following so as to properly perform their intended function;</b></p> <p><b>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</b></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><b>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.</b></p> <p><b>In the alternative clear all buildings, structures or debris and leave in a graded and leveled condition.</b></p> <p><b>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</b></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., 1<sup>st</sup> 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><b>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.</b></p> <p><b>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</b></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><b>Repair or replace and maintain structural components inclusive of but not limited to the following so as to properly perform their intended function;</b></p> <p><b>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.</b></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><b>was completed by a licensed structural engineer and meets all relevant regulations and applicable by-laws as amended from time to time.</b></p> <p><b>In the alternative clear all buildings, structures or debris and leave in a graded and leveled condition.</b></p> <p><b>Note: Applications for building/demolition permit must be completed with the City of Hamilton's Building Department.</b></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., 1<sup>st</sup> 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