



**City of Hamilton**  
**PROPERTY STANDARDS COMMITTEE**  
**AGENDA**

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

**Meeting #:** 23-007  
**Date:** November 10, 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 August 30, 2023                                | 2            |
| <b>4. CONSENT</b>                                  |              |
| <b>5. HEARINGS</b>                                 |              |
| 5.1 15 Lamoreaux Street, Hamilton                  | 4            |
| 5.2 150 Rosemary Lane, Ancaster                    | 6            |
| <b>6. TRIBUNAL BUSINESS</b>                        |              |
| <b>7. ADJOURNMENT</b>                              |              |



Hamilton

**MINUTES**

**23-006**

**PROPERTY STANDARDS COMMITTEE**

**August 30, 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 August 30, 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) July 14, 2023 (Item 3.1)**

**(Perri/Summers)**

That the Minutes of the Property Standards Committee meeting dated July 14, 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.

**(Perri/Summers)**

That the Order for 455, 457 and 459 King Street East (Order #23-114801-00-MLE and #23-114802-00-MLE) be confirmed, that the City of Hamilton will complete the work, and the compliance date is set for August 30, 2023.

**CARRIED**

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 9:45 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. 23-128703 00 MLE**

**Order issued to:**

LAMOREAUX APARTMENTS INC.  
 419-220 DUNCAN MILL RD.  
 TORONTO, ON, M3B 3J5

**Municipal Address to which Order applies:**

15 LAMOREAUX STREET  
 HAMILTON, ONTARIO

**Property Identification Number:**

17147-0217 (LT)

An inspection on or about June 28, 2023 of your property, **15 LAMOREAUX STREET, UNIT 96, 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<br>(Property Standards By-law Provision)   | REQUIRED WORK   |
|--------|---|---|
| 1      | 13(2) A floor, ceiling or wall shall be: (a) kept free from water penetration and from dampness arising from the entrance of moisture through an exterior wall or roof or through a basement or crawl space; and (b) maintained in a condition free from mould or from conditions that may cause mould to accumulate. | <b>Repair leak above light fixture in unit and any remove any mould caused by leak.</b> |
| 2      | 19(1) A stairway, exterior exit and entrance doorway, bath or shower room, toilet room, kitchen, corridor, basement, laundry room and utility room in a building shall have permanently installed working lighting that shall be maintained so as to properly perform its intended function.                          | <b>Repair light fixture in unit affected by leak to perform intended function.</b>      |
| 3      | 13(7) A wall or ceiling shall be maintained in a condition free from holes, open cracks, loose coverings or other substantial defects.  | <b>Repair any cracks on ceiling in unit.</b>  |

**You are ordered, no later than July 25, 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

15 LAMOREAUX STREET, 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 HST of \$19.79 for a total of \$172 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.
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: **July 06, 2023**

Signature: \_\_\_\_\_

**Tori Price**  
**Municipal Law Enforcement Officer**  
**905-546-2424 Ext. 2344**

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

**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 Building Code Act, 1992

**Property Standards Order No. 23-125685 00 MLE**

**Order issued to:**

SCOTT DOUGLAS WIMBUSH  
150 ROSEMARY LANE.  
ANCASTER ON, L9G 2K7

**Municipal Address to which Order applies:**

150 ROSEMARY LANE  
HAMILTON, ONTARIO

**Property Identification Number:**

17434-0009 (LT)

An inspection on or about **August 21, 2023** of your property, **150 ROSEMARY LANE, HAMILTON (ANCASTER), 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<br>(Property Standards By-law Provision)   | REQUIRED WORK  |
|--------|---|--|
| 1      | 20(2) A tree that is dead, or part of a tree that is dead, or in a decayed or damaged condition and that may be hazardous to persons or property, shall be removed. | <b>Remove the entire decayed and damaged Black locust and Black cherry trees located in the backyard. Flush cut stumps to grade. Remove damaged limb of Silver maple tree located in your backyard. Diagram attached. Clear the property of all existing and resulting woody debris.</b> |

**You are ordered, no later than September 17, 2023 to carry out the required work and to clear the property of any resulting debris.**

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 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 HST of \$19.79 for a total of \$172 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.

# ORDER

150 ROSEMARY LANE, HAMILTON, ONTARIO

**Notes:**

1. 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.
2. 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: August 24, 2023

Signature: Arben Pustina

**Arben Pustina**  
**Municipal Law Enforcement Officer**  
**905-546-2424 Ext. 3716**

|                                       |                                |
|---------------------------------------|--------------------------------|
| For office use only                   |                                |
| Order drafted by: JJ                  |                                |
| Order served:                         | by <u>X</u> electronic service |
| August <u>24</u> , 20 <u>23</u>       | _____ personal service         |
| Serving officer's initials: <u>AP</u> | _____ registered mail          |