



City of Hamilton
PROPERTY STANDARDS COMMITTEE
AGENDA

**Established under the Building Code Act, 1996 and the Property Standards
By-law No. 23-162**

Meeting #: 24-001
Date: January 31, 2024
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 December 20, 2023	2
4. CONSENT	
5. HEARINGS	
5.1 121 Hunter Street West	4
5.2 312 Aberdeen Avenue	6
6. TRIBUNAL BUSINESS	
7. ADJOURNMENT	



Hamilton

MINUTES

23-008

PROPERTY STANDARDS COMMITTEE

December 20, 2023

9:30 a.m.

Room 264, Hamilton City Hall

71 Main Street West

Hamilton, Ontario

Present: Thomas Lofchik, Chair,
Amy Neal, Janek Kuchmistrz

Absent with Regrets: Ernest Eberhard, Marvin Largo

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

The meeting was called to order.

(a) APPOINTMENT OF CHAIR

(i) Appointment of Chair for the December 20, 2023 Meeting

(Neal/Kuchmistrz)

That Thomas Lofchik be appointed as Chair for the December 20, 2023 Meeting.

CARRIED

(b) 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.

(c) CHANGES TO THE AGENDA (Item 1)

The Legislative Coordinator advised there were no changes to the Agenda.

(Neal/Kuchmistrz)

That the December 20, 2023 Property Standards Committee agenda be approved, as presented.

CARRIED

(d) DECLARATIONS OF INTEREST (Item 2)

None declared.

(e) APPROVAL OF PREVIOUS MINUTES (Item 3)

(i) November 10, 2023 (Item 3.1)

(Neal/Kuchmistrz)

That the Minutes of the Property Standards Committee meeting dated November 10, 2023, be approved, as presented.

CARRIED

(f) HEARINGS (Item 5)

(i) 150 Rosemary Lane, Ancaster (Item 5.1)

(Kuchmistrz/Neal)

That the Order for 150 Rosemary Lane, Ancaster (Order #23-125685-00-MLE) be confirmed, and the compliance date is set for January 31, 2024.

CARRIED

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

(g) ADJOURNMENT

(Kuchmistrz/Neal)

That the Property Standards Committee meeting be adjourned at 11:42 a.m.

CARRIED

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. 23-307144 00 MLE

Order issued to:

FONTAINEBLEAU APARTMENTS LIMITED
50 KING STREET. E.
HAMILTON, ON
L8N 1A6

Municipal Address to which Order applies:

121 HUNTER ST. W.
HAMILTON, ON

Property Identification Number

17136-0504 (LT)

An inspection on or about **November 10, 2023** of your property, **121 HUNTER ST. W., HAMILTON, ON** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #23-162, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	<p>23(3) A waste chute in a building containing three (3) or more dwelling units shall not be closed to use except when:</p> <p>(b)(i) the owner provides a waste storage area on each floor of the building and daily collection of waste from such waste storage areas.</p> <p>(ii) the occupants are not required to deliver waste to the ground floor, basement or parking lot of the building; or</p> <p>(c) the owner has a current and valid permit to close a waste chute issued by the Director.</p>	<ul style="list-style-type: none"> • Ensure that the owner provides a waste storage area on each floor of the building and daily collection of waste from such waste storage areas. • Ensure that the occupants are not required to deliver waste to the ground floor, basement or parking lot of the building. • Ensure that the owner has a current and valid permit to close a waste chute issued by the Director.

You are ordered, no later than December 15, 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

ORDER

121 HUNTER ST. W., HAMILTON, ON

this Order.

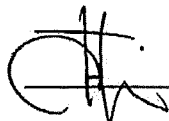
You may appeal this Order within 14 days of service of this order by delivering a Notice of Appeal together with the appeal fee (\$152.21 plus HST of \$19.79 for a total of \$172 via cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards Committee, City Hall, 71 Main St. W., 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: **November 16, 2023**

Signature:



Damir Vincetic
Municipal Law Enforcement Officer
905-977-8216

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

ORDER

312 ABERDEEN AVE., HAMILTON, ON

You are ordered, no later than November 15, 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.

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Issued on: **October 27, 2023**

Signature: *Tori Price*

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

ORDER

312 ABERDEEN AVE., HAMILTON, ON

For office use only

Order drafted by: JJ

Order served:

by:

electronic service

Friday October 27th, 2023

personal service

Serving officer's initials: TP

registered mail