



City of Hamilton
PROPERTY STANDARDS COMMITTEE
AGENDA

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

Date: October 2, 2024

Time: 9:30 a.m.

Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
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 September 4, 2024	2
4. CONSENT	
5. HEARINGS	
5.1 163 Kensington Avenue North	4
5.2 43 Ottawa Street North	7
6. TRIBUNAL BUSINESS	
7. ADJOURNMENT	



Hamilton

MINUTES

24-006

PROPERTY STANDARDS COMMITTEE

September 4, 2024

9:30 a.m.

Room 264, Hamilton City Hall

71 Main Street West

Hamilton, Ontario

Present: Thomas Lofchik, Chair
Ernest Eberhard, Marvin Largo, Janek Kuchmistrz

Also Present: Brandon Blackmore, Solicitor/Hearing Prosecutor
Stephen Chisholm, Solicitor
Jean Ramsey, Project and Policy Assistant
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.

No one requested permission to record the meeting.

(b) CHANGES TO THE AGENDA (Item 1)

The Legislative Coordinator advised of the following changes to the Agenda:

Item 5.2, the Hearing for 160 Hughson Street South, moved to Consent Items.

(Kuchmistrz/Eberhard)

That the September 4, 2024 Property Standards Committee agenda be approved, as amended.

CARRIED

(c) DECLARATIONS OF INTEREST (Item 2)

None declared.

(d) **APPROVAL OF PREVIOUS MINUTES (Item 3)**

(i) **July 3, 2024 (Item 3.1)**

Janek Kuchmistrz advised his name was misspelled in the Minutes.

(Largo/Kuchmistrz)

That the Property Standards Committee Minutes dated July 3, 2024, be approved, as amended.

CARRIED

(e) **CONSENT ITEMS (Item 4)**

(i) **160 Hughson Street South (Item 5.2)**

Brandon Blackmore requested an Adjournment to the November 6, 2024 Property Standards Committee meeting to allow the Owner time to apply to the City to close the garbage chutes.

(Largo/Kuchmistrz)

That the Order for 160 Hughson Street South be **Adjourned** to the November 6, 2024 Property Standards Committee meeting.

CARRIED

(f) **HEARINGS (Item 5)**

(i) **9 Ridgewood Boulevard (Item 5.1)**

Brandon Blackmore advised that the Owner had complied with the Order by replacing the roof and installing down-spouts and gutters; and, requested that the Order be Rescinded.

(Kuchmistrz/Eberhard)

That the Order for 9 Ridgewood Boulevard be **Rescinded**.

CARRIED

(g) **ADJOURNMENT**

(Kuchmistrz/Eberhard)

That the Property Standards Committee meeting be adjourned at 9:36 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. 24-392-29 00 MLE

Order issued to:

JACQUELINE MOORE
THEODOROS RALLIS
163 KENSINGTON AVENUE NORTH
HAMILTON, ONTARIO L8L 7N6

Municipal Address to which Order applies:

163 KENSINGTON AVENUE NORTH
HAMILTON, ONTARIO

Property Identification Number

17225-0269(LT)

An inspection on or about **May 23, 2024**, of your property, **163 KENSINGTON STREET NORTH, HAMILTON, ONTARIO**, 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	14(1) (a) A door, window, hatch or other opening and its frame and any additional features relating to accessibility shall be maintained to properly perform its intended functions and repaired or replaced if damaged including but not limited to an exterior door, window, hatch or other opening and its frame being constructed to minimize drafts and heat loss through the infiltration of outside cold air.	Affix bathroom door and bedroom door to the door frames and maintain doors as to perform their intended function. Repair bedroom window and its frame so as to perform its intended function.
2	14(2) A lock on a door, window, hatch or other opening that is designed to be unlocked with a key or combination shall be maintained so as to properly perform its intended function and repaired or replaced if damaged.	Fix/ repair lock on rear door of <u>UNIT 2</u> as to be maintained so as to properly perform its intended function.
3	16(2) A floor, ceiling or wall shall be: (a) Floors 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.	Repair ceiling and walls as to be free from water penetration and from dampness arising from the entrance of moisture through an exterior wall or roof, and be free from mould or from conditions that may cause mould to accumulate.
4	16(4) A floor shall be smooth and level and maintained so as to be free of all loose, warped, protruding, broken or	Repair or replace floor in hallway and bathroom as to be smooth

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
	rotted boards that may create an unsafe condition or surface.	and level, and maintained so as to be free from all loose, warped, protruding, broken or rotted boards or tiles that may create an unsafe condition or surface.
5	20(1) An electrical service shall comply with the Ontario Electrical Safety Code as enforced by the Electrical Safety Authority.	Provide an electrical service that complies with the Ontario Electrical Safety Code as enforced by the Electrical Safety Authority.
6	21(1) The plumbing system and every plumbing fixture in a building shall be maintained so as to properly perform its intended function and free from leaks and defects.	Ensure all plumbing systems and every plumbing fixture in the unit is maintained so as to properly perform its intended function and be free from leaks and defects.

You are ordered, no later than AUGUST 5, 2024.

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 (\$159.29 plus HST of \$20.71 for a total fee of \$180.00 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: **July 17, 2024**

Signature: _____

JAKE ERWIN
Municipal Law Enforcement Officer
905-979-4

For office use only	
Order drafted by: J. Reeves	
Order served: _____, 20_____	by: _____ electronic service
	_____ personal service
<u>Serving officer's initials:</u> _____	_____ 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 Ontario Building Code Act, 1992

Property Standards Order No. 24-31322 00 MLE

Order issued to:

SABINA JOANNA PALKA
 15 OAKCREST DRIVE
 HAMILTON, ONTARIO
 L8T 4B2

Municipal Address to which Order applies:

43 OTTAWA STREET NORTH
 HAMILTON, ONTARIO

Property Identification Number

17227-0306(LT)

An inspection on or about **June 18, 2024**, of your property, **43 OTTAWA STREET NORTH, HAMILTON, ONTARIO**, 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	14(1) (a) A door, window, hatch or other opening and its frame and any additional features relating to accessibility shall be maintained to properly perform its intended functions and repaired or replaced if damaged including but not limited to an exterior door, window, hatch or other opening and its frame being constructed to minimize drafts and heat loss through the infiltration of outside cold air	Repair/Replace window (south side, main level) so as to no longer be in a state of disrepair and so as to perform intended function.

You are ordered, no later than JULY 8, 2024.

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 (\$159.29 plus HST of \$20.71 for a total fee of \$180.00 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: **June 19, 2024**

Signature: 

ALEX FOX
Municipal Law Enforcement Officer
905-977-1634

For office use only

Order drafted by: J. Reeves

Order served:

by: _____ electronic service

June 19, 2024

_____ personal service

Serving officer's initials: A.F

X registered mail