



City of Hamilton
PROPERTY STANDARDS COMMITTEE
AGENDA

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

Meeting #: 25-003
Date: April 2, 2025
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 January 15, 2025 Minutes	3
3.2 March 5, 2025 - No Quorum Report	5
4. CONSENT	
4.1 175 Campbellville Road	6
5. HEARINGS	
5.1 21 John Street South	8
(Adjourned from the February 5th meeting by electronic vote)	

5.2 364 and 368 Magnolia Drive

11

6. TRIBUNAL BUSINESS

7. ADJOURNMENT



Hamilton

MINUTES

PSCT 25-001

PROPERTY STANDARDS COMMITTEE

January 15, 2025

9:30 a.m.

Room 193, Hamilton City Hall

71 Main Street West

Hamilton, Ontario

Present: Thomas Lofchik, Chair
Ernest Eberhard, Janek Kuchmistrz

Absent with Regrets: Marvin Largo

Also Present: Brandon Blackmore, Solicitor/Hearing Prosecutor
Stephen Chisholm, Solicitor
Jean Ramsay, Project and Policy Assistant
Lisa Kelsey, Legislative Coordinator, City Clerk's Office

The meeting was called to order.

(a) BROADCASTING / RECORDING POLICY

There were no Hearings scheduled which would require broadcasting/recording.

(b) CHANGES TO THE AGENDA (Item 1)

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

(Eberhard/Kuchmistrz)

That the January 15, 2025 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) December 18, 2024 (Item 3.1)

(Kuchmistrz/Eberhard)

That the Property Standards Committee Minutes dated December 18, 2024, be approved, as presented.

CARRIED

(e) CONSENT (Item 4)

(i) 297 Regional Road 20 (Item 4.1)

(Kuchmistrz/Eberhard)

That Order 24-391-41-00 MLE for 297 Regional Road 20 be **Confirmed**; and that the compliance date be extended to January 31, 2025.

CARRIED

(f) ADJOURNMENT

(Eberhard/Kuchmistrz)

That the Property Standards Committee meeting be adjourned at 9:35 a.m.

CARRIED

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



Hamilton

PROPERTY STANDARDS COMMITTEE

Minutes (PSCT 25-002)

Wednesday, March 5, 2025

9:30 a.m.

Room 264, City Hall, 71 Main Street West, Hamilton

Present: Thomas Lofchik (Chair), Janek Kuchmistrz

Also Present: Brandon Blackmore, Prosecutor
Eric DeMan, Solicitor
Lisa Kelsey, Legislative Coordinator

**Absent with
Regrets:** Ernest Eberhard

Absent: Marvin Largo

Pursuant to Section 5.4(6) of the City of Hamilton's Procedural By-law 21- 021, as amended, at 9:45 a.m. the Legislative Coordinator to the Committee advised those in attendance that quorum had not been achieved within 15 minutes after the time set for the Property Standards Committee meeting, therefore, the Legislative Coordinator for the Committee noted the names of those in attendance and the meeting stood adjourned.

Respectfully submitted,

Lisa Kelsey
Legislative Coordinator
Office of the City Clerk

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. 24-356-151 00 MLE

Order issued to:
 JMJF INVESTMENTS INC
 1000832854
 158 TORYORK DRIVE
 NORTH YORK, ON M9L 1X6

Municipal Address to which Order applies:
 175 CAMPBELLVILLE ROAD
 HAMILTON, ONTARIO

Property Identification Number
 17526-0024(LT)

An inspection on or about January 31, 2025, of your property, 175 CAMPBELLVILLE ROAD, 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	7(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.	Required work: Remove entirely, to grade level, decayed / damaged Sugar maple, located on your property. Diagram attached. Leave woody debris on the forest floor.

You are ordered, no later than February 23, 2025, 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 (\$159.29 plus \$20.71 HST 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. 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.
1. 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: February 3, 2025

Signature: _____ *Pustina* _____

ARBEN PUSTINA
Municipal Law Enforcement Officer
905-973-2573

For office use only	
Order drafted by: J. Reeves	
Order served: _____	by _____ electronic service
_____ 20	_____ personal service
Serving officer's initials: AP	_____ X _____ 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. 24-371-100 00 MLE

Order issued to:

BJL PROPERTIES INC
778 KING ST W
TORONTO ON
M5V 1N6

Municipal Address to which Order applies:

21 JOHN STREET SOUTH
HAMILTON, ONTARIO

Property Identification Number:

17167-0097 (LT)

An inspection on or about **December 04, 2024**, of your property, **21 JOHN STREET SOUTH, 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	<p>5(2) Where any building is vacant or is damaged by accident, storm, fire, neglect or otherwise, the owner may be required to protect such building and adjoining properties against damage arising from the entry of unauthorized persons by closing and securing openings to the building.</p> <p>5(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> <p>12(2) An exterior wall, chimney, roof or other parts of a building, structure, fence or retaining wall, including a mobile structure, or building, shall be free from loose or insufficiently secured, rotten, warped, or broken materials and objects and such material and objects shall be removed, repaired, or replaced.</p> <p>12(3) The exterior of a building shall be: (a) maintained to prevent the entry of vermin and birds.</p> <p>12(5) A roof and its components and attachments including the fascia board, soffit, cornice, and flashing shall be maintained to properly perform their intended functions including but not limited to being in a weather-tight condition able to prevent the leakage of water into</p>	<p>Enclose building to prevent entry of natural elements and from entry of vermin and birds.</p>

ORDER

21 JOHN STREET SOUTH, HAMILTON, ONTARIO

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
	the building. 16(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.	
2	32(5) For the purposes of an inspection under subsection 32(3), an officer may, (a) require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the property or any part thereof; (c) require information from any person concerning a matter related to a property or part thereof; (f) order the owner of the property to take and supply at the owner's expense such tests and samples as are specified in the order	Provide Certified Engineers Report addressing the structural integrity of building and remedy relating to roof repair. Certified Engineers Report can be emailed to tori.yachetti@hamilton.ca and wally.martin@hamilton.ca

You are ordered, no later than December 21, 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 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. 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.

ORDER

21 JOHN STREET SOUTH, HAMILTON, ONTARIO

Issued on: **December 05, 2024**

Signature: *Tori Yachetti*
Tori Yachetti
Municipal Law Enforcement Officer
905-536-1567

For office use only		
Order drafted by: JJ		
Order served: <u>Dec 5, 2024</u>	by:	<input type="checkbox"/> electronic service
Serving officer's initials: <u>TY</u>		<input checked="" type="checkbox"/> personal service
		<input type="checkbox"/> 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. 21-117943 00 MLE

Order issued to:

DZINTARS CERS
 368 MAGNOLIA DRIVE
 HAMILTON, ONTARIO
 L9C 6N7

Municipal Address to which Order applies:

368 MAGNOLIA DRIVE
 HAMILTON, ONTARIO

**Property
Identification
Number**

16955-0090 (LT)

Order issued to:

JAMES FRANCIS DEANE
 MARY EMILY DEANE
 364 MAGNOLIA DRIVE
 HAMILTON, ONTARIO
 L9C 6N7

Municipal Address to which Order applies:

364 MAGNOLIA DRIVE
 HAMILTON, ONTARIO

**Property
Identification
Number**

16955-0089 (LT)

An inspection on or about **MARCH 16, 2022** of your property, **368 MAGNOLIA DRIVE, 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>31(5) or the purposes of an inspection under subsection 31(3), an officer may,</p> <p>(a) require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the property or any part thereof;</p> <p>(b) inspect and remove documents or things relevant to the property or part thereof for the purpose of making copies or extracts;</p> <p>(c) require information from any person concerning a</p>	<p>Submit a survey, to the satisfaction of the City of Hamilton by a licensed land surveyor, licensed under the Surveyors act.</p> <p>The survey must be inclusive of buildings, showing the location of the retaining the wall in relation to the two properties (364/ 368 Magnolia Dr.)</p> <p>Along with a written report</p>

ORDER

368 MAGNOLIA DRIVE, HAMILTON, ONTARIO

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
	<p>matter related to a property or part thereof (f) order the owner of the property to take and supply at the owner's expense such tests and samples as are specified in the order</p>	<p>describing and detailing elements on the survey; the location of the retaining wall and the location of the wall as to where it currently resides on each individual property.</p>

You are ordered, no later than FEBRUARY 24, 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 HST of \$19.79 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:

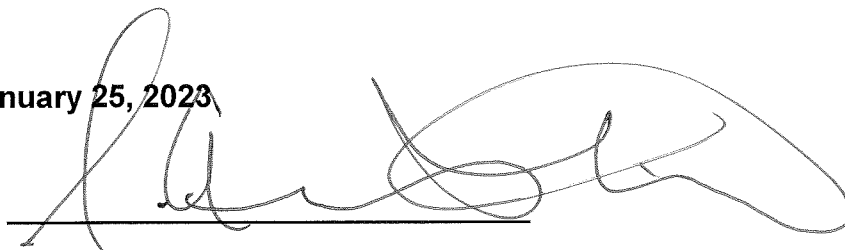
1. A Building Permit is required before any material alteration or repair to a building or system or before any demolition.
1. If the building is used as rental residential property, you must comply with any applicable requirements under the Residential Tenancies Act, 2006.
2. Failure to comply with 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.

ORDER

368 MAGNOLIA DRIVE, HAMILTON, ONTARIO

Issued on: **January 25, 2023**

Signature: _____



Sharla Armstrong
Municipal Law Enforcement Officer
905-546-2424 Ext. 5414

For office use only/gc

Order served: _____ by: _____ electronic service
_____, 20____ _____ 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 Ontario Building Code Act, 1992

Property Standards Order No. 21-117943 00 MLE

Order issued to:

DZINTARS CERS
368 MAGNOLIA DRIVE
HAMILTON, ONTARIO
L9C 6N7

Municipal Address to which Order applies:

368 MAGNOLIA DRIVE
HAMILTON, ONTARIO

**Property
Identification
Number**

16955-0090 (LT)

Order issued to:

JAMES FRANCIS DEANE
MARY EMILY DEANE
364 MAGNOLIA DRIVE
HAMILTON, ONTARIO
L9C 6N7

Municipal Address to which Order applies:

364 MAGNOLIA DRIVE
HAMILTON, ONTARIO

**Property
Identification
Number**

16955-0089 (LT)

An inspection on or about MARCH 16, 2022 of your property, 368 MAGNOLIA DRIVE, 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	31(5) or the purposes of an inspection under subsection 31(3), an officer may, (a) require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the property or any part thereof; (b) inspect and remove documents or things relevant to the property or part thereof for the purpose of making copies or extracts; (c) require information from any person concerning a	Submit a survey, to the satisfaction of the City of Hamilton by a licensed land surveyor, licensed under the Surveyors act. The survey must be inclusive of buildings, showing the location of the retaining the wall in relation to the two properties (364/ 368 Magnolia Dr.) Along with a written report

Property Standards Order No. 21-117943 00 MLE

Received
Jan 27/23

ORDER

368 MAGNOLIA DRIVE, HAMILTON, ONTARIO

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
	<p>matter related to a property or part thereof (f) order the owner of the property to take and supply at the owner's expense such tests and samples as are specified in the order</p>	<p>describing and detailing elements on the survey; the location of the retaining wall and the location of the wall as to where it currently resides on each individual property.</p>

You are ordered, no later than FEBRUARY 24, 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 HST of \$19.79 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.

ORDER

368 MAGNOLIA DRIVE, HAMILTON, ONTARIO

Issued on: January 25, 2023

Signature:



Sharla Armstrong
Municipal Law Enforcement Officer
905-546-2424 Ext. 5414

** Received
Jan 27/
2023
LC*

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