

ORDER

Pursuant to Subsection 15.2(2) of the Ontario Building Code Act, 1992

Property Standards Order No. 25-371-87 MLE

Order issued to:

VALERY (CHEDOKE BROWLANDS)
 DEVELOPMENTS INC.
 2140 KING ST E
 HAMILTON, ON
 L8K 1W6

Municipal Address to which Order applies:

870 SCENIC DRIVE
 HAMILTON, ONTARIO

Property Identification Numbers:

17596-0271; 17596-0270; 17596-0269 (LT)

An inspection on or about **April 16, 2025**, of your property, **870 SCENIC DRIVE, 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 | 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>Repair/replace/remove all chain-link fencing in disrepair on property entirely; Fencing around building must remain intact and maintained.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.</p> |
| 2 | 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 the building. | <p>Repair/replace deteriorating fascia, soffit, cornice and flashing on front entrance of building; Secure all openings in roofing components.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued</p> |

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| | | with the City of Hamilton if applicable. |
| 3 | 27(1) In addition to the standards, obligations and requirements that apply to all property under sections 4 through 26 both inclusive, all heritage attributes of Part IV heritage properties, including both interior and exterior heritage attributes, and all heritage attributes of Part V heritage properties shall be: (a) maintained so as to prevent deterioration. | <p>Remove all vegetation growing on masonry on building entirely.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.</p> |
| 4 | 28(3) Despite subsections 5(3) and 5(4), where a building on a Part IV heritage property or a Part V heritage property is vacant or damaged by accident, storm, fire, neglect or otherwise, the owner may be required to protect the building against the risks described in subsection 5(2) and shall effectively prevent the entrance of all unauthorized person by closing and securing openings to the building with boarding: (a) which completely covers the opening and is properly fitted in a watertight manner within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding; (b) on the window openings, which is painted a matte black to resemble window glass; (c) on door openings, which is painted a color that matches the color of the original door; (d) on an opening other than a window or door opening, which is painted or otherwise treated so that the color matches the color of the surrounding exterior of the building; and (e) which is fastened securely with screws at least 50 mm in length and installed at appropriate intervals on center. | <p>Paint all boarded windows matte black to resemble window glass.</p> <p>Paint front door opening a color that matches the color of the original door.</p> <p>Note: Application for a Heritage Permit must be issued with City of Hamilton before implementing any work impacting identified Heritage attributes. Application for a Building Permit must be issued with the City of Hamilton if applicable.</p> |

You are ordered, no later than June 26, 2025.

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

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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 (\$164.60 plus HST of \$21.40 for a total fee of \$186.00 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.
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: **April 17, 2025**

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

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| For office use only | |
| Order drafted by: JJ. | |
| Order served: | by: <input checked="" type="checkbox"/> electronic service. |
| <u>April</u> <u>17</u> , 2025 | <input type="checkbox"/> personal service |
| Serving officer's initials: <u>Ty</u> | <input checked="" type="checkbox"/> registered mail |