



Alternative formats and communication supports available upon request. Please contact accessibility@brantford.ca or 519-759-4150 for assistance.

Date September 29, 2022 **Report No.** 2022-649

To Chair and Members
Property Standards Committee

From Kane Neuhauser
Municipal Law Enforcement / Property Standards Officer

1.0 Type of Report

Consent Item ☐
Item For Consideration ☒

2.0 Topic **Appeal filed by Kelly Severn, owner of 107 Gilkison Street, Brantford, ON regarding Property Standards Order #91-22**

3.0 Recommendation

- A. That Property Standards Order #91-22, issued to the owner of 107 Gilkison Street, Brantford, ON, BE CONFIRMED and UPHELD by the Property Standards Committee.

4.0 Purpose and Overview

Property Standards Order #91-22 was issued in accordance with Chapter 465 – Property Standards of the City of Brantford Municipal Code (Chapter 465) to the owners of 107 Gilkison Street, Brantford. An appeal was filed by one of the owners in accordance with Section 15.3 of the Building Code Act, 1992. Details of the investigation are provided herein to support the issuance and contents of the Property Standards Order for consideration of the Property Standards Committee.

5.0 Background

The City of Brantford Municipal Code Chapter 465 - Property Standards (Chapter 465) is primarily enforced on a reactive basis to complaints received by the Building Department. Upon receiving a complaint, staff will investigate to determine the validity of the complaint. Should violations be observed, efforts are made to contact the owner to gain compliance. When compliance does not result or efforts to comply cease, a Property Standards Order is issued to the owner. A copy of the Order is then sent to all impacted parties with an interest on title. This procedure was followed pursuant to the issuance of Order #91-22, and presently the property remains in non-compliance with Chapter 465.

In this case, on June 8, 2022, I attended the property and observed the following violations of Chapter 465:

- Main entrance contains broken / cracked window, and exterior door contains cracked glass pane and missing glass pane. Rear window on addition adjacent to 109 Gilkison not operable, sealed shut.
- Soffit on addition adjacent to 109 Gilkison deteriorated / covered with wire mesh.
- Fascia facing 2 Walnut St. deteriorated / rotting with large holes.
- Addition facing 109 Gilkison St. foundation is structurally unsound – bowing outwards, cracking, and missing / chipped mortar.
- Several holes near ground level against foundation adjacent to 109 Gilkison Street.

As is standard practice, a preliminary letter was sent June 17, 2022 to the property owners detailing the requirement to repair the building as required by Chapter 465. The letter included a 14 day compliance date of July 1, 2022. The building in question is a two (2) story residential dwelling.

On June 23, 2022 the property owner contacted me and advised they are working on the identified violations.

On June 29, 2022 I left a voicemail with the property requesting they contact me to provide an update.

On July 4, 2022 I re-attended the property after having received no further communication from the property owner. No noticeable progress had been made and there was no answer at the residence.

On July 11, 2022 I re-attended the property after no contact from the property owner. No noticeable progress had been made.

6.0 Corporate Policy Context

The report was reviewed within the context of the Municipal Strategic Plan, Goal #2 – Long Term Desired Outcomes, where Brantford will be recognized as a safe, healthy community – one that promotes and enables the wellbeing of its citizens.

7.0 Input From Other Sources

The City of Brantford Legal Department assisted in establishing the ownership of the property in question.

8.0 Analysis

Due to the property remaining in its current state with no progress towards compliance, it was the decision of the Building Department to proceed to issue the applicable Property Standards Order. A request was then made to the City's Legal Department to undertake a title search to confirm ownership. This information was returned on July 12, 2022, which disclosed the subject property known municipally as 107 Gilkison Street, Brantford, ON to be owned by Robert Alexander Waller and Kelly Della Severn of 107 Gilkison Street, Brantford, ON.

Accordingly, Property Standards Order #91-22 was issued July 18, 2022 to the registered owners detailing the requirement to repair the building. Prior to August 7, 2022, the property owner submitted a request to appeal. At the time of writing of this report, the property remains in violation of both the issued Property Standards Order and Chapter 465.

9.0 Conclusion

Property Standards Order #91-22, the subject of this appeal, was issued in accordance with Chapter 465. The order remains valid and the property to which the order pertains remains non-compliant with Chapter 465. Staff recommend that Property Standards Order #91-22 issued to the owner of 107 Gilkison Street, Brantford, ON be CONFIRMED AND UPHELD by the Property Standards Committee.

Attachments (if applicable)

- Photos
- Property Standards Order #91-22
- Appeal Form