



THE CORPORATION OF THE CITY OF BRANTFORD
ORDER OF THE PROPERTY STANDARDS OFFICER

(Ontario Building Code Act, S.O. 1992, c.23, Section 15.2(2), as amended)

REGISTERED MAIL

DATE: Monday July 18, 2022 **FILE NO.22-3102/PS Order #91-22**

TO: Robert Alexander Waller
 Kelly Della Severn
 107 Gilkison St
 Brantford, ON
 N3T 2A2

MUNICIPAL ADDRESS OR LEGAL DESCRIPTION OF PROPERTY:
107 Gilkison St Brantford, Ontario

Assessment Roll Number: 2906010008236000000

Legal Description: PLAN BTFD PT LOT 1
S WALNUT

WHEREAS the property described above is owned by you, or in which you have an interest has been inspected by a Property Standards Officer.

REPAIRS/CLEARANCE

The property described above does not conform with the standards prescribed in Chapter 465 of the City of Brantford Municipal Code. **IT IS HEREBY ORDERED**, pursuant to Section 15.2 (2) of the Ontario Building Code Act, S.O. 1992, C.23, as amended, that the violations set out in the attached **Schedule "A"** be remedied and the property be brought into compliance with the prescribed standards.

TIME TO COMPLY

THE TERMS AND CONDITIONS OF THE ORDER MUST BE COMPLIED WITH ON OR BEFORE AUGUST 7, 2022

NOTICE

Take notice that if such repair or clearance is not carried out within the time specified in this Order, the Municipality may carry out the repair or clearance at the expense of the owner and place all costs on the tax roll for the property as a priority lien, in accordance with section 1 of the Municipal Act, 2001.

APPEAL

When the Owner or Occupant upon whom an Order has been served is not satisfied with the terms or conditions of the Order, the Owner or Occupant may appeal to the Property Standards Committee by sending a Notice to Appeal by registered mail to the Secretary of the Committee within fourteen (14) days after service of the Order. The address of the Committee is: The City of Brantford, City Hall, P.O. Box 818, Brantford, Ontario, N3T 5R7.

**THE FINAL DATE FOR GIVING NOTICE OF APPEAL
FROM THIS ORDER IS AUGUST 7, 2022**

AN ORDER THAT IS NOT APPEALED WITHIN THE TIME SPECIFIED SHALL BE DEEMED TO BE CONFIRMED.

FAILURE TO COMPLY

- (a) Every person who contravenes any provision of the Municipal Code, is guilty of an offence and on conviction is liable to a fine, such fine is recovered, under the Provincial Offences Act, R.S.O. 1990.
- (b) Every individual Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than \$50,000.00 for a first offence and to a fine of not more than \$100,000.00 for a subsequent offence.
- (c) Every corporate Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than \$500,000.00 for a first offence and to a fine of not more than \$1,500,000.00 for a subsequent offence.

DATED at Brantford this Monday July 18, 2022.

A handwritten signature in black ink, appearing to read "Kane Neuhauser".

Issued by:
Kane Neuhauser
Municipal Law Enforcement /Property Standards Officer
Corporation of the City of Brantford



Monday July 18, 2022

REFERENCE NO. 22-3102 PS Order #91-22

PROPERTY ADDRESS: 107 Gilkison St, Brantford, Ontario

Robert Alexander Waller
Kelly Della Severn
107 Gilkison St
BRANTFORD, ON
N3T 2A2

ORDER OF THE PROPERTY STANDARDS OFFICER

– CHAPTER 465 PROPERTY STANDARDS

This Order carries with it a \$150.00 administrative fee, which is due and must be paid by you within 30 days of the date of this Order.

If this Order is appealed, and the Order is upheld, a further administrative fee of \$150.00 will be charged.

Attendance of a Property Standards Officer at a hearing will also result in a further administrative fee of \$150.00

If this Order is not appealed and is not in compliance, a further administrative fee of \$150.00 will be assessed.

Where there has been a conviction registered for a breach of the Order a further administrative fee of \$500.00 per Property Standards Officer required to attend a hearing in court, will be charged.

If this Order is not complied with in the time specified and the City undertakes to complete the work required you will be charged 100% of the cost of the necessary work, plus a further administrative fee totalling an additional 25% of this cost.

PAYABLE

Fees are payable to:

In person: City of Brantford at City Hall, 58 Dalhousie Street

By mail: The Corporation of the City of Brantford
Attention: Tax Department
PO Box 515
Brantford, ON N3T 6L6

PLEASE MAKE REFERENCE TO THE ADDRESS AND ORDER NO. TO WHICH THE ORDER HAS BEEN APPLIED.

ENCUMBRANCES:

The Toronto Dominion Bank
1907 Oxford St E
London ON, N5V 4L9

Fairstone Financial Inc.
265 King George Rd
Brantford ON, N3R 6Y1

Simply Group Financial
2225 Sheppard Ave E Suite 800
Toronto ON, M2J5C2

Canadian Home Improvement Credit Corporation
2600 Skymark Dr. Building 10 Suite 200
Mississauga ON, L4W5B2



MINIMUM STANDARD OF HOUSING

Schedule "A"

Location: **107 Gilkison ST, Brantford, On**
File No.: **22 003102 PU 91-22**

Defects and conditions not in compliance with the City of Brantford Municipal Code:

Property is not maintained by bylaw standards.

465.3.2 Repair - maintenance - exception - demolition permit

All owners of property shall repair and maintain such property to comply with the standards prescribed by this Chapter, except where a demolition permit has been issued and remains in effect.

CORRECTION: Maintain property to Bylaw standards.

ENFORCEMENT AND PERMITS

465.29.2 Non-compliance – cleaned – repaired – owner expense

Where any person fails to comply with an order issued pursuant this chapter, the municipality may cause the required work to be done at the cost of the person. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes. By-law 60-2007, 10 April, 2007.

465.29.3 Permits – compliant with standards

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship and in accordance with the Ontario Building Code, as amended from time to time, and applicable standards, codes or legislation. It will further be the responsibility of the owner to make application for and be issued any required building permits. All new construction or extensive repairs shall conform to the provisions in the Ontario Building code, where applicable. By-law 3-2012, 23 January, 2012.

Item 1: 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. Chapter 465, Article 13.

465.13.1 Maintained - good repair - safe - weathertight

The doors, windows, including storm and screen windows, shutters, hatchways, and other exterior openings in a building shall be maintained in good working order and good repair, in a safe condition and, except for screen windows, reasonably weathertight and draft free

465.13.2 Maintenance - repair - methods

Without restricting the generality of Section 465.13.1 such maintenance includes:

- (a) repairing, refitting or replacing decayed, damaged, defective or missing doors, windows, frames, sashes, casing, shutters, hatchways or screens;*
- (b) repair of broken windows through:
 - i. reglazing, or refitting with panes of transparent glass; or*
 - ii. the use of other materials which are compatible in finish and colour with the remainder of the facade of the building on which the broken window is located, provided such other materials are of an appropriate thickness, have sufficient structural support, and are installed so that no broken glass is visible from the exterior of the building.**
- (c) replacing defective, damaged or missing hardware and locking devices; and*
- (d) weather stripping and caulking of doors and windows.*

Item 1 Correction: Repair or replace all defective exterior window units.

Item 2: Soffit on addition adjacent to 109 Gilkison deteriorated / covered with wire mesh. Chapter 465, Article 12.

465.12.1 Maintained - good repair - safe – structurally sound

The foundations, walls, columns, beams and other structural members of a building shall be maintained in good repair and in a safe and structurally sound condition.

465.12.2 Maintenance - repair - methods

Without restricting the generality of Section 465.12.1, such maintenance includes:

- (a) repairing or replacing decayed, damaged, weakened or missing foundations, walls, columns and beams together with any components, claddings, finishes and trims forming a part thereof;*
- (b) extending the foundation walls below grade or regrading to provide adequate frost cover;*
- (c) shoring, jacking up or underpinning foundations where necessary;*
- (d) repairing or replacing decayed, damaged, weakened or missing sills, piers, posts or other supports;*
- (e) treating piers, posts or other wooden supports which are repaired or replaced at or in the ground, with appropriate insecticide; and*
- (f) grouting, caulking or waterproofing of cracks and joints in foundations and walls.*

Item 2 Correction: Repair or replace all deteriorated soffits.



MINIMUM STANDARD OF HOUSING

Schedule "A"

Item 3: Fascia facing 2 Walnut St deteriorated / rotting with large holes. Chapter 465, Article 12.

465.12.1 Maintained - good repair - safe – structurally sound

The foundations, walls, columns, beams and other structural members of a building shall be maintained in good repair and in a safe and structurally sound condition.

465.12.2 Maintenance - repair - methods

Without restricting the generality of Section 465.12.1, such maintenance includes:

- (a) repairing or replacing decayed, damaged, weakened or missing foundations, walls, columns and beams together with any components, claddings, finishes and trims forming a part thereof;
- (b) extending the foundation walls below grade or regrading to provide adequate frost cover;
- (c) shoring, jacking up or underpinning foundations where necessary;
- (d) repairing or replacing decayed, damaged, weakened or missing sills, piers, posts or other supports;
- (e) treating piers, posts or other wooden supports which are repaired or replaced at or in the ground, with appropriate insecticide; and
- (f) grouting, caulking or waterproofing of cracks and joints in foundations and walls.

Item 3 Correction: Repair or replace all deteriorated fascia boards.

Item 4: Addition facing 109 Gilkison St foundation is structurally unsound – bowing outwards, cracking, and missing / chipped mortar. Chapter 465, Article 12.

465.12.1 Maintained - good repair - safe – structurally sound

The foundations, walls, columns, beams and other structural members of a building shall be maintained in good repair and in a safe and structurally sound condition.

465.12.2 Maintenance - repair - methods

Without restricting the generality of Section 465.12.1, such maintenance includes:

- (a) repairing or replacing decayed, damaged, weakened or missing foundations, walls, columns and beams together with any components, claddings, finishes and trims forming a part thereof;
- (b) extending the foundation walls below grade or regrading to provide adequate frost cover;
- (c) shoring, jacking up or underpinning foundations where necessary;
- (d) repairing or replacing decayed, damaged, weakened or missing sills, piers, posts or other supports;
- (e) treating piers, posts or other wooden supports which are repaired or replaced at or in the ground, with appropriate insecticide; and
- (f) grouting, caulking or waterproofing of cracks and joints in foundations and walls.

Item 4 Correction: Repair all deteriorated parts of the foundation.

Item 5: Several holes near ground level against foundation adjacent to 109 Gilkison Street. Chapter 465, Article 11.

465.11.1 Provisions - relevant - applicable law

The relevant provisions of any applicable Act or by-law shall be applied to determine whether or not a property or any part thereof is in an unsafe condition.

465.11.2 Unsafe conditions - abated – removed

Unsafe conditions in a building or on a property shall be abated or removed. By-law 102-2003, 26 May, 2003.

465.11.3 Unsafe conditions - abatement - removal - methods

Without limiting the generality of Section 465.11.2, abatement or removal of an unsafe condition may include:

- (a) the maintenance or repair of exit and emergency lighting;
- (b) the removal of garbage and refuse;
- (c) the removal or extermination of pests such as rodents, vermin and injurious insects, but not limited to, termites, cockroaches and bedbugs; and
- (d) the elimination of any conditions which pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person in the building or on or about the property. By-law 102-2003, 26 May, 2003; By-law 3-2012, 23 January, 2012.

Item 5 Correction: Fill in all holes at ground level to eliminate the unsafe condition.