



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.** 2022-648

**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 Joe Walker, owner of 90 Park Avenue, Brantford, ON regarding Property Standards Order #99-22**

---

## 3.0 Recommendation

- A. That Property Standards Order #99-22, issued to the owner of 90 Park Avenue, Brantford, ON, BE CONFIRMED and UPHELD by the Property Standards Committee.

## 4.0 Purpose and Overview

Property Standards Order #99-22 was issued in accordance with Chapter 465 – Property Standards of the City of Brantford Municipal Code (Chapter 465) to the owner of 90 Park Avenue, Brantford. An appeal was filed by the owner 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 #99-22, and presently the property remains in non-compliance with Chapter 465.

In this case, on April 16, 2022, Senior Property Standards Officer Nick Dorey attended the property and observed the following violations of Chapter 465:

- Eaves trough not in good repair.
- Metal on roof not in good repair.

As is standard practice, a preliminary letter was sent April 19, 2022 by Officer Dorey 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 May 3, 2022. The building in question is a two (2) story multi-residential dwelling.

On May 7, 2022 Officer Dorey re-attended the property and found that the metal on roof had been removed however the eaves trough remained in non-compliance. The property owner at that time requested additional time to complete repairs.

On June 16, 2022 I had taken over the file and spoke to the property owner who again requested additional time to complete repairs the following weekend.

On June 30, 2022 I reached out to the property owner who again requested additional time to complete repairs.

On July 11, 2022 I attended the property and spoke with the property owner. The eaves trough remained in violation, and the following additional violations were also observed:

- Downpipes (down spout) disconnected from eaves trough – not in good working order
- Roof covering of house in disrepair – shingles are curling / loose and falling off.

On July 12, 2022 I sent another courtesy preliminary letter with the additional violations listed, with another 14 day compliance date of July 26, 2022.

On August 3, 2022 I re-attended the property after no contact from the property owner and found the property remained in violation.

## **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 and Real Estate Department to undertake a title search to confirm ownership. This information was returned on August 9, 2022 which showed the subject property known municipally as 90 Park Avenue, Brantford, ON to be owned by Joseph Anthony Walker and Michael Wilfred Walker of 90 Park Avenue, Brantford, ON.

Accordingly, Property Standards Order #99-22 was issued August 10, 2022 to the registered owners detailing the requirement to repair the building. Prior to August 29, 2022, one of the property owners 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 #99-22, 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 #99-22 issued to the owner of 90 Park Avenue,

---

Brantford, ON be CONFIRMED AND UPHELD by the Property Standards Committee.

Attachments (if applicable)

- Photos
- Property Standards Order #99-22
- Appeal Form