

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. 26-373-471

Order issued to:

ANDREA [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Municipal Address to which Order applies:

76 WEST AVENUE NORTH
HAMILTON, ONTARIO

Property Identification Number

17178-0043(LT)

An inspection on or about **JANUARY 9, 2026**, of your property, 76 WEST AVENUE NORTH, 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>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(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> <p>13(1) Every part of a property shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal or permitted use, and having a factor of safety as required by the Building Code.</p> <p>16(1) In every building all structural components including but not limited to all joists, beams, studding, and roof rafters, shall be of sound material and adequate for the load to which they are subjected.</p>	<p>The roof, including the roof ridge is demonstrating downward deflection/bowing.</p> <p>Repair structural components of roof so as to be of sound material and adequate for the load to which they are subjected.</p>

#	(Property Standards By-law Provision)	RECOMMENDATION
2	<p>4(2) Every building shall be kept free of any condition which constitutes a health or safety hazard.</p> <p>13(1) Every part of a property shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal or permitted use, and having a factor of safety as required by the Building Code.</p> <p>16(1) In every building all structural components including but not limited to all joists, beams, studding, and roof rafters, shall be of sound material and adequate for the load to which they are subjected.</p>	<p>The dwelling (including the East perimeter wall of the shed) is in a significant state of structural failure and has been stabilized by shoring posts on the Exterior West and East side, including temporary interior walls in the basement.</p> <p>Carry out permanent repairs so as to ensure the dwelling and shed are in a structurally sound condition and comprised of sound material so as to be capable of sustaining safely their own weight and any additional weight put on them through normal or permitted use and having a factor of safety as required by the building code.</p> <p>The work prescribed requires a Building Permit per the Ontario Building Code. Please contact the City of Hamilton Building Department to obtain a permit.</p>
3	<p>11 (1) A fence, barrier, including a visual barrier, or retaining wall shall be maintained so as to properly perform its intended function.</p> <p>12(1) All exterior surfaces of a building, structure, fence or retaining wall, including a mobile structure or building, shall be of materials which resist deterioration by the weather or have resistant coatings applied to them, except that a farm building may have unprotected wood surfaces.</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>The front (West) side of the property has a retaining wall under the porch, which is cracked and deteriorated.</p> <p>Repair the retaining wall so as to be free from loose or insufficiently secured, rotten, warped or broken materials and so as to properly perform its intended function.</p>
4	<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 the building;</p>	<p>The second level interior of the dwelling's ceiling/wall, main level kitchen ceiling, and basement ceiling have visible water damage. Repair or replace the wall/ceiling's and remedy any source of water</p>

#	(Property Standards By-law Provision)	REQUIREMENT
	<p>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.</p> <p>16(7) A wall or ceiling shall be maintained in a condition free from holes, open cracks, loose coverings or other substantial defects.</p> <p>16(8) Any repair or replacement to a wall or ceiling shall have a similar finish to that of the original covering and comparable to the surrounding finishes.</p> <p>21 (1) The plumbing system and every plumbing fixture in a building shall be maintained so as to properly perform its intended function and free from leaks and defects.</p>	<p>penetration/leakage into the building.</p>
5	<p>16(3) A basement shall have a floor of concrete, or other material acceptable under the Building Code, to ensure water drainage and to guard against the entry of vermin.</p> <p>16(4) A floor shall be smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards that may create an unsafe condition or surface.</p>	<p>A portion of the interior basement flooring is comprised of non pressure treated wood framing on the earth, which is not material acceptable under the Building Code. Additionally, a sewer pipe is exposed inside of excavated earth, with flooring removed.</p> <p>Repair/replace the floor so as to be smooth and level with material acceptable under the Building Code.</p>
6	<p>12(1) All exterior surfaces of a building, structure, fence or retaining wall, including a mobile structure or building, shall be of materials which resist deterioration by the weather or have resistant coatings applied to them, except that a farm building may have unprotected wood surfaces.</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(4) An exterior wall and its components and attachments shall be: (a) maintained to prevent their</p>	<p>The North side of the dwelling has a deteriorated and cracked exterior foundation wall.</p> <p>Repair the foundation wall so as to be free from loose or insufficiently secured, rotten, warped or broken materials and so as to properly perform its intended function.</p>

#	(Property Standards By-law Provision)	RECORDED COMMENT
	<p>deterioration by painting, restoring or repairing the walls, coping or flashing or by waterproofing the wall itself; (b) repaired of vandalism or other damage including but not limited to broken windows.</p> <p>13(2) A foundation wall or a basement or crawl space floor shall be maintained so as to properly perform its intended function.</p>	
7	<p>12(1) All exterior surfaces of a building, structure, fence or retaining wall, including a mobile structure or building, shall be of materials which resist deterioration by the weather or have resistant coatings applied to them, except that a farm building may have unprotected wood surfaces.</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>The North side of the dwelling has a deteriorated and spalling exterior brick wall. Repair or replace so as to be free from loose or insufficiently secured, rotten, warped or broken materials and so as to properly perform its intended function.</p>
8	<p>12(1) All exterior surfaces of a building, structure, fence or retaining wall, including a mobile structure or building, shall be of materials which resist deterioration by the weather or have resistant coatings applied to them, except that a farm building may have unprotected wood surfaces.</p> <p>12(3) The exterior of a building shall be: (a) maintained to prevent the entry of vermin and birds; and (b) when opened or replaced during the course of alterations or renovations, shall be insulated in order to minimize heat loss, air infiltration and moisture condensation on the interior surfaces, in accordance with the Building Code.</p> <p>12(4) An exterior wall and its components and attachments shall be: (a) maintained to prevent their deterioration by painting, restoring or repairing the walls, coping or flashing or by waterproofing the wall itself; (b) repaired of vandalism or other damage including but not limited to broken windows.</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 the building.</p> <p>14(1) (a) A door, window, hatch or other opening and its frame and any additional features relating to accessibility</p>	<p>The East (rear) side of the dwelling has 2nd level ceiling joists, framing, and a doorway with missing door (which led to a now removed porch) and is exposed to the infiltrations of outside air/elements, and open to birds and vermin.</p> <p>Repair so as to be in compliance with sections 12(1), 12(3), 12(4), 12(5) & 14(1).</p> <p>The work prescribed requires a Building Permit per the Ontario Building Code. Please contact the City of Hamilton Building Department to obtain a permit.</p>

#	(Property Standards By-law Provision)	REQUIREMENT
	shall be maintained to properly perform its intended functions and repaired or replaced if damaged including but not limited to an exterior door, window, hatch or other opening and its frame being constructed to minimize drafts and heat loss through the infiltration of outside cold air. (b) For the purposes of subsection 14(1)(a) "damaged" includes but is not limited to: (i) rotted or missing weather-stripping, caulking or hardware; or (ii) broken or missing glass.	
9	<p>12(1) All exterior surfaces of a building, structure, fence or retaining wall, including a mobile structure or building, shall be of materials which resist deterioration by the weather or have resistant coatings applied to them, except that a farm building may have unprotected wood surfaces.</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(4) An exterior wall and its components and attachments shall be: (a) maintained to prevent their deterioration by painting, restoring or repairing the walls, coping or flashing or by waterproofing the wall itself; (b) repaired of vandalism or other damage including but not limited to broken windows.</p>	<p>The rear yard shed has an exterior brick wall which is cracked and has deteriorated mortar joints.</p> <p>Repair the shed so as to be free from loose or insufficiently secured, rotten, warped or broken materials and so as to properly perform its intended function.</p>
10	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>The rear yard shed has rotted fascia board. Repair or replace the affected area.</p>
11	10(3) An eavestrough or downspout shall be maintained: (a) watertight and free from leaks; (b) free from any obstructions; (c) in a stable condition, securely fastened to the building or structure it drains; and (d) so as to properly perform its intended function.	<p>The East (rear) side of the dwelling, and shed have both a missing and a disconnected downspout.</p> <p>Repair or replace so as to be:</p> <p>(a) watertight and free from leaks; (b) free from any obstructions; (c) in a stable condition, securely fastened to the building or structure it drains; and (d) so as to properly perform its intended function.</p>

#	(Property Standards By-law Provision)	REQUIREMENT
12	14(1) (a) A door, window, hatch or other opening and its frame and any additional features relating to accessibility shall be maintained to properly perform its intended functions and repaired or replaced if damaged including but not limited to an exterior door, window, hatch or other opening and its frame being constructed to minimize drafts and heat loss through the infiltration of outside cold air. (b) For the purposes of subsection 14(1)(a) "damaged" includes but is not limited to: (i) rotted or missing weather-stripping, caulking or hardware; or (ii) broken or missing glass.	The East side of dwelling has a roof dormer with broken/missing glass. Repair or replace so as to be free of broken/missing glass.

You are ordered, no later than May 01, 2026.

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 (\$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.
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.

Signature: RH

ROB HOMEWOOD
Municipal Law Enforcement Officer



For office use only	
Order drafted by: J. Reeves	
Order served:	by: <input checked="" type="checkbox"/> electronic service
January <u> 21 </u> , 20 <u> 26 </u>	<input type="checkbox"/> personal service
Serving officer's initials: <u> RH </u>	<input type="checkbox"/> registered mail