

Take notice that an appeal hearing has been scheduled by the City of Owen Sound regarding an Order to comply with Property Standards By-law No. 1999-030, as amended, under the *Building Code Act*, 1992, S.O. 1992, c. 23 for the subject property known municipally as 426 12th Street West.

The Appellant, Kepler Real Estate Inc., is seeking review and consideration from the Property Standards Committee regarding Order Number OSBY-2026-0272, attached as Schedule 'A'. The Appellant's Notice of Appeal is attached as Schedule 'B'.

The Property Standards Committee for the City of Owen Sound will consider this appeal through an electronic hearing on **October 6, 2026, at 3:00 p.m.** in the Council Chambers of City Hall, located at 808 2nd Avenue East, Owen Sound.

If the Appellant or Appellant's Representative does not attend the Hearing, the Committee may proceed in the Appellant's absence, and the Appellant will not be entitled to any further notice in the proceeding.

If a Party intends to make use of any written or documentary evidence at the Hearing, that Party is required to serve one (1) copy of the documents (referred to as the disclosure package) to the Secretary no later than **September 23, 2026**. As per Section 36 of the Property Standards Committee Procedure, "document" includes any report, memorandum, witness list, witness statement, sound recording, videotape, file, photograph, map, plan, survey, and any information recorded or stored by any means, and any expert reports to be relied upon and a copy of the curriculum vitae of the authors of any such expert reports.

The Secretary will provide the disclosure packages to all Parties no later than September 25, 2026.

If the video or audio for the Appellant or Appellant's Representative, malfunction during the Hearing, the Committee may proceed in the Appellant's absence, and the Appellant will not be entitled to any further notice in the proceeding.

A Party may, by satisfying the Committee that holding the Hearing as an electronic hearing is likely to cause the Party significant prejudice, require the Committee to hold the Hearing as an "in person" hearing and must provide the rationale for the request.

Please be advised that this hearing is a formal process in which the parties involved will have an opportunity to present oral, written, or visual evidence related to the matter. Questions of clarification may be asked by the Appellant, the City, or the Committee. Those parties providing evidence will be sworn in or affirmed before they do so. The process for this hearing must comply with the Property Standards Committee Procedure and, as necessary, the *Statutory Powers Procedures Act*, R.S.O. 1990, c. S.22. A copy of the Property Standards Committee Procedure is available on the City of Owen Sound's website at www.owensound.ca.

The Hearing will be open to the public and as such, may be viewed in person in Council Chambers or on the City's Council and Committees webpage at owensound.ca/meetings.

If you wish to receive a copy of the decision of the Property Standards Committee in respect of the appeal, you must make a written request to the Secretary of the Property Standards Committee using the contact information listed below.

All information disclosed will become part of the decision-making process of the appeal and will be posted on the City's website. Personal information is collected under the authority of the *Building Code Act*, 1992 and will become part of the public record. Questions about this collection should be addressed to the Secretary of the Property Standards Committee.

Notice Date: September 3, 2026

Staci Landry
Secretary of the Property Standards Committee
808 2nd Avenue East
Owen Sound, ON N4K 2H4
Telephone: 519-376-4440 ext. 1235
Email: clerks@owensound.ca

Schedule 'A'

Property Standards Order



City of Owen Sound
By-law Enforcement Division
808 2nd Avenue East
Owen Sound, ON, N4K 2H4
Phone: 519-376-4440 ext. 1905
Email : enforcement@owensound.ca

Date Issued: 2026-08-11

PROPERTY STANDARDS ORDER

KEPLER REAL ESTATE
INC
43363 SPARTA LINE, ST
THOMAS ON N5P 3S8

MUNICIPAL ADDRESS: 426 12TH ST W
LEGAL DESCRIPTION: PLAN 41 E PT LOT 13
PAYNTER;N

CASE #OSBY-2026-0272

IT IS AN OFFENCE TO OBSTRUCT/REMOVE POSTED ORDER WITHOUT AUTHORIZATION

It has been established by inspection that the property municipally known as **426 12TH ST W**, City of Owen Sound, does not conform to the standards set out in the City's Property Standards By-law No. 1999-030, as amended. The particulars of the non-conformity are set out in Appendix "A" attached to this Order.

Attached is a **\$220.00** invoice for processing the Order. If payment is not made within thirty (30) days, the costs will be levied against the property and shall be recoverable as municipal taxes. This charge is being levied as the result of the preparation and mailing of the Property Standards Order as authorized by the City's Fees and Charges By-law.

IT IS HEREBY ORDERED THAT all deficiencies as contained herein be brought into compliance with the Property Standards By-law 1999-030, as amended, no later than **2026-09-01**.

TAKE NOTICE THAT if the repairs or clearance are not completed within the time specified herein, the Corporation may, in addition to any other action permitted by law, carry out the repairs or clearance at the expense of the owner.

APPEAL TO PROPERTY STANDARDS COMMITTEE:

If you are not satisfied with the terms or conditions of this Order, you may appeal to the Property Standards Committee by sending a Notice of Appeal form along with the applicable **\$200.00** fee (documents attached) by attending City Hall in person or serving it by registered mail to:

Secretary, Staci Landry
Property Standards Committee
City Hall, 808 2nd Avenue East
Owen Sound, ON N4K 2H4

within fourteen (14) days after service of the Order, and, in the event that no appeal is taken, the Order shall be deemed to have been confirmed. The final date for giving Notice of Appeal from the Order is **2026-08-30**.

**APPENDIX "A" - WORK REQUIRED TO COMPLY
PROPERTY STANDARDS - ORDER TO OWNER**

**Pursuant to Section 15.2(2) of the *Building Code Act*, S.O. 1992, C23, as amended
By-law No. 1999-030, as amended**

DATE: 2026-08-11

OWNER: KEPLER REAL ESTATE INC

PROPERTY: 426 12TH ST W

LEGAL DESCRIPTION: PLAN 41 E PT LOT 13 PAYNTER;N

INSPECTOR: MICHAEL DOUGLAS, #710

NOTED VIOLATIONS:

A full consolidated copy of the City's Property Standards By-law No. 1999-030, as amended, is available on the City's Website. The following is a direct quote from the by-law and is to be adhered to:

SECTION 2.4.2 - ROOF AND ROOF STRUCTURES

A roof of a building including the fascia board, soffit and cornice shall be maintained in a water-tight condition so as to prevent leakage of water into the building, and every fascia board, soffit and cornice shall be maintained so as to retard deterioration due to weather. Maintenance shall include the repair or replacement of broken, defective or deteriorated components with the application of paint, or other preservative, or covering with a weather-proof material. [By-law 1999-030, Section 2.4.2.1]

A roof of a building shall be free from loose or unsecured or unsafe objects and materials. [By-law 1999-030, Section 2.4.2.2]

WORK REQUIRED TO COMPLY:

The following chart outlines the violations noted and the work required to comply with the by-law. All of the following deficiencies must be completed on or before the compliance date listed below:

Item	Description of Violation	Work Required to Comply
1	Roof, fascia board, soffit and cornice are not water-tight. On the east side of the roof, the eavestrough has been removed. Additionally, a portion of the fascia and soffit is missing, resulting in exposed roof structure. On the west side of the roof, the eavestrough is not maintained in good repair. A portion of the eavestrough is missing, and multiple sections are detached and hanging from the roof, posing a risk of further damage and improper drainage. [By-law 1999-030, Section 2.4.2.1]	Repair/Replace roof, eavestrough, fascia board, soffit and cornice with weather-tight materials and maintain in good repair.
2	Roof has loose, unsecured, unsafe objects and materials. On the west side there is section of metal eavestrough that are bent	Remove, repair, or securely fasten any loose, damaged, or unsecured materials forming part of the roof to ensure the roof

Item	Description of Violation	Work Required to Comply
	and hanging and are not fully secure to the roof. [By-law 1999-030, Section 2.4.2.2]	is maintained in a safe and secure condition

Compliance Date: 2026-09-01

NOTE:

- Where a reinspection is conducted after the compliance date, and non-compliance is observed, a reinspection fee in the amount of \$150.00 will be applied to the tax roll of the property.
- The issuance of this order does not relieve the owner(s) from the necessity of acquiring any and all permits or approvals from the City of Owen Sound.
- Failure to comply with an order, direction, or other requirement made under the Building Code Act is an offence.
- Obstructing or removing a posted order without authorization to do so from an inspector or officer is an offence.
- A person who is convicted of an offence is liable to a fine of not more than \$50,000 for a first offence and to a fine of not more than \$100,000 for a subsequent offence. If a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$500,000 for a first offence and \$1,500,000 for a subsequent offence.
- In addition to any other action permitted by law, if the repairs or clearance are not completed within the time specified herein, the Corporation may carry out the repairs or clearance at the expense of the owner. Costs of such action may be registered as a lien on the land and shall be deemed to be municipal real property taxes and may be added to the assessment roll and collected in the same manner and with the same priorities as municipal real taxes.

Order Issued By:

Michael Douglas, #710
Property Standards Officer

Signature



Dated at Owen Sound, on 2026-08-11

Schedule 'B'

Notice of Appeal

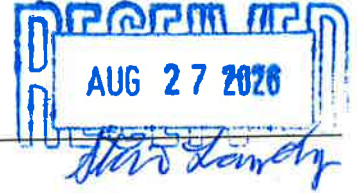
Property and Owner Information

Location: 426 12th Street West

Owner: Kepler Real Estate Inc.

Mailing Address (if different from location): 43363 Sparta Line, St Thomas, ON N5P 3S8

Phone Number: (226)379-4868 Email Address: admin@keplerresidences.com



Order Information

Issue Date: August 11, 2026

Deadline for Appeal Date: 08/30/2026

Compliance Date: 09/01/2026

Order Number: OSBY-2026-0272

Appellant Information

Name: Kepler Real Estate Inc

Mailing Address: 43363 Sparta Line, St Thomas, ON N5P 3S8

Phone Number: (226)379-4868 Email Address: admin@keplerresidences.com

Preferred Method of Service: ☐ Mail ☒ Email

Representative Information (if applicable)

Representative Name: _____

Address: _____

Phone Number: _____ Email Address: _____

Preferred Method of Service: ☐ Mail ☐ Email

Grounds and/or Reasons for Appeal

State the grounds and/or reasons for the appeal, including any supporting documents and photographs (attach additional pages if necessary):

Our reasons include, but are not necessarily limited to, a request for time extension. This is due to contractor scheduling challenges. It is possible we will ask for a four week extension from the date of the hearing, heavily dependent on how much progress towards compliance we are able to make between now and the hearing date.

Hearing

☐ In Person Hearing

☒ Electronic Hearing

☐ Closed Hearing

If you selected an electronic hearing or a closed hearing, please provide the rationale for your request. For a closed hearing, please describe how your rationale meets the test of matters involving public security or intimate financial or personal matters (attach additional pages if necessary).

We could accommodate the city's need for an in-person hearing if required. The Landlord & Tenant Board, Ontario Superior Court, and various other courts and tribunals have migrated to a digital-first approach in 2026

Additional Information

Attach the following documents with your Notice of Appeal form:

☒ Order related to the appeal.

☒ Property standards appeal fee, as set out in the City of Owen Sound's Fees and Charges By-law. This fee is non-refundable. (The by-law can be found on the City's By-laws and Policies webpage at www.owensound.ca/by-laws).

☐ An authorization to act as representative for notice of appeal (if applicable).

Jonathan Kepler

08/27/2026

Name

Date



Signature

Personal information on this form is collected under the authority of the *Building Code Act*, 1992. The information collected will be used for the appeal process and will form part of the public record. Questions about this collection should be addressed to Briana Bloomfield, City Clerk, at bbloomfield@owensound.ca or 519-376-4440 ext. 1247.