



# THE CITY OF WINDSOR

COUNCIL SERVICES DEPARTMENT

VALERIE CRITCHLEY  
CITY CLERK

IN REPLY, PLEASE REFER  
TO OUR FILE NO. \_\_\_\_\_

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October 6, 2015

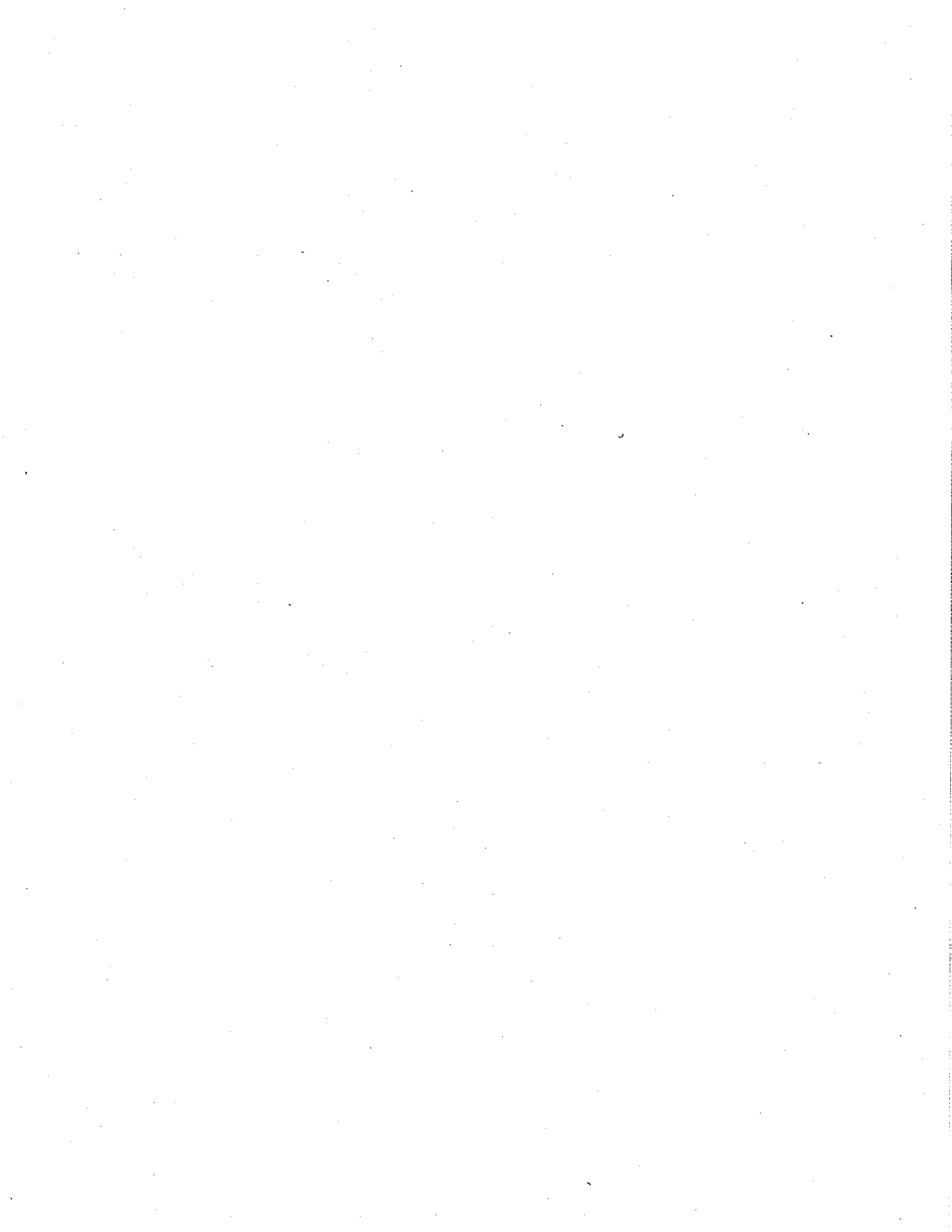
**TO: ALL MEMBERS OF THE PROPERTY STANDARDS COMMITTEE**

Please find attached the minutes of the Property Standards Committee at its meeting held August 14, 2015.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Karen Kadour', written over a horizontal line.

Karen Kadour  
Committee Coordinator



KK/  
Windsor, Ontario August 14, 2015

A meeting of the **Property Standards Committee** is held this day commencing at 9:00 o'clock a.m. in the Walkerville Meeting Room, 3<sup>rd</sup> floor, City Hall, there being present the following members:

Councillor Rino Bortolin, Chair  
Councillor John Elliott  
Councillor Ed Sleiman  
Wes Kukiela

**Also present are the following resource personnel:**

Dan Lunardi, Manager of Inspections  
Rob Vani, Manager of Inspections  
Amy Goz, Building Inspector  
Oliver Pozar, Building Inspector  
Karen Kadour, Committee Coordinator

**1. CALL TO ORDER**

The Committee Coordinator calls the meeting to order at 9:00 a.m. and the Committee considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

**2. ELECTION OF CHAIR**

The Committee Coordinator calls for nominations from the floor for the position of Chair. Councillor Sleiman nominates Councillor Bortolin for the position of Chair and is seconded by Councillor Elliott. The Committee Coordinator asks if there are further nominations from the floor for the position of Chair. Seeing none, the Committee Coordinator asks if Councillor Bortolin accepts. Councillor Bortolin accepts.

Moved by Councillor Sleiman, seconded by Councillor Elliott,  
That Councillor Rino Bortolin **BE ELECTED** Chair of the Property Standards Committee.

Carried.

Councillor Bortolin assumes the Chair.

**3. DECLARATIONS OF CONFLICT**

None disclosed.

4. **ADOPTION OF THE MINUTES**

Moved by Councillor Sleiman, seconded by Councillor Elliott,  
That the minutes of the Property Standards Committee at its meeting held November 21,  
2014 **BE ADOPTED** as presented.  
Carried.

5. **PRESENTATION**

The Manager of Inspections provides an overview of the Property Standards Committee  
for the new members of the Committee.

6. **REQUEST FOR DEFERRALS**

None.

***HEARING OF APPLICANTS AND INTERESTED PARTIES – 10:00 o'clock a.m.***

7. **DISCUSSION OF APPEALS**

**7.1 James Keys** against an Order issued March 25, 2015 regarding property at 3237 Virginia  
Park Avenue, Windsor, Ontario N. Pt. Lot 495, S. Pt. lot 496, Plan 1329. The Notice of Appeal  
dated March 26, 2015 has been received within the 14 day timeframe.

Mr. James Keys is present and available to answer questions.

R. Vani indicates as result of a complaint, the Order to Repair noting seven defects was  
issued on March 25, 2015. He states at this point in time, the Order is still outstanding .

J. Keys reports there is only one defect outstanding (outside windows) and cites the  
following work has been completed:

- New roof, concrete work and back step have been completed.
- All sidewalks have been replaced.
- Front porch (was inspected by another Inspector).

R. Vani notes the permit record shows no inspections or repairs have been undertaken.

Moved by Councillor Sleiman, seconded by Councillor Elliott,  
That the request of James Keys for an extension of time to September 30, 2015 to correct  
the deficiencies outlined in the Order to Repair for the property located at 3237 Virginia Park

Avenue, Windsor, Ontario **BE PERMITTED** and further, that the Manager of Inspections **BE REQUESTED** to convene a meeting with the applicant.

Carried.

**7.2 Omayya Investments Inc.** against an Order issued June 11, 2015 regarding property at 120 Caron Avenue, Windsor Ontario Essex Condo Plan 145; Level 1 through Level 16. The Notice of Appeal dated June 24, 2015 has been received within the 14 day timeframe.

Mr. Kan Puri participates in the meeting (from Toronto) via a teleconference phone.

R. Vani provides the following information relating to this matter:

- June 1, 2015 – 311 complaint assigned to Inspector Suszek to investigate “balcony has cement falling from it, paint chips coming off parking garage”.
- June 4, 2015 – Inspector attended the property and could not assess from the ground level (complainant not home), called manager to set up access to balcony and garage area.
- June 9, 2015 – Inspector meets with Manager of building, numerous cracks in balconies, garage has flaking paint everywhere, and concrete at ramp has some breakaway concrete, signs of leaking through perimeter of the parking garage at the interior wall and floor intersection - straw concrete block construction.
- June 11, 2015 – Order to Repair issued Registered Mail, deadline July 11, 2015.
- June 24, 2015 – Order appealed by owner Omayya Investments.
- July 6, 2015 – Owner asks that we stand down enforcement of the Order to Repair to retain a Professional Engineer.
- July 21, 2015 – Engineer report (Crozierbaird, Matthew Baird) received and reviewed by the Building Department.
- July 22, 2015, Correspondence from Matthew Baird indicating repairs not done yet and permit will be taken out by the contractor.
- July 29, 2015 – Some repairs initiated without a permit, poor workmanship. Photos taken for file and appeal submission.

R. Vani distributes photos of the deficiencies noted at 120 Caron Avenue, *attached* as Appendix “A”. He indicates the photos illustrate some areas of the balconies that have not been repaired. He expresses concern with the water infiltration seeping into the parking garage area and notes no permit has been issued for this work. In terms of the straw concrete blocks, he states waterproofing would have to be undertaken on the exterior of the building.

The Chair advises the letter from Matthew Baird, P. Eng. confirms there are no structural issues. R. Vani states there is no immediate concern related to the building, however, in terms of water infiltration, the walls will begin to bow in (concrete blocks) as they are very porous and may affect the structural steel.

Ken Puri, applicant provides the following comments:

- A-1 Driveways has obtained a permit from the City.

- The basic problem is the water seeping from the upper deck to the garage. The Engineer has stated there are no structural problems; they are only maintenance issues. These items do not require a permit.
- Expresses concern that banks will not provide funding when there is a Work Order.
- Indicates the Building Inspector should have called him before issuing the Order.
- Cost to seal the upper deck is approximately \$70,000. Once this is completed, there will be no problems in the basement.
- Intends to repair all of the balconies at a cost of approximately \$400,000.
- Upper deck construction has begun. A letter will be sent from the Engineer when the work is completed and acceptable to him.
- Hoping the Committee will rescind the Order.
- The balcony project will require approximately 1.5 years to complete.

R. Vani states any materialistic change to a building requires a permit. When you modify a Part 3 building, it must be done under the review of an Engineer.

Moved by Councillor Sleiman, seconded by Councillor Elliott,

That the request by Omayya Investments for an extension of time to December 31, 2015 to repair the balconies as outlined in the Order to Repair for the property located at 120 Caron Avenue, Windsor, Ontario **BE PERMITTED**.

Carried.

**7.3 832426 Ontario Limited c/o Ally Esmail, President** against an Order issued May 7, 2015 regarding property at 2603 Meadowbrook Lane, Windsor, Ontario Essex Condo Plan 164; Levels 1 to 3. The Notice of Appeal dated May 22, 2015 has been received within the 14 day timeframe.

**7.4 832426 Ontario Limited c/o Ally Esmail, President** against an Order issued May 7, 2015 regarding property at 2619 Meadowbrook Lane, Windsor, Ontario Essex Condo Plan 164; Levels 1 and 2. The Notice of Appeal dated May 22, 2015 has been received within the 14 day timeframe.

It is generally agreed Items 7.3 and 7.4 will be discussed simultaneously as the Order was required to address the two building envelope issues.

A letter from Jerry L. Goldberg, Shibley Righton LLP dated July 24, 2015 regarding 2603 & 2619 Meadowbrook Lane, Windsor – Courtyards of Parkway is distributed and **attached** as Appendix “B”.

Dan Hussey, Property Manager, Troy Humber, Chall-Eng Services Inc., Consulting Engineers, Rick Patterson, P. Eng., Tony Debly, Solicitor, and Heather Debly, Licensed Paralegal are present and available to answer questions.

Oliver Pozar provides the following as it relates to this matter:

- Complaints were received regarding the mansard roof shingles falling off and the subsequent leaking problems. The wood has rotted on the mansard roofs.
- The windows have exceeded their life expectancy (are over 40 years old) and the window frames are rotting.
- No proper weather stripping around the windows.
- Cannot open the windows properly (they get stuck in the silicone).
- Engineers believe the windows will last another 5-7 years.
- Indicates all windows should be replaced.

D. Hussey provides the following comments relating to the Orders to Repair:

- The roof on one of the buildings is approximately 12 to 13 years old and notes the roof in the other building is older.
- Proper maintenance for the windows is being undertaken. Some windows are in poor condition, however, they are fixable.
- There is an issue with tenants calling the City to complain rather than informing the Property Manager of their issues.
- There is a significant cost to replace the windows.
- Condo conversion of the buildings occurred in April 2013 which entailed numerous inspections by the Building Department.
- Policy on windows includes when the condo is vacant, the windows are refurbished.
- The property located at 2603 Meadowbrook, Unit 11 – the windows were repaired and the section of the roof located above that unit was also repaired.
- States there is an issue with humidity which causes the windows to stick. If this occurs, the windows tracks are immediately siliconed.
- In 2009, a contractor was hired to reseal 1,113 windows inside and out.
- The request to replace the windows has been sent to the owner of the buildings but adds the windows do not need to be replaced.

R. Patterson, P. Eng. notes the windows are old and the mansard type roof is not preferable. He states the windows will last another 5-7 years with ongoing maintenance. He notes there is little wood rot and there are no structural or safety issues. He further adds the roofs and the windows do not require replacement at this time.

Tony Debly advises his client did what they were instructed to do; they hired an Engineer and received his report. In terms of the windows, the standards are not set out for perfection but of maintenance.

The Chair states opening a window is a minimum standard. He adds the Inspector could not open the window in several of the units and asks what if a fire occurs?

O. Pozar reports even if the windows are repaired, they do not meet the intent of the Property Standards By-law. He suggests a replacement schedule for the windows and notes he is willing to work with the Owner of the buildings.

Dan Hussey indicates the windows most in need of repair are on the first floor of the buildings and he is willing to replace them.

Moved by Councillor Elliott, seconded by Councillor Sleiman,

That the request by Dan Lunardi, Manager of Inspections for the City of Windsor Building Division, to add sections number 1.7 and 1.8 to defect #1 of the Order to repair BE APPROVED.

Carried.

Moved by Councillor Elliott, seconded by Councillor Sleiman,

That 832426 Ontario Limited c/o Ally Esmail, President **BE REQUESTED** to contact the Building Department to discuss a schedule to replace the windows on the first floor of 2603 Meadowbrook Lane and 2619 Meadowbrook Lane and to **BE DIRECTED** to advise the Committee of a long term plan for the replacement of the windows on the balance of the building(s), and further, that defects relating to the roofing and cladding **BE DELETED** from the Order(s).

Carried.

8. **REPORTS**

None.

9. **COMMUNICATIONS**

None.

10. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 1:04 o'clock p.m.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
COMMITTEE COORDINATOR



**AGENDA**  
and Schedule "A"  
to the minutes of the  
**PROPERTY STANDARDS COMMITTEE**  
meeting held  
Friday, August 14, 2015  
at 9:00 o'clock a.m.  
Walkerville Meeting Room, 3<sup>rd</sup> floor, City Hall

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1. **CALL TO ORDER**

2. **ELECTION OF CHAIR**

3. **DECLARATION OF CONFLICT**

4. **ADOPTION OF THE MINUTES**

Adoption of the minutes of the meeting held November 21, 2014 (*attached*).

5. **PRESENTATION**

The Manager of Inspections to provide an overview of the Property Standards Committee for the new members of the Committee (*at 9:00 a.m.*).

6. **DEFERRALS/REQUEST FOR DEFERRALS**

*HEARING OF APPLICANTS AND INTERESTED PARTIES – 10:00 o'clock a.m.*

7. **DISCUSSION OF APPEALS**

7.1 **James Keys** against an Order issued March 25, 2015 regarding property at 3237 Virginia Park Avenue, Windsor, Ontario N. Pt Lot 495; S Pt lot 496, Plan 1329. The Notice of Appeal dated March 26, 2015 has been received within the 14 day timeframe.

7.2 **Omaya Investments Inc.** against an Order issued June 11, 2015 regarding property at 120 Caron Avenue, Windsor, Ontario Essex Condo Plan 145; Level 1 through Level 16. The Notice of Appeal dated June 24, 2015 has been received within the 14 day timeframe. Additional information regarding this matter is *attached*.

7.3 **832426 Ontario Limited c/o Ally Esmail, President** against an Order issued May 7, 2015 regarding property at 2603 Meadowbrook Lane, Windsor, Ontario Essex Condo

Plan 164; Levels 1 to 3. The Notice of Appeal dated May 22, 2015 has been received within the 14 day timeframe.

- 7.4 **832426 Ontario Limited c/o Ally Esmail, President** against an Order issued May 7, 2015 regarding property at 2619 Meadowbrook Lane, Windsor, Ontario Essex Condo Plan 164; Levels 1 and 2. The Notice of Appeal dated May 22, 2015 has been received within the 14 day timeframe.

8. **REPORTS**

None.

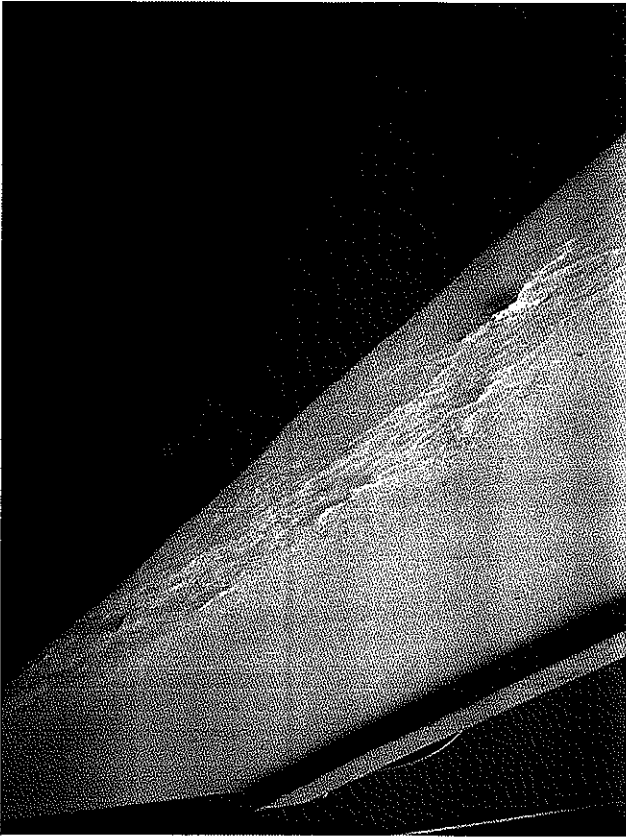
9. **COMMUNICATIONS**

None.

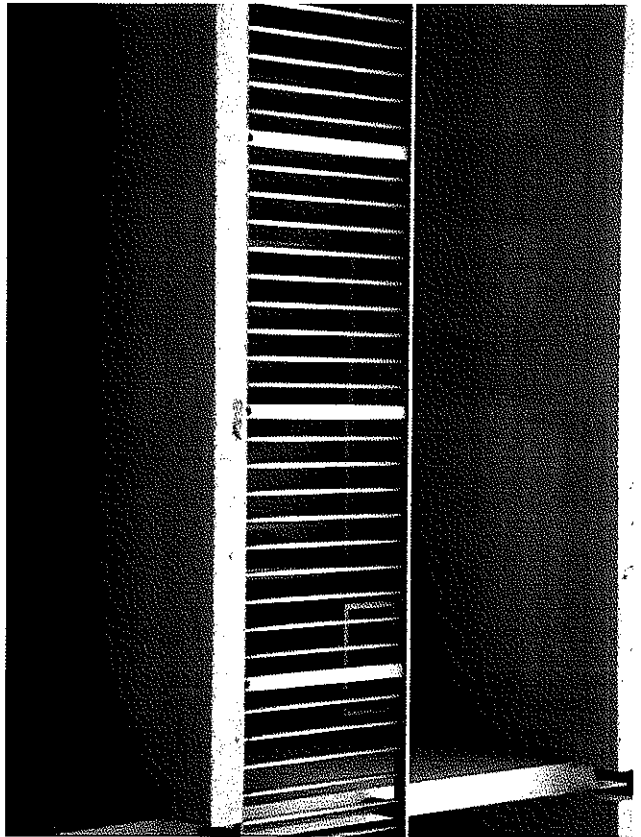
10. **ADJOURNMENT**

ITEM 1.2

#374 - OVER FRONT ENTRY



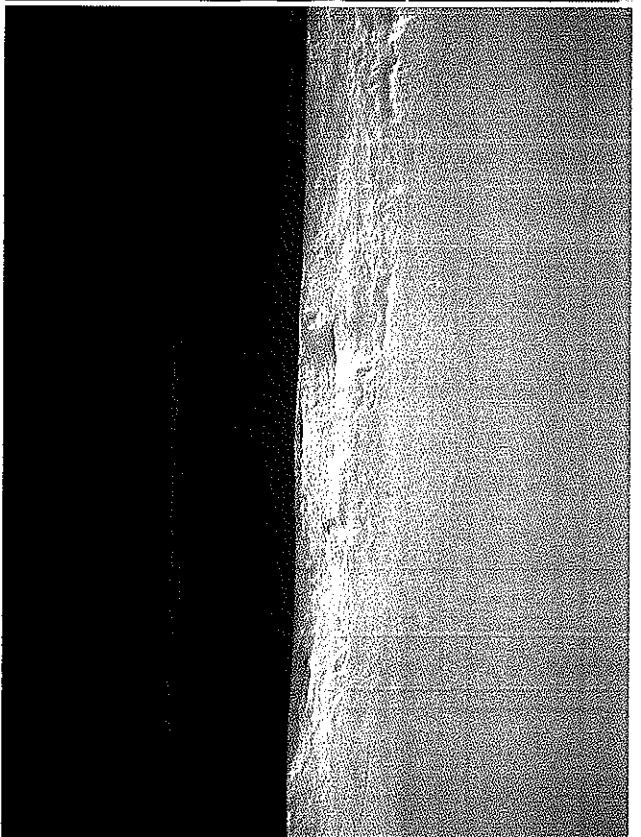
#372 - TO RIGHT FRONT ENTRY FLOOR 3

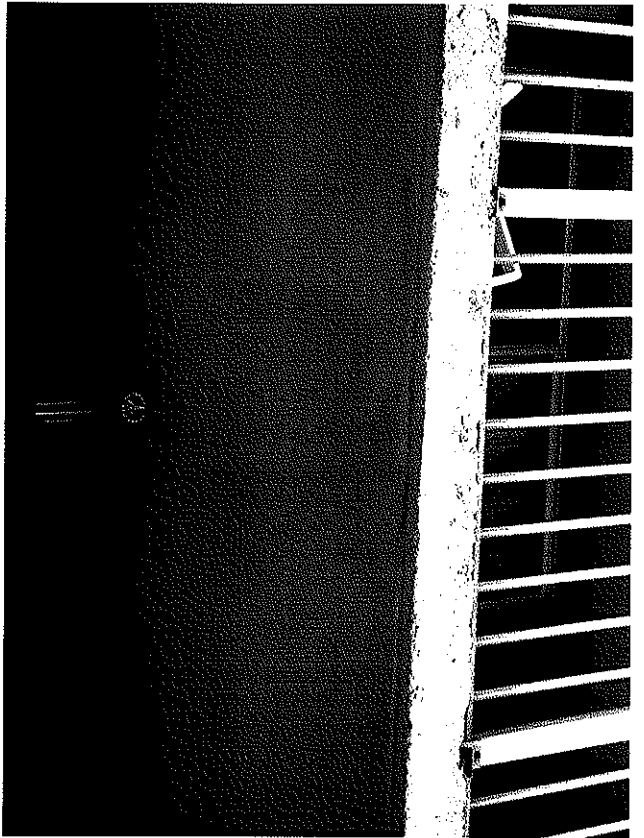


#375 - TO LEFT FROM ENTRY FLOOR 1

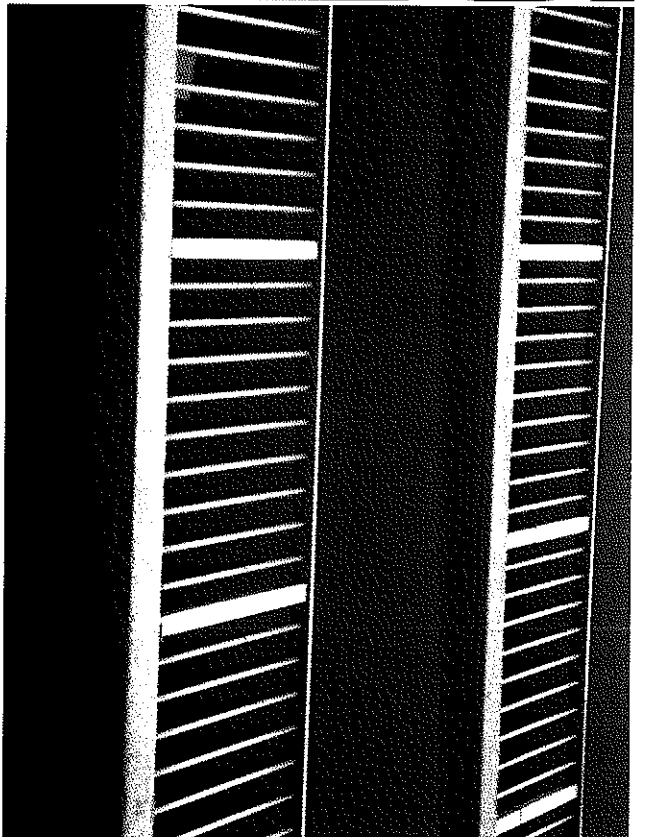


#373 - OVER FRONT ENTRY





#377- 503



#378 -803, 903, 1003



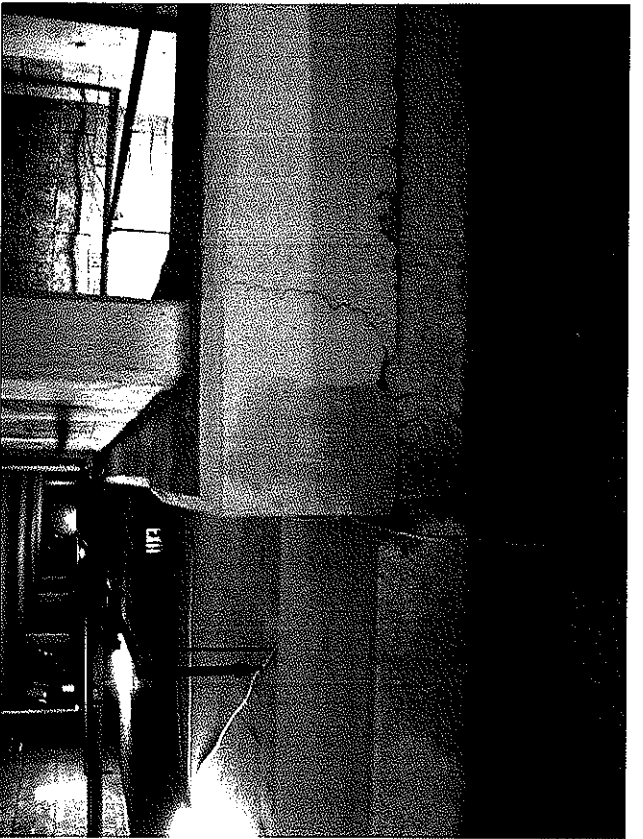
#379- NORTH SIDE FRONT ENTRY (SEE OTHER LOCATIONS) PARKING GARAGE G1 AND G@



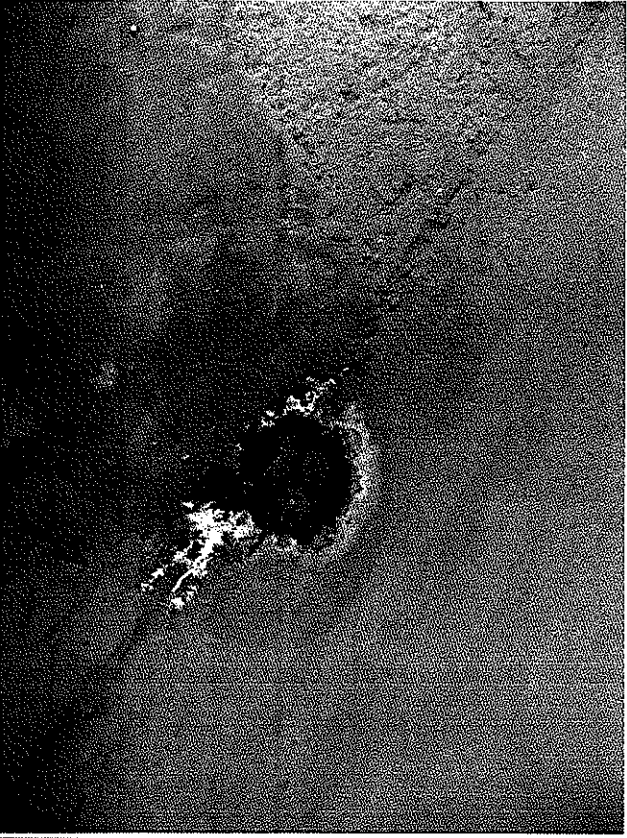
#380- EXHAUST GRILLES/PAINTED AND PATCHED G1 TO G2 RAMP



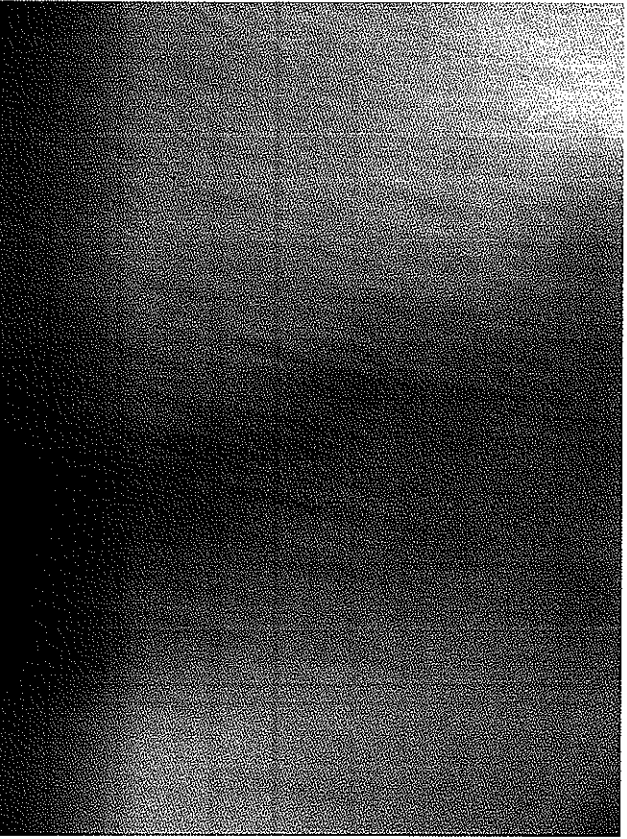
#381- 88 FLOOR REPAIR HOLLOW UNDER, OVER G2



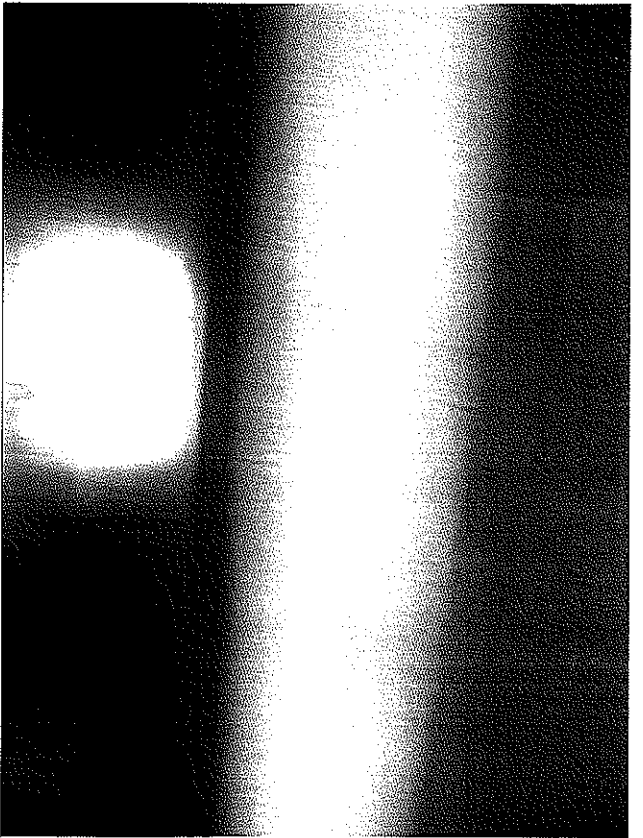
#382- 84 PATCH PAINT WASHING OUT



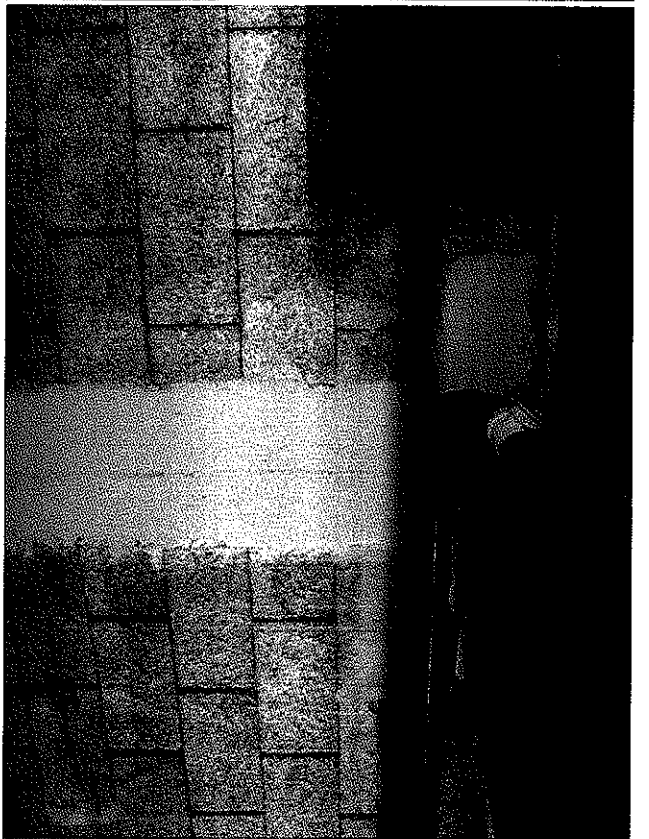
#383 -WASHOUT FROM ABOVE ON FLOOR



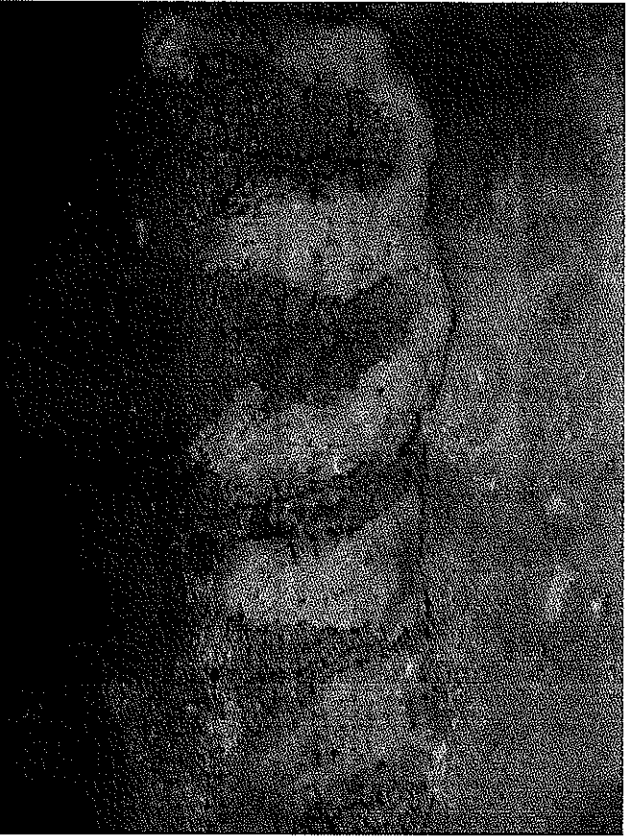
#384-14 PATCHED/PAINTED, NEW CRACK STILL WET FROM RECENT RAIN



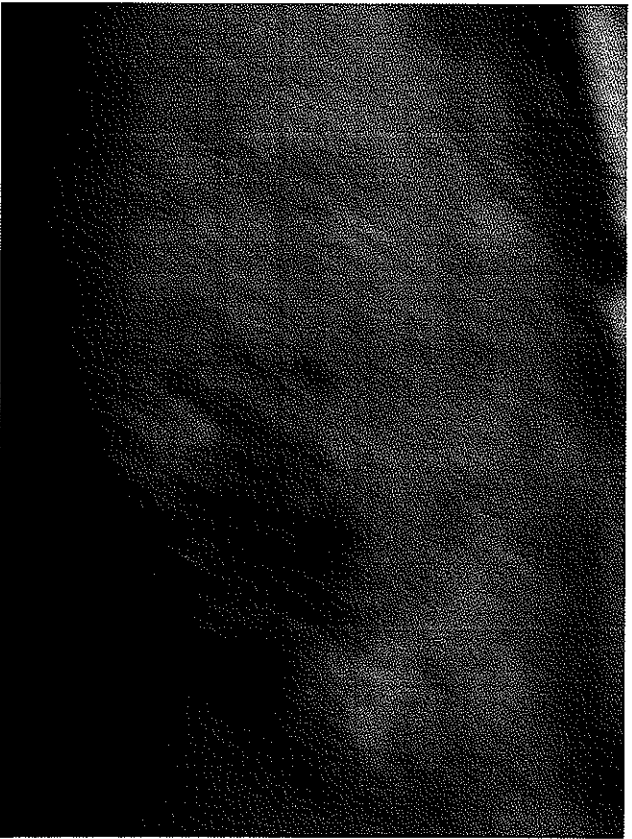
#385- PATCHED/PAINTED, NEW CRACK STILL WET FROM RECENT RAIN



#386- SOUTH 112



#387- 60 FLOOR PATCH INITIALS IN CONCRETE



#388- 65 FLOOR PATCH



#389- 41 WALL CRUMBLING



#390- 90 FLOODING AREA STILL WET



#391- 100



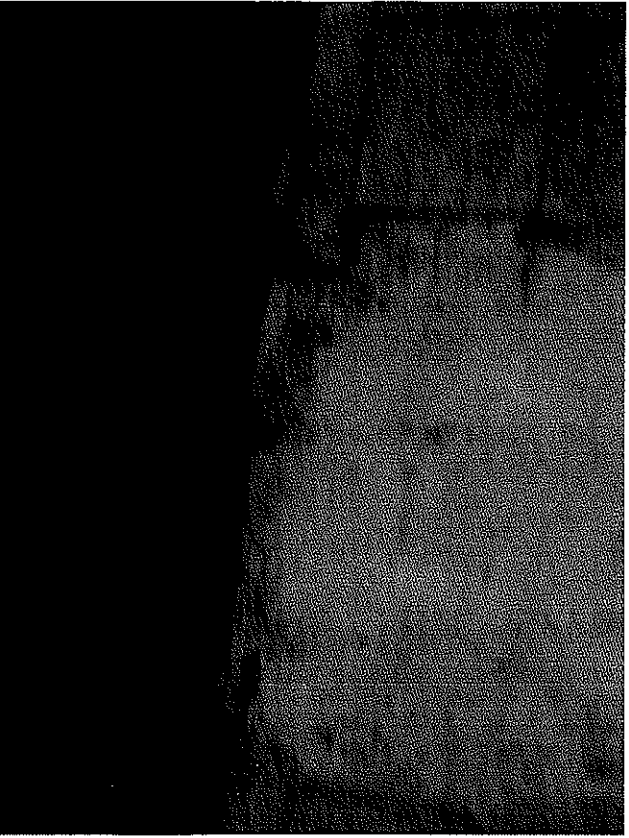
#392- 112



#393- 2 SCRAPED PATCHED PAINTED CEILING



#394- WEST WALL PATCHES FRESH PAINT



#395- NORTH WALL LEAKS



#396- NORTH WALL CRUMBLING AND FINISH FLAKES BY HAND





#397 - ACROSS 41 INNER WALL FLOODS IN RAIN



#398 - AT WEST ELEVATOR ENTRY SCRAPED, PATCHED, PAINTED



#399 - AT WEST ELEVATOR ENTRY SCRAPED, PATCHED, PAINTED



#400 - EXTERIOR RAMP

#401- EXTERIOR RAMP



#402- EXTERIOR RAMP





SHIBLEY RIGHTON LLP

Jerry L. Goldberg  
Direct Line : (519) 561-7408  
goldberg@shibleyrighton.com

WINDSOR OFFICE:  
7-10 Ouellette Avenue, Suite 301, Windsor, Ontario, N8X 1L1  
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Facsimile 519 969-8045

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Main 416 214-8200 Toll Free 1-877-214-8200  
Facsimile 416 214-8400

www.shibleyrighton.com

Please reply to the WINDSOR OFFICE

July 24, 2015

File No. 2150631

**DELIVERED VIA PRO-LINK SERVICES**

Corporation of the City of Windsor  
Office of the City Clerk  
350 City Hall Square West, Room 203  
Windsor, Ontario  
N9A 5S1

**Attention: Karen Kadour, Committee Coordinator – Council Services**

Dear Madam:

**Re: 2603 & 2619 Meadowbrook Lane, Windsor - Courtyards of Parkway  
Folder Number 2015 177957 VY**

My client advises that the hearing for the appeal has been set for 10:00 a.m. on August 14, 2015. Please advise us of the location.

I enclose the following:

1. Outline prepared by Dan Hussey, Site Supervisor for the owner describing all attendances and work done at the various units.
2. Letter from Troy Humber of Challeng. Consulting Engineers describing his attendances at the site, work was completed and in his professional opinion nothing further needs to be done.

I submit that this report satisfies the two orders to repair that have been issued and that as such a hearing is not required.

If you or someone from your Department wishes to attend at the site please call Dan Hussey to arrange a mutual time. He can be reached at (519) 790-9870.

Yours truly  
**SHIBLEY RIGHTON LLP**

Per: \_\_\_\_\_  
Jerry L. Goldberg

/cmb

Enclosures

cc: 832426 Ontario Ltd. (Ally Esmail)

**APPENDIX "B"**

LEXWORK





832426 Ontario Limited

Operated as Courtyards of Parkway

2609 Meadowbrook Lane, Unit 01 • Windsor, Ontario • N8T 2X9

(p) 519-945-4386 • (f) 519-945-5215

July 15, 2015

Re: Summary of Request for Service Complaints

2619 Meadowbrook Lane, Windsor, Ontario N8T 2Y1

Date of Complaint	Unit Number	Issue
February 20, 2014	15	leaking ceiling. Mike Arthur was the building inspector and explained to them the repair has to wait due to the winter.
May 22, 2014	15	leaking roof Was fixed at the end of May 2014 Mike Aruther was the building inspector
June 27, 2014	13	tub leaking, tiles on floor. Mike Arthur was building inspector. Work was Completed with pictures.
October 22, 2104	13	Window frames are rotten. Can't open windows. Oliver Pozar building inspector called us December 12, 2014 about this complaint. Tenant never told us. Upon investigation windows fine, tenant was using a electric dryer in the living room and venting the air in the living room.

2603 Meadowbrook Lane, Windsor, Ontario N8T 2X9

Date of Complaint	Unit Number	Issue
June 20, 2014	11	shingles off the roof. Bedroom leaks. Cabinet drawers not on track. Roaches No door handle on entrance door. Dead bolt on apartment door not working The above tenants never called the Landlord. Mike Arthur was the building inspector all work was done as per Mike Arthur. Emails were sent.
November 7, 2014	11	No heat, bathroom ceiling leaks. Upon investigation the heat was at 72F and the bathroom ceiling has moisture due to the bathroom fan not working. Fan was fixed.

July 22/14 Building Inspector about maintenance 1pm. Mike Arthur the building inspector went with Duane to the unit. DEH

July 22/14 Report by the Inspector: Apartment door needs to be replaced. Water stain in 2nd bedroom. Water / cracks 1st bedroom window. A/C cover seal up. Kitchen cupboards to fasten. No roaches found. Shingles on the building. DEH

Aug 12/14 gave tenant 24hr notice for wed Aug 13/14 between 1pm-4pm maintenance issues.CB

August 13/14 Following email to city inspector:

Good Mike:

We provided a 24-hour notice to enter on Wednesday, August 13, 2014. According to my notes that I made at our meeting the following work will be done:

- 1) Apartment door need to be replaced. (Should be in anytime. When we receive the door we will provide notice to the Tenants)
- 2) Water stain on ceiling 2nd bedroom.
- 3) Water / cracks 1st Bedroom
- 4) A/C cover not sealed,
- 5) Kitchen cupboards to be refasten

6) Shingles on the outside of the unit.

All the above except No 1 has been completed. We did take pictures before and after.

When the two workers had there the list the Tenants gave them a list. Below are other items they listed:

- 1) Dinning room light fixture switch. (We discuss this at our meeting as a non issue)
- 2) Bathroom a) mould (We discuss this issue and you indicated that this was the Tenants responsibility.)  
b) Taps were loose and leaking. (We fixed these items)
- 3) They indicated that all windows were leaking. Upon the workers investigation everything was fine except the 1st bedroom as indicated above.

During the repairs, the workers did complain it was difficulty to do the work due to the fact the Tenants would not leave them alone and constantly complaining about me and how they are leaving, etc

Once the apartment door is in we will install it and I will email you when it is complete.

Thanks

Dan Hussey  
519-790-9870.

Aug 25, 14: sent a 24 hour notice to enter unit for smoke alarm

Sept 19/14 Sent Mike Arthur an email about the above. DEH



CHAL. ENG. CORPORATION | CONSULTING ENGINEERS | PHONE: 519-979-7333 | W-B: www.ccec14.com | FAX: 519-979-7331 | email: cec@ccec14.com

**Proj. No. 15145**  
July 17, 2015

**VIA EMAIL AND MAIL**

832426 Ontario Limited  
Aka: Courtyards of Parkway &  
Essex Condominium Plan 164; Level 1 & 2  
c/o Ally Esmail, President  
11 Raeview Drive  
Stouffville, Ontario, L4A 7X4

cc. Mr. Dan Hussey - Site  
Mr. Jerry Goldberg – Shibley Righton LLP  
City of Windsor

**Order to Repair (15177989) Review Report**

Courtyards of Parkway  
Essex Condominium Plan 164; Level 1 & 2  
2603 - 2619 Meadowbrook Lane,  
Windsor, Ontario  
City of Windsor - File No: No, 15 177989

Dear Mr. Ally Esmail:

Further to your request of, we attended the above noted site on June 18, July 9 and July 14, 2015, for the purpose of carrying out an engineering review of the conditions of the flat roofs, mansards roofs, and windows of Buildings 2603 and 2619 Meadowbrook Lane, Windsor Ontario, further to the City of Windsor, Planning and Building Services Department – Order to Repair No, 15 177989 (copy attached).

**1. BACKGROUND**

The residential rental site buildings consisted of two and three storey walk-ups. The site buildings were clad with clad brick masonry, vertical siding, asphalt shingled mansard shingle roofs, wood framed windows, and flat built-up roofs. The building structure appeared to consist of concrete block load bearing walls and celdex floor slabs with wood-framed roof structures. We estimate the age of the original structure of these residential buildings to be approximately 40 years old.

We inspected the subject buildings on June 18, July 9, and July 14, 2015 in the company of Mr. Dan Hussey, during which we were provided access to the following Building 2603, Suites 07, 11, 15, & 22, and Building 2619, Suites 3 11, 12, & 15. Interior renovations were ongoing during our suite inspections, and the units were vacant at the time of our initial visit, and where occupied at the time of our follow-up visit. We were unable to access suite 2603-15 during our follow-up visit, as the resident did not grant us access.

During our visit, we checked the interior of the suites for evidence of leakage, and the condition of the windows, and the exterior for condition of the roofs and walls, since these building components were flagged in the Order to Repair. The results of our investigation are summarized herein.

## 2. FLAT ROOFING

The roofs of the two buildings were accessed and reviewed on June 18, 2015, and the roof of 2603 was re-visited on July 9, 2015. The flat roofs are of unknown age, and are typically constructed as follows:

- Built-up asphalt and multi-layers felt, with pea gravel surfacing, insulation, vapour barrier and plywood decking (make-up not confirmed by test cuts);
- The roofs are drained at their perimeter through scupper drains and down spouts, at the front and back walls of the buildings;
- Aluminum stack jack flashings; and
- Perimeter metal flashings.

Please note that it was beyond the scope of our services to conduct any destructive or intrusive testing of the roofs visited.

We observed that the roof of building 2603 and 2619 has had several phases of repairs including the following:

- Replacement of perimeter flashings with modified bitumen membrane;
- Spot mastic repairs at roof penetrations;
- Mechanical penetration aluminum flashings replacements;
- Modified bitumen repairs to the roof near the central portion of the building;
- There was a recent reported leak into suite 2603-11. During our subsequent site visit on July 9, 2015, Repairs were conducted to the roof by which approximately 2/3<sup>rd</sup> of the roof over the suite was overlaid with a new modified bitumen membrane; and
- Several missing or loose shingles were found on the mansard roof. However, they were replaced following our visit and confirmed to have been installed on July 14, 2015.



### 2603 – Roof Assessment

During our initial inspection of June 18, 2015, and it was noted that at suite 2603-11 that there was roof leakage in the northeast bedroom. During our 2<sup>nd</sup> visit on July 9, 2015, there was a significant rain fall, no further leakage was reported by management or observed, with the room finishes being restored. The roof above this portion of the suite had been recovered with a modified bitumen roofing membrane. Based on this, there is evidence the owner is conducting localized maintenance and recovery / replacement on an as needed basis to address leakage, with approximately 15 to 20% of the roof total area now being recovered or replaced with modified bitumen membranes.

Based on our observations, it is our Professional opinion, that the remaining portions of built-up roofing can be kept serviceable, with continued maintenance and monitoring until the need to be replaced or recovered, which is expected within the next 5 years, depending upon exposure.

### 2619 – Roof Assessment

During our inspection of June 18, 2015, and it was noted that at suite 2603-15 there was a ceiling plaster repair in the northeast corner of the living room, which corresponded to a modified bitumen roofing repair on the roof. No evidence of water leakage was observed during our visit, nor during our follow-up visit on July 9, 2015 following a significant rainfall. There is evidence the owner is conducting localized maintenance and recovery / replacement on an as needed basis to address leakage, with approximately 2 to 5% of the roof being recovered or replaced with modified bitumen membranes.

Based on our observations, it is our Professional opinion, that the remaining portions of built-up roofing can be kept serviceable, with maintenance, until the will need to be replaced or recovered in approximately 5 to 7 years.

### **3. MANSARD ROOFS**

The roofs of the two buildings were checked from grade on June 18, 2015, and July 9, 2015. The mansard perimeter roofs of the 2<sup>nd</sup> or 3<sup>rd</sup> storey consisted of asphalt shingles, and likely with, but not confirmed, plywood sheeting, air space, insulation, vapour barrier and interior plaster wall finishes. The mansard roofs are of unknown age.

We observed that, while there were several loose, displaced and missing shingles through-out the mansard roof, there was no evidence or reports of leakage within the suites visited during our initial visit or our follow-up visits. It is important to note that a significant rainfall had occurred just prior to our second visit. Management advised that they have a program of replacing shingles that blow off or become displaced, as witnessed by the visual appearance of several

areas of different color shingles that have been used as replacement shingles. It is our understanding that the missing and displaced shingles observed on July 9<sup>th</sup> were installed as of July 10, 2015 and were confirmed on July 14, 2015.

#### Mansard Roof Assessment

There was no evidence of any or wide spread water leakage observed at the time of our visits, and the fact that the management has a program of replacing missing or damaged shingles. Shingles on mansard roofs are typically subject to blow off, and it is common for building owners and managers to continually replace damaged or missing shingles sections of mansard roofing following wind storms.

It is our Professional opinion that the shingles are currently serviceable, and with maintenance these mansard roofs should continue to be serviceable for approximately 5 to 10 years, with ongoing maintenance.

#### 4. WINDOWS

The windows of the two buildings were viewed during our initial visit, of which maintenance was viewed as ongoing, and management advised that they were awaiting materials to complete repairs.

Typically the window construction consist of painted wood frames, plastic tracks for screens, 4 sash glass, and screen. There are manual opening restrictors on the inside surface of sash 1 and 2. The windows throughout the entire development date to the original construction, with exception of a few isolated windows, which were installed as a result of rotted frames that warranted full replacement. For example, Suite 2619-11 had the living room windows previously replaced with 2 sash horizontal sliders with vinyl frames and insulated glazing units.

During our initial suite review, we noted several items which were identified to the management, which were found to be repaired at our second visit:

- Several exterior sills were in need of repainting;
- Foam seal was in needed between glass lite 4 and frame of the screen at their junction;
- The opening restrictors / locks were not installed;
- The closure was not installed on the proper side of the glass, and was preventing the window sashes from completely closing. The closure is required to be removed and installed on the opposite side of the glass; and
- Isolated areas where the plastic track that holds the screen in place was deformed or broken.

With the exception of the plastic screen tracks that require repair in Suites 2619 – 03 and 11, the above noted items were observed to be completed during our follow-up visit.

During our initial and follow up suite inspections, no evidence of past or ongoing water leakage was observed at the vicinity of the windows of any the suites visited.

#### Window Assessment

Based on our observations, it is our professional opinion that the original windows are still in a serviceable condition to prevent air, water, and insect ingress, although ongoing maintenance will be required. It is obvious that this vintage of windows are not the most energy efficient, and some air leakage is to be expected due to the limitations of the window technology at the time of the original construction. It is important to note that there is no retroactive or current requirement in the building code to replace or improve the energy efficiency of windows that are existing.

The owners / management's philosophy has been to change windows when the wood sills are rotted and damaged beyond economical repair. This type of original window is easily and cost effective to maintain. Sections of glass are stocked / salvaged from other replacements to make repairs as required from time to time. However, they have had to fabricate some new restrictors or change some closing devices as parts are becoming difficult to purchase.

Photographs taken during our inspection to document our observations are appended to this report.

#### **5. CONCLUSIONS**

Based on the results of our review of the City's Order to Repair, it is our professional Opinion that the flat roofs, mansard roofs, and windows of Buildings 2603 and 2619 are still in a serviceable condition and do not required removal and replacement at this time.

#### **6. CLOSURE**

This report reflects our best judgment in light of the information available to us at the time of the preparation of this report. This report has been written to be read in its entirety.

This report was prepared for 832426 Ontario Limited (our client) and is intended solely for the use of our client based on the terms of our assignment. No third

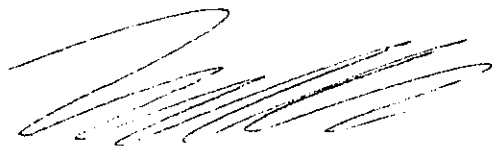
July 17, 2015

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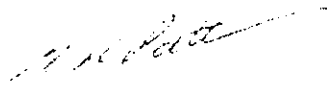
The charges for this report were based on the work up to and including the conclusion of this report only. There has been no allowance for further consultation, investigation or court proceedings. The author has no responsibility to give testimony, or prepare for or appear in court without further compensation. No third party shall have the right to make use of this report or summons the author to appear in court to give testimony, without the express written permission of the author and our client.

We trust that this is the information you require. Please call if we can be of any additional assistance to you in this matter.

Yours truly,  
Chall.Eng. Corporation  
Consulting Engineers

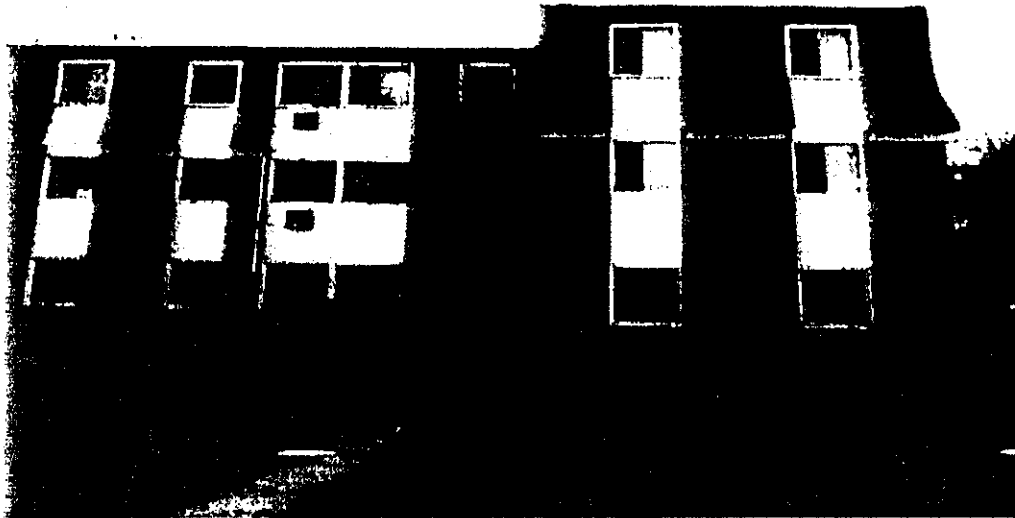


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Senior Building Science Technician

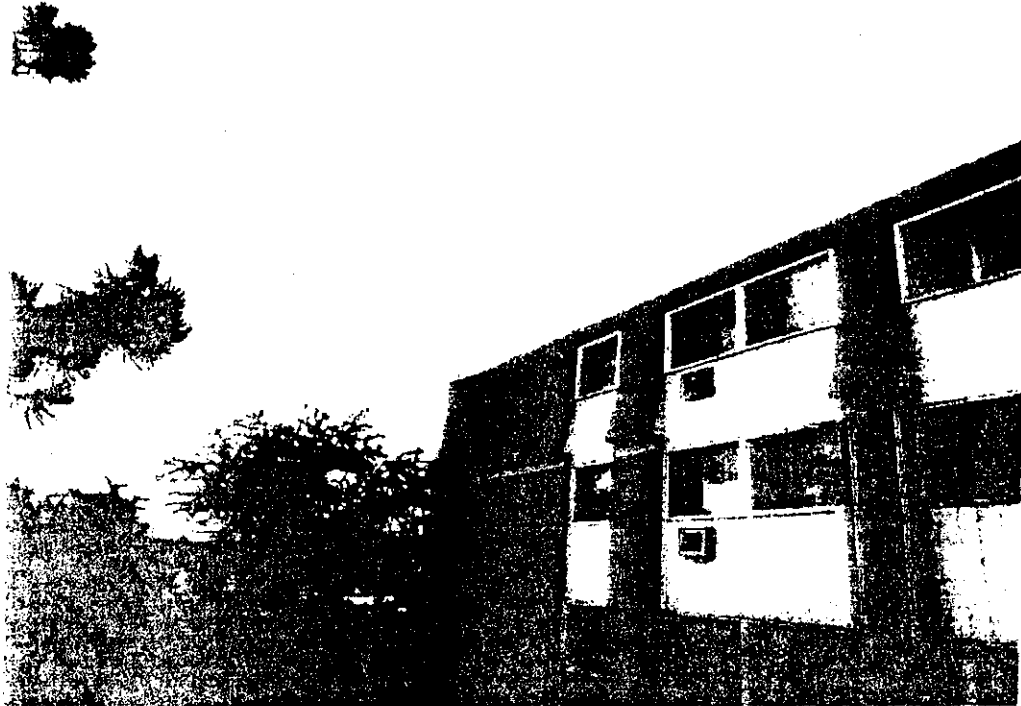


H. Richard Patterson, M A Sc, P. Eng.,  
President





Photograph No. 1: 2603 - Suite 11, Top Floor. General view of East Elevation, July 14, 2015.



Photograph No. 2: 2603 - Suite 11, Top Floor. General view of North Elevation on July 14, 2015.



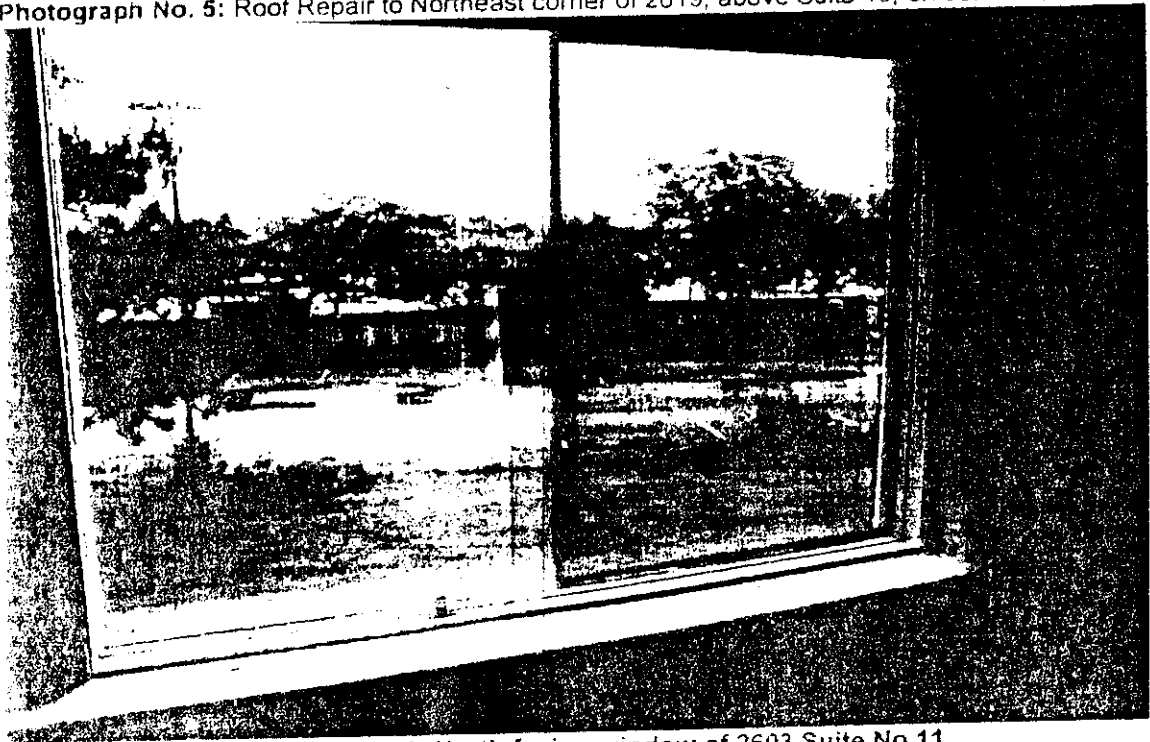
Photograph No. 3: 2619-22, Top Floor. General view of North & East Elevations, July 14, 2015



Photograph No. 4: Roof Repair to Northeast corner of 2603, above Suite 11



Photograph No. 5: Roof Repair to Northeast corner of 2619, above Suite 15, on June 18, 2015.



Photograph No. 6: North facing window of 2603 Suite No.11



Photograph No. 7: North facing window of 2619, Suite No.15