

Property Standards Committee

Meeting held October 6, 2021

A meeting of the Property Standards Committee is held this day commencing at 3:30 o'clock p.m. via Zoom video conference, there being present the following members:

Councillor Rino Bortolin, Chair
Councillor Ed Sleiman
Darrel Laurendeau
Matthew Wachna

Regrets received from:

Councillor Chris Holt (due to a work conflict)

Delegation in attendance:

Robert Brown, on behalf of MEDDCO Properties Inc., *regarding Item 5.1*

Also present are the following resource personnel:

Kevin Alexander, Planner III
Rob Vani, Manager Inspections, Deputy Chief Building Official
Nicole Brush, Building Bylaw Enforcement Officer
Jay McGuire, Building Bylaw Enforcement Officer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 3:32 o'clock p.m. and the Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Disclosure of Interest

None disclosed.

3. Adoption of the Minutes

Moved by Councillor Sleiman, seconded by D. Laurendeau,
That the minutes of the Property Standards Committee of its meeting held
September 4, 2020 **BE ADOPTED** as presented.
Carried.

4. Request for Deferral, Referral or Withdrawal

None.

5. Appeals

5.1 Meddco Property Inc. -325 Giles Boulevard West – VY 21-316155

Robert Brown, on behalf of MEDDCO Properties Inc. appears before the Property Standards Committee via Zoom video conference regarding property at 325 Giles Boulevard West,

Jay McGuire, Building Bylaw Enforcement Officer provides a Presentation entitled “325 Giles Boulevard West – OTR 21-316155”, **attached** as Appendix “A”.

- **Order to Repair key dates:**
- August 19, 2021 – to submit Engineer’s report/scope of work per compliance requirements outlined in the Order to Repair.
- September 18, 2021 – to obtain city permits.
- November 17, 2021 – to complete repairs (and associated required permit inspections)

- **Current compliance status NO ACTION TAKEN as of September 30, 2021 on the following:**
- Water infiltration throughout building
- Deteriorated concrete structure in underground parking garage and associated areas
- Deteriorated balconies throughout building
- Masonry facade cracking
- Damaged/defective exterior wall finishes throughout building
- Missing/defective exterior wall vent grilles
- Issues with poorly installed A/C units and missing/defective A/C sleeve cap panels
- Missing/deteriorated concrete window sills
- Repair/replace defective exterior doors
- Obtain permits for repairs to defective underground garage mechanical exhaust system

- Repair defective interior cladding
- Repair defective piping in underground garage for surface drainage noted above

Robert Brown refers to the correction in the Order to Repair that states to “obtain at owner’s expense an indoor air quality assessment report by a certified air quality assessment professional. Owner to undertake the recommendations provided within the report and follow up/repeat as required to ensure indoor air quality levels are qualified as “healthy” per qualified professional’s opinion and to Officer’s satisfaction.” He indicates that the issue noted as water infiltration was found in the basement. He asks Administration to comment on if actual mould was identified or if only water was present.

J. McGuire responds that he is not a qualified mould professional so what is seen as mildew may be mistaken for mould. There was a combination of water infiltration that was left unaddressed; as well as a lack of natural and mechanical intervention that would encourage actively exhausting the wet dank air from that area in the parking garage. He adds he did observe mildew that may be of concern.

R. Brown indicates that J. McGuire cannot specifically state that mould was found.

J. McGuire responds that he is unable to qualify mildew for mould, as a professional is required to make that assessment.

R. Brown asks if the photographs and detailed report outlined in the presentation were provided to the property owner.

J. McGuire responds that the property owner was supplied with a copy of the Order to Repair via Registered Mail.

The Chair remarks that the basis of the Notice of Appeal are the corrective measures and the timelines for completion.

R. Brown responds that the property owner is taking this seriously. At this time, three engineering firms have been involved who expressed some of issues, i.e. water infiltration is beyond their scope. He adds that shortly after receipt of this order, engineering firms have been engaged to begin work on the defects noted in the report. He expresses concern with the timelines and requests an additional six to eight months to complete the corrections outlined in the Order. He adds that the air quality matter is based on speculation and not fact; and requests that this matter be removed from the Order.

D. Laurendeau remarks that several engineering firms have been engaged to do an analysis, which was not communicated to the Building Department. He states that mould was not directly identified; however, there is moisture and poor air movement. He recommends that the request for a mould sample based on potential mould should remain on the Order based on the observations of the Building Inspector. He notes that Mr.

Brown is requesting a six to eight month extension of time to undertake all of the work identified.

R. Brown responds that eight months to complete his work is preferable.

J. McGuire indicates that no reports from the property owner have been received.

M. Wachna asks if the air quality issue is due to mould or to carbon monoxide emissions.

Councillor Sleiman remarks that when mould is evident, something is happening which may impact the health of residents. He asks why the repairs were not undertaken immediately.

R. Brown states that the property owner has been working on this but has been waiting on the engineering report to see what can be done. He notes that air quality and water infiltration will be addressed by the engineering report.

The Chair states that the Order to Repair has three main tiers – submitting engineering reports, acquiring permits and completion of the repairs. He asks if six to seven months is a timeline that the Building Department can work with and if the deficiencies are serious enough that it warrants a more expedited time. He suggests that the engineering reports be submitted now or within the next week.

R. Vani responds that Administration prefers a three-tiered approach for deadlines as noted in the Order and adds their position is that the preliminary report should be provided to the Building Department around November 15, 2021. He estimates that compliance should be around May 2022.

The Chair suggests that the engineering reports should be provided by the end of October 2021; permits by the end of January 2022 and the work completed by the end of April 2022. He asks Administration if this timetable will allow for sufficient time.

R. Vani defers to the appellant to determine if they are amendable to that schedule.

Moved by D. Laurendeau, seconded by Councillor Sleiman,
That the Order to Repair VY 21-316155 regarding property at 325 Giles Boulevard West **BE CONFIRMED**, and that the timetable to provide the following **BE APPROVED**:

- Engineering reports to be provided by the end of October 2021
- City Permits to be provided by the end of January 2022
- Work to be completed by the end of April 2022.

Carried.

R. Brown asks if the Committee is amendable to an extension of time if required.

The Chair responds that if it is a reasonable extension and efforts have been demonstrated, the Building Department will be willing to work with the appellant. He adds that many of these deficiencies are serious and the work needs to be done.

Councillor Sleiman suggests that the appellant continue to work with the Building Department and to provide updates on the progress of the work undertaken.

6. Business Arising from the Minutes

6.1 Alberto and Maria Folino – 280 Aylmer – Violation Number VY 20-240559

No one is present to speak to this matter.

R. Vani on behalf of Nicole Brush, Building Bylaw Enforcement Officer provides a Presentation entitled “280 Aylmer Avenue – OTR 20-240559”, **attached** as Appendix “B” which shows various photographs denoting the condition of the building.

R. Vani provides the following comments relating to the property at 280 Aylmer:

- N. Brush attended this property on January 13, 2020 due to a complaint regarding a vacant building that was not being kept.
- An Order to Repair was prepared on January 24, 2020 and the original Order was appealed on May 19, 2020.
- There were some efforts as noted in K. Alexander’s report to try to develop this property so that a report could be brought to Council for a debate on the development application and to decide to waive the demolition control bylaw so the Chief Building Official could issue an order based on that development.
- This matter was deferred to allow the property owner to seek a redevelopment approval in order to demolish the building as this building is in a demolition control area. The requirements of that particular bylaw is provided in the information provided by K. Alexander as part of the agenda.
- This is a single-family frame one storey dwelling in the core area of the city.
- The photographs depict unlawful entry to the building and deteriorated building envelope which has caused a lot of damage to the interior.
- The owner attempted to demolish the building several years ago and decommissioned the services at that time prior to obtaining a permit.
- This is a typical home, which has not been maintained.
- There has been some activity but no meaningful efforts to bring an acceptable development application forward to develop this property.

K. Alexander indicates Administration has been working with the appellant since 2018.

R. Vani advises that there is demolition control bylaw that prohibits the issuance of a building permit; the building is in poor condition as noted by a structural engineer however, this does not meet the threshold of an emergency order to circumvent the bylaw.

D. Laurendeau asks is the appellant is attempting to “back door” a demolition without any other plans and asks by issuing the demolition, is there risk to the city.

R. Vani responds that there are legal risks to the city if we are not consistent in how the Demolition Control Bylaw is applied. The *Building Code Act* is very specific about when a building is deemed an emergency condition and cannot be used to circumvent the bylaw.

Moved by Councillor Sleiman, seconded by D. Laurendeau,
That the Order to Repair VY 20-240559 regarding property at 280 Aylmer Avenue
BE CONFIRMED.
Carried.

7. Adjournment

There being no further business, the meeting is adjourned at 4:21 o'clock p.m.

CHAIR

COMMITTEE COORDINATOR