

**AGENDA**  
and Schedule "A"  
to the minutes of the  
**PROPERTY STANDARDS COMMITTEE**  
meeting held  
Tuesday, March 17, 2020  
at 9:30 a.m.  
Room 204, 350 City Hall Square West

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1. **Call to Order**

2. **Disclosure of Interest**

3. **Adoption of the Minutes**

Adoption of the minutes of the meeting held June 6, 2019 – ***attached.***

4. **Appeals**

**4.1 1451799 Ontario Inc.** against an Order to Repair VY 19-218632 issued August 23, 2019 regarding property at 933 Goyeau Street, Plan 1303 N. Pt. Lot 160. The Notice of Appeal dated September 4, 2019 was received within the 14 day time frame. ***The appellant will participate in the meeting via conference phone.***

**4.2 Di Gioia Cleaners Limited** against an Order to Repair VY 19 225388 issued October 21, 2019 regarding property at 167 Erie Street East, Plan 447 Pt Lot 17 Pt. Lot 18. The Notice of Appeal dated November 6, 2019 was received within the 14 day time frame.

**4.3 Maria Folino and Alberto Folino** against an Order to Repair VY 20 240559 issued January 24, 2020 regarding property 280 Aylmer Avenue, Plan 126 Lot 2 Blk 8. The Notice of Appeal dated February 13, 2020 was received within the 14 day time frame. ***The appellant has indicated they cannot attend this meeting.***

5. **Adjournment**

## Property Standards Committee

Meeting held June 6, 2019

A meeting of the Property Standards Committee is held this day commencing at 4:30 o'clock p.m. in Room 204, 350 City Hall Square West, there being present the following members;

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

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

Rob Vani, Manager of Inspections/Deputy Chief Building Official  
Dan Lunardi, Manager of Inspections/Deputy Chief Building Official  
Brandon Calleja, Inspector/Property Standards Officer  
Nic Gesuale, Inspector/Property Standards Officer  
Karen Kadour, Committee Coordinator

### 1. Call to Order

The Committee Coordinator calls the meeting to order at 4:30 o'clock p.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, seconded by Councillor Holt. The Committee Coordinator asks if there are further nominations from the floor. Seeing none, the Committee Coordinator asks Councillor Bortolin if he accepts. Councillor Bortolin accepts and assumes the Chair.

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

### 3. Disclosure of Interest

None disclosed.

### 4. Adoption of the Minutes

Moved by Councillor Sleiman, seconded by Councillor Holt,  
That the minutes of the Property Standards Committee of its meeting held  
December 11, 2018 **BE ADOPTED** as presented.  
Carried.

The Chair welcomes the members and introductions are provided.

R. Vani provides an overview of the Property Standards Committee as follows:

- The Property Standards Committee is a quasi-judicial body, similar in function to a court.
- Under the *Building Code Act*, the Committee has the powers to:
  - Confirm the Order as issued
  - Modify the terms of the Order
  - Quash the Order, or
  - Extend the time limit for compliance
- The appellant has an avenue of appeal if he/she objects to the Committee's decision.

### 5. Appeals

**5.1 Rui Ding** is present against an Order to Repair VY 18-164385 issued November 19, 2018 regarding property at 347 Indian Road, Plan 888 Lot 19. The Notice of Appeal dated December 16, 2018 was not received within the 14 day timeframe.

Nic Gesuale, Building By-law Enforcement Officer provides an overview of the deficiencies noted in the Order to Repair as follows:

**Defect Section 1.1** – Every owner of a residential property shall maintain the property or part thereof they occupy or control in a clean, sanitary and safe condition in accordance with municipal by-laws.

**Defect Section 1.9** – All stairs, porches, landings, loading docks, guards, handrails, balconies, canopies, awnings, fire escapes, rainwater pipes, flashings and supports for solar panels, air condition and all similar equipment shall be maintained in good repair, properly anchored and free from defects and unsafe conditions.

**Defect Section 1.41** – Means of egress and exits shall be provided and maintained to the satisfaction of the Officer and shall conform, where practical, to the intent of the Ontario Building Code.

**Correction – Removed enclosed stairs and landing in rear of duplex dwelling or take the necessary steps to obtain a building permit to allow structure to remain.**

N. Gesuale states a building permit is required and offers to work with the appellant.

Moved by Councillor Sleiman, seconded by M. Wachna,

That the following decision of the Property Standards Committee relating to the Appeal to the Order to Repair VY 18-164385 by Rui Ding regarding property at 347 Indian Road, Windsor, Ontario **BE CONFIRMED** as follows:

Deficiency 1.1 – CONFIRM THE ORDER (60 days to comply).

Deficiency 1.9 - CONFIRM THE ORDER (60 days to comply).

Deficiency 1.41 - CONFIRM THE ORDER (60 days to comply).

Carried.

**5.2 An Thi Binh Le** regarding an Order to Repair VY 19 185563 issued February 28, 2019 regarding property at 1476 Wyandotte Street West Plan 636, Lot 17. The Notice of Appeal dated March 20, 2019 was received within the 14 day timeframe.

The appellant is not present. N. Gesuale, Building By-law Enforcement Officer states he had a compliance inspection at 1476 Wyandotte Street West and confirms that all defects stated in the Order have been rectified and the property is now in compliance.

Moved by Councillor Holt, seconded by Councillor Sleiman,

That the Order to Repair VY 19 185563 issued February 28, 2019 regarding property at 1476 Wyandotte Street West, Windsor, Ontario **BE WITHDRAWN** as all defects stated in the Order to Repair have been rectified and the property is now in compliance.

Carried.

**5.3 Jadwiga Otmar** regarding an Order to Repair VY 19-192415 issued April 2, 2019 regarding property at 658 Caron Avenue, Plan 282, Blk 3, S. Pt. Lot 5. The Notice of Appeal dated April 18, 2019 was received within the 14 day timeframe. The appellant is not present.

Brandon Calleja, Building By-law Enforcement Officer provides an overview of the deficiencies noted in the Order to Repair as follows:

**Defect Section 4.4** – Clearing and levelling of vacant residential buildings. Despite any other provision of this bylaw, an Officer may issue an order directed the owner to demolish a derelict or vacant residential building.

**Correction – Obtain a Demolition Permit and the services of a Professional Demolition Contractor to demolish residential building.**

April Kennedy and Fatima Siddiqi, neighbours appear before the Property Standards Committee.

April Kennedy provides the following comments relating to 653 Caron Avenue:

- The property has been vacant for ten years. Two years ago, there was an extensive fire.
- Alleges drug activity occurring on the property.
- Concerned with the devaluation of their properties.
- Remnants of the roof have been falling on her property.

James Saris appears before the Property Standards Committee and adds he is interested in purchasing the property.

In response to a question by the Chair regarding Mr. Saris's relationship with the appellant, J. Saris responds he intends to purchase the property on June 14, 2019, however, if the house is to be demolished, he will not proceed with the purchase.

D. Laurendeau asks if an inspection of the interior of the house has been done since the fire. B. Calleja, Building By-law Enforcement Officer responds the Fire Department inspected the interior and did not order an emergency demolition at that time. He notes the building is unsafe and not secure and adds there is probably mould in the interior.

In response to a question asked by Councillor Sleiman regarding if the building is beyond repair, B. Calleja responds with the right budget and the right person it could be done however, it would be a huge undertaking.

Moved by Councillor Holt, seconded by Councillor Sleiman,  
That the Order to Repair VY 19-192415 regarding property at 658 Caron Avenue, Windsor, Ontario by Jadwiga Otmar **BE CONFIRMED** and further, that the property **BE DEMOLISHED**.

Carried.

The Chair expresses concern with possible damage to the neighbouring properties due to the demolition of the building. He requests Administration expedite the RFP to demolish the structure.

**6. Adjournment**

There being no further business, the meeting is adjourned at 5:50 o'clock p.m.

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CHAIR

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COMMITTEE COORDINATOR



# ORDER TO REPAIR

## UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 9-2019

To: 1451799 ONTARIO LIMITED  
470 DUNDAS ST SUITE 1056  
LONDON ON N6B 1W3

Description: PLAN 1303 N PT LOT 160;18334.80SF  
90.00FR 203.72D

Property Address: 933 GOYEAU ST

Roll Number: 040-320-05100-0000

Violation Number: 19 218632

Date of Inspection: August 19, 2019

*WHEREAS* Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, as amended, authorizes municipalities to enact by-laws prescribing standards for the maintenance and occupancy of all property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards; and for requiring any property that does not conform with the standards to be repaired and maintained to conform with the standards as described herein or the site to be cleared of all buildings, structures, debris or refuse and the lands left in a graded and levelled condition;

*AND WHEREAS* the Official Plan for The Corporation of the City of Windsor includes provisions relating to property conditions as required by section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, as amended;

*AND WHEREAS* The Corporation of the City of Windsor has passed By-law 9-2019, being a By-law to establish Standards for the Maintenance and Occupancy of Property in the City of Windsor;

**TAKE NOTICE** that the property, owned by you, situated at: 933 GOYEAU ST  
Does not conform to the standards set forth in By-law Number 9-2019

**DESCRIPTION OF PROPERTY:**  
MULTIPLE UNIT DWELLING

DEFECT Section 1.5  
Where, in the opinion of the Officer, there is doubt as to the structural condition or adequacy of the building or part thereof, the Officer may order that a building or structure or part thereof be examined by a professional engineer qualified to perform such inspections and licensed to practice as an engineer in Ontario, at the owner's expense, and that a written report, which may include drawings detailing recommended remedial work, be provided to the Officer.

CORRECTION  
1. **OBTAIN THE SERVICES OF A PROFESSIONAL ENGINEER AND / OR ARCHITECT** LICENSED TO PRACTICE IN ONTARIO TO PREPARE A REPAIR AT THE OWNER'S EXPENSE. OWNER TO MAKE REPAIRS AS RECOMMENDED IN REPORT OF PROFESSIONAL ENGINEER AND / OR ARCHITECT.

DEFECT Section 1.9  
All stairs, porches, landings, loading docks, balconies, canopies, awnings, fire escapes together with any guard, balustrade, railing, screen or other appurtenance attached thereto shall be maintained in good repair and in a safe and structurally sound condition.

CORRECTION  
1. **OBTAIN BUILDING PERMIT** TO REPAIR BALCONIES AS PER THE RECOMMENDATIONS OF A PROFESSIONAL ENGINEER AND / OR ARCHITECT LICENSED TO PRACTICE IN ONTARIO. BALCONIES AND ANY ASSOCIATED CONSTRUCTIONS TO BE MAINTAINED IN GOOD REPAIR, PROPERLY ANCHORED AND FREE FROM DEFECTS AND UNSAFE CONDITIONS.

DEFECT Section 1.11

A guard shall be installed and maintained in good repair as follows:(a) Except for the edges of the floor pits in repair garages and loading docks, every surface to which access is provided for other than maintenance purposes, including but not limited to exterior lands, porches, decks, balconies, mezzanines, galleries, raised walkways and roofs, shall be protected by a guard having a minimum height of 900mm on each side which is not protected by a wall and where there is a difference in elevation to adjacent surfaces of more than 600 mm. Except that a guard of 710 mm minimum height is acceptable for exterior porches, decks and balconies where the vertical drop from the open side exceeds 600 mm but does not exceed 1 800 mm.(b) Every exterior stair with more than 6 risers and every ramp shall be protected with guards on all open sides where the difference in elevation between the adjacent ground level and the stair or ramp exceeds 600mm.(c) When an interior stair has more than 2 risers, the side of the stair and the landing or floor level around the stairwell shall be enclosed by walls, or be protected by guards, except that a stair to an unfinished basement in a dwelling unit is permitted to have 1 unprotected side.

CORRECTION

1. **OBTAIN BUILDING PERMIT** TO REPAIR GUARDS ON BALCONIES AS PER THE RECOMMENDATIONS OF A PROFESSIONAL ENGINEER AND / OR ARCHITECT LICENSED TO PRACTICE IN ONTARIO. BALCONY GUARDS TO BE MAINTAINED IN GOOD REPAIR, PROPERLY ANCHORED AND FREE FROM DEFECTS AND UNSAFE CONDITIONS.

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DEFECT Section 3.2.1

Interior claddings of every wall and ceiling shall be maintained so as to be free of large holes, cracks, leaks, deteriorating material, visible mould and-mildew, and loose material.

CORRECTION

1. REPAIR DETERIORATED INTERIOR CLADDING AT BEDROOM CEILING OF UNIT 602 SO AS TO BE FREE OF LARGE HOLES, CRACKS, LEAKS, DETERIORATING MATERIAL, VISIBLE MOULD AND MILDEW, AND LOOSE MATERIAL

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***YOU ARE HEREBY REQUIRED***, by this Order, to do the work required to repair the defects set forth in this Order and make the said property conform to the standards set forth in the said By-law

**ON OR BEFORE: September 22, 2019**

**Dated at Windsor, Ontario, on August 23, 2019**

John Revell, MCIP, RPP  
Chief Building Official

Per:

  
Jay McGuire  
Inspector/Property Standards Officer  
Building Department  
Telephone: 519-818-0184  
e-mail: jmcguire@citywindsor.ca

**NOTICE:**

1. If the owner or person against whom an Order has been made or their agent wishes to appeal such Order, they must **within FOURTEEN (14) DAYS from the service of the Order upon him**, file a Notice of Appeal, duly completed, with the Secretary of the Property Standards Committee.
2. Attached hereto is a Notice of Appeal form.
3. In the event that you do not appeal this Order, the said Order shall be deemed confirmed.
4. A photocopy of this document may be offered in evidence to the Court, should a trial result from a charge, which may be filed in an enforcement procedure. Copies of these documents may be obtained or examined at Building Department, City Hall, on workdays between 8:30 a.m. and 4:30 p.m.
5. If such repair or clearance is not done within the time specified in this Order, the Corporation may carry out the repair or clearance at the expense of the owner.
6. This Order is pursuant to Section 15.2(2) of the BUILDING CODE ACT, S.O. 1992, c.23, as amended.
7. **ENGINEER'S REPORT AND BUILDING PERMIT REQUIRED.**
- 7.1 Every property owner who has a property subject to corrective measures under this by-law shall obtain a building permit unless exempted in writing by the Chief Building Official or designate.
- 7.2 The minimum permit fee is as per the "City of Windsor user Fee Schedule", as passed by and amended by Council from time to time. Additional inspections where the minimum permit fee has been use, shall be billed in accordance with the "City of Windsor user Fee Schedule", as passed by and amended by Council from time to time.



## ORDER TO REPAIR

### UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 9-2019

To: DI GIOIA CLEANERS LIMITED  
5645 MALDEN RD  
LASALLE ON N9H 1R9

Description: PLAN 447 PT LOT 17 PT LOT 18;  
2053.10SF 29.33FR 70.00D

Property Address: 167 ERIE ST E

Roll Number: 040-340-09200-0000

Violation Number: 19 225388

**Date of Inspection: October 18, 2019**

*WHEREAS* Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, as amended, authorizes municipalities to enact by-laws prescribing standards for the maintenance and occupancy of all property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards; and for requiring any property that does not conform with the standards to be repaired and maintained to conform with the standards as described herein or the site to be cleared of all buildings, structures, debris or refuse and the lands left in a graded and levelled condition;

*AND WHEREAS* the Official Plan for The Corporation of the City of Windsor includes provisions relating to property conditions as required by section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, as amended;

*AND WHEREAS* The Corporation of the City of Windsor has passed By-law 9-2019, being a By-law to establish Standards for the Maintenance and Occupancy of Property in the City of Windsor;

**TAKE NOTICE** that the property, owned by you, situated at: 167 ERIE ST E  
Does not conform to the standards set forth in By-law Number 9-2019

**DESCRIPTION OF PROPERTY:**

SINGLE UNIT DWELLING

**DEFECT Section 1.1**

Every owner or occupant of a property shall maintain the property or part thereof they occupy or control in a clean, sanitary and safe condition in accordance with this by-law.

**CORRECTION**

1. **OBTAIN BUILDING PERMIT** TO INSTALL RANGE HOOD EXHAUST AT KITCHEN RANGE TO PREVENT UNSAFE CONDITIONS CAUSED BY GREASE VAPOURS FROM COOKING.

**DEFECT Section 1.7**

All exterior walls shall be maintained in a watertight condition and in good repair so that they remain straight, level and plumbed (unless otherwise designed), presenting an appearance that is uniform and neat in the opinion of the Officer and free from any damaged, defective, unsecured or deteriorated materials and any conditions that may result in the infestation of rodents, vermin or insects. Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.

**CORRECTION**

1. REPLACE / REPAIR ALL DETERIORATED / MISSING SIDING TO ENSURE EXTERIOR WALLS ARE IN GOOD REPAIR, WATER TIGHT AND DO NOT ALLOW FOR HTE INFESTATION OF RODENTS, VERMIN OR INSECTS.

**DEFECT Section 1.8**

Exterior doors, windows and skylights shall be maintained in good repair and weather tight. Rotted and defective doors, door frames, window frames, sashes and casings shall be renewed and defective door and window hardware, weather stripping, caulking and broken glass shall be replaced. Repairs to windows shall be i) reglazing, or refitting with panes of transparent glass; or ii) the use of other materials which are compatible in finish and colour with the remainder of the facade of the building on which the broken window is located, provided such other material are of an appropriate thickness, have sufficient structural support, and are installed so that no broken glass is visible for the exterior of the building. Replace defective, damaged or missing hardware and locking devices: sash controls.

**DEFECT Section 3.4**

Cracked and broken glass in door panels, missing screens, and missing windows shall be replaced with approved glass or similar materials. All operable windows and all doors shall be capable of being opened from the inside without the use of

specialized tools and maintained in good repair. All materials referred to in this section shall be to the satisfaction of the Officer to provide an acceptable level of fire protection.

**CORRECTION**

1. REPAIR / REPLACE ANY DETERIORATED OR DEFECTIVE WINDOWS, AS WELL AS ANY ASSOCIATED HARDWARE, SO THAT WINDOWS ARE IN GOOD REPAIR AND WEATHER TIGHT CONDITION.

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**DEFECT Section 1.9**

All stairs, porches, landings, loading docks, balconies, canopies, awnings, fire escapes together with any guard, balustrade, railing, screen or other appurtenance attached thereto shall be maintained in good repair and in a safe and structurally sound condition.

**CORRECTION**

1. **OBTAIN BUILDING PERMIT** TO REPLACE DETERIORATED FRONT PORCH, INCLUDING ROOF SUPPORT POSTS, GUARD RAILS, STAIRS AND ANY OTHER PART THEREOF CONTAINING DETERIORATED MATERIALS AS REQUIRED TO ENSURE FRONT PORCH IS MAINTAINED IN GOOD REPAIR AND IN A SAFE AND STRUCTURALLY SOUND CONDITION.

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**DEFECT Section 1.10**

A handrail or-guard shall be provided and maintained in good repair as follows:(a) At least one side of stairs less than 1 100 mm in width,(b) Two sides of stairs 1 100 mm in width or greater, and(c) Two sides of a curved stair used as an exit.(d) Handrails are not required for stairs (i) within dwelling units having not more than 2 risers, or (ii) for exterior stairs having not more than 3 risers and serving not more than one dwelling unit.(e) Only one handrail is required on exterior stairs having more than 3 risers provided such stairs serve not more than one dwelling unit.(f) Except as required in (b) & (c), one handrail may be provided centrally for stairs up to 2.4 m wide.(g) Handrails shall have a maximum Uniform height of 920 mm when measured vertically from a line drawn through the outside of the stair nosing and minimum uniform height of 800 mm.

**CORRECTION**

1. INSTALL MISSING HANDRAIL(S) AS OUTLINED IN SECTION 1.10 ABOVE AT UPPER RUN OF STAIRS LEADING TO 2ND FLOOR. ALL WORK TO BE DONE TO INDUSTRY STANDARD AND TO THE SATISFACTION OF THE OFFICER.

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**DEFECT Section 1.14**

All roofs, including chimneys, stacks, masts, lightning arresters, antennas, fascia, soffits, flashings, solar panel and supports, and other roof structures shall be maintained in good repair, watertight and structurally sound condition. Such maintenance may include, but is not limited to: a) removal of loose, unsecured objects or materials b) keeping roofs and chimneys weather tight and free from leaks and/or defects.

**CORRECTION**

1. REPAIR / REPLACE ANY DEFECTIVE OR MISSING SOFFITS AND FASCIAS TO ENSURE ROOF IS IN GOOD REPAIR, WATERTIGHT CONDITION AND DOES NOT PERMIT THE ENTRY OF PESTS INTO THE BUILDING.

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**DEFECT Section 3.1**

Every cabinet, cupboard, shelf and counter top in a dwelling unit shall be maintained in a structurally sound condition, free from cracks and deterioration.

**CORRECTION**

1. REPLACE DETERIORATED KITCHEN CABINETS / COUNTER TOPS TO ENSURE THEY ARE MAINTAINED IN STRUCTURALLY SOUND CONDITION, FREE FROM CRACKS AND DETERIORATION.

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**DEFECT Section 3.2.1**

Interior claddings of every wall and ceiling shall be maintained so as to be free of large holes, cracks, leaks, deteriorating material, visible mould and-mildew, and loose material.

**CORRECTION**

1. REPAIR INTERIOR CLADDING (WALLS AND CEILINGS) THROUGHOUT THE DWELLING TO ENSURE WALLS AND CEILINGS ARE MAINTAINED SO AS TO BE FREE OF LARGE HOLES, CRACKS, LEAKS, DETERIORATING MATERIAL, VISIBLE MOULD AND MILDEW AND LOOSE MATERIAL.

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**DEFECT Section 3.3**

Floors and finished flooring (including carpeting) shall be maintained in a structurally sound condition and be free from of visible mould and mildew, holes, cracks or other defects which may cause an unsafe condition or trip hazard.

**CORRECTION**

1. REPLACE DETERIORATED KITCHEN FLOORING TO ENSURE FLOOR IS MAINTAINED IN A STRUCTURALLY SOUND CONDITION AND IS FREE FROM VISIBLE MOULD AND MILDEW, HOLES, CRACKS OR OTHER DEFECTS WHICH MAY PRESENT AN UNSAFE CONDITION OR TRIP HAZARD.

DEFECT Section 3.10

Unless specifically exempted under other governmental regulations, every dwelling and dwelling unit shall be provided with at least a water closet (toilet), a wash basin, a bath tub or shower, and a kitchen sink, all of which shall be maintained in good working order, free from cross-contamination potential, and free from leaks and defects. The water closet, wash basin, bath tub and/or shower shall be located within, and be accessible from within, the dwelling or dwelling unit and shall be located and equipped to afford privacy, secured from the inside and can be opened from outside the room in an emergency.

DEFECT Section 3.13

All plumbing, including drains, water supply pipes inside a building and outside a building, water closets, back water valves, and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

CORRECTION

1. REPAIR / REPLACE 2ND FLOOR BATHROOM WALL HUNG SINK TO ENSURE IT IS SECURELY ATTACHED TO THE WALL. ALL PLUMBING FIXTURES TO BE MAINTAINED IN GOOD WORKING ORDER, FREE OF LEAKS AND DEFECTS.


***YOU ARE HEREBY REQUIRED***, by this Order, to do the work required to repair the defects set forth in this Order and make the said property conform to the standards set forth in the said By-law

**ON OR BEFORE: November 20, 2019**

**Dated at Windsor, Ontario, on October 21, 2019**

John Revell, MCIP, RPP  
Chief Building Official

Per:



Jay McGuire  
Inspector/Property Standards Officer  
Building Department  
Telephone: (519)-818-0184  
e-mail: jmcguire@citywindsor.ca

**NOTICE:**

1. If the owner or person against whom an Order has been made or their agent wishes to appeal such Order, they must **within FOURTEEN (14) DAYS from the service of the Order upon him**, file a Notice of Appeal, duly completed, with the Secretary of the Property Standards Committee.
2. Attached hereto is a Notice of Appeal form.
3. In the event that you do not appeal this Order, the said Order shall be deemed confirmed.
4. A photocopy of this document may be offered in evidence to the Court, should a trial result from a charge, which may be filed in an enforcement procedure. Copies of these documents may be obtained or examined at Building Department, City Hall, on workdays between 8:30 a.m. and 4:30 p.m.
5. If such repair or clearance is not done within the time specified in this Order, the Corporation may carry out the repair or clearance at the expense of the owner.
6. This Order is pursuant to Section 15.2(2) of the BUILDING CODE ACT, S.O. 1992, c.23, as amended.
7. **OBTAIN THE PROPER BUILDING PERMITS FOR ALL REPAIRS / DEMOLITION.**
- 7.1 Every property owner who has a property subject to corrective measures under this by-law shall obtain a building permit unless exempted in writing by the Chief Building Official or designate.
- 7.2 The minimum permit fee is as per the "City of Windsor user Fee Schedule", as passed by and amended by Council from time to time. Additional inspections where the minimum permit fee has been used, shall be billed in accordance with the "City of Windsor user Fee Schedule" as passed by and amended by Council from time to time.

## ORDER TO REPAIR

### UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 9-2019

To: MARIA FOLINO  
2380 MARK AVE  
WINDSOR ON N9E 3X9  
ALBERTO FOLINO  
2380 MARK AVE  
WINDSOR ON N9E 3X9

Description: PLAN 126 LOT 2 BLK 8

Property Address: 280 AYLMEER AVE

Roll Number: 030-070-06100-0000

Violation Number: 20 240559

Date of Inspection: January 13, 2020

**WHEREAS** Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, as amended, authorizes municipalities to enact by-laws prescribing standards for the maintenance and occupancy of all property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards; and for requiring any property that does not conform with the standards to be repaired and maintained to conform with the standards as described herein or the site to be cleared of all buildings, structures, debris or refuse and the lands left in a graded and levelled condition;

**AND WHEREAS** the Official Plan for The Corporation of the City of Windsor includes provisions relating to property conditions as required by section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, as amended;

**AND WHEREAS** The Corporation of the City of Windsor has passed By-law 9-2019, being a By-law to establish Standards for the Maintenance and Occupancy of Property in the City of Windsor;

**TAKE NOTICE** that the property, owned by you, situated at: 280 AYLMEER AVE  
Does not conform to the standards set forth in By-law Number 9-2019

#### DESCRIPTION OF PROPERTY:

SINGLE UNIT DWELLING

#### DEFECT Section 1.1

Every owner or occupant of a property shall maintain the property or part thereof they occupy or control in a clean, sanitary and safe condition in accordance with this by-law.

#### DEFECT Section 1.33

Retaining walls, signs and all structures appurtenant to a property shall be maintained in good repair, free from unsafe conditions including fire hazards and capable of safely performing the function for which they were designed.

#### DEFECT Section 4.1.1

GENERAL: In addition to the minimum standards for the maintenance and occupancy of property set out elsewhere in this bylaw, the owner of a vacant building, shall:

- (a) ensure that all utilities serving the building, which are not required for safety or security are properly disconnected or otherwise secured, to prevent damage to the building or adjoining property.
- (b) Ensure that the property is kept free of rodents, vermin and other harmful pests and any conditions that would allow such pests to harbour in or about the building;

#### CORRECTION:

- REMOVE OR REPAIR ACCESSORY STRUCTURES TO BE FREE FROM DAMAGED, DETERIORATED OR MISSING MATERIALS AND COMPONENTS.
- ACCESSORY STRUCTURES TO BE MAINTAINED IN GOOD REPAIR, PROPERLY SECURED AND USED IN A SAFE MANNER FOR WHICH THEY WERE DESIGNED, AND TO BE LOCATED IN ACCORDANCE WITH ZONING BY-LAW 8600.

(NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BY-LAW OFFICER)

#### DEFECT Section 1.8

Exterior doors, windows and skylights shall be maintained in good repair and weather tight. Rotted and defective doors, door frames, window frames, sashes and casings shall be renewed and defective door and window hardware, weather stripping, caulking and broken glass shall be replaced. Repairs to windows shall be

- i) reglazing, or refitting with panes of transparent glass; or
- ii) the use of other materials which are compatible in finish and colour with the remainder of the facade of the building on which the broken window is located, provided such other material are of an appropriate thickness, have sufficient structural support, and are installed so that no broken glass is visible for the exterior of the building. Replace defective, damaged or missing hardware and locking devices: sash controls.

DEFECT Section 3.4

Cracked and broken glass in door panels, missing screens, and missing windows shall be replaced with approved glass or similar materials. All operable windows and all doors shall be capable of being opened from the inside without the use of specialized tools and maintained in good repair. All materials referred to in this section shall be to the satisfaction of the Officer to provide an acceptable level of fire protection.

**CORRECTION:**

- REPAIR OR REPLACE ALL MISSING/BROKEN GLASS AND SCREENS;
- REPAIR OR REPLACE MISSING OR DEFECTIVE DOORS, DETERIORATED WOOD, DEFECTIVE HARDWARE AND WEATHER STRIPPING ON DOORS AS PER INDUSTRY STANDARDS AND ENSURE ALL OPERABLE WINDOWS AND DOORS FUNCTION AS DESIGNED.

*(NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BY-LAW OFFICER)*

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DEFECT Section 1.9

All stairs, porches, landings, loading docks, balconies, canopies, awnings, fire escapes together with any guard, balustrade, railing, screen or other appurtenance attached thereto shall be maintained in good repair and in a safe and structurally sound condition.

**CORRECTION:**

- REMOVE ANY DETERIORATING MATERIALS FROM FRONT AND SIDE PORCHES AND STAIRS, AND REPLACE WITH NEW.
- ENSURE PORCHES AND STAIRS ARE MAINTAINED IN GOOD REPAIR

*(NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BY-LAW OFFICER)*

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DEFECT Section 1.14

All roofs, including chimneys, stacks, masts, lightning arresters, antennas, fascia, soffits, flashings, solar panel and supports, and other roof structures shall be maintained in good repair, watertight and structurally sound condition. Such maintenance may include, but is not limited to: a) removal of loose, unsecured objects or materials b) keeping roofs and chimneys weather tight and free from leaks and/or defects.

**CORRECTION:**

- REPLACE DETERIORATING ASPHALT SHINGLES, INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND OBC REQUIREMENTS. REPLACE ANY ROTTED SHEATHING,
- REMOVE ROTTED FASCIA AND SOFFITS AND REPLACE WITH NEW MATERIALS.
- ROOF TO BE MAINTAINED IN GOOD REPAIR AND IN WATERTIGHT CONDITION.

*(NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BY-LAW OFFICER)*

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DEFECT Section 1.15

Water runoff from roof surfaces shall discharge into an eaves trough or gutter and thence to a downpipe, discharging directly to grade with an appropriate extension away from the building to prevent flooding, erosion and other nuisance to neighboring properties. Discharge into the municipal storm system may be permitted if approved or authorized by the City Engineer or Chief Building Official or his/her designate.

DEFECT Section 1.32

The storm water run-off from all downspouts, sump pump discharges or impervious surfaces shall be designed and maintained so as to discharge water run-off away from the building and to prevent flooding, erosion and other nuisance to neighboring properties.

**CORRECTION:**

- REPLACE ANY DAMAGED OR MISSING EAVES TROUGH AND DOWNSPOUTS, ENSURING THEY ARE INSTALLED IN GOOD WORKING CONDITION AS PER MANUFACTURER'S INSTRUCTIONS, TO PROPERLY MANAGE WATER RUNOFF FROM ROOF SURFACE. WATER FROM DOWNSPOUTS TO DISCHARGE ONTO OWNER'S PROPERTY, AWAY FROM FOUNDATION WALLS AND SIDEWALKS, TO A POINT OF DISPOSAL ACCEPTABLE TO THE OFFICER.

*(NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BY-LAW OFFICER)*

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**YOU ARE HEREBY REQUIRED**, by this Order, to do the work required to repair the defects set forth in this Order and make the said property conform to the standards set forth in the said By-law

**ON OR BEFORE: February 23, 2020**

**Dated at Windsor, Ontario, on January 24, 2020**

John Revell, MCIP, RPP  
Chief Building Official

Per:



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Nicole Brush  
Property Standards Officer  
Building Department  
Telephone: (226)-350-8414  
e-mail: nbrush@citywindsor.ca

**\*\*\* CONTACT ISSUING OFFICER ONCE REPAIRS ARE COMPLETE\*\*\***

**NOTICE:**

1. If the owner or person against whom an Order has been made or their agent wishes to appeal such Order, they must **within FOURTEEN (14) DAYS from the service of the Order upon him**, file a Notice of Appeal, duly completed, with the Secretary of the Property Standards Committee.
2. Attached hereto is a Notice of Appeal form.
3. In the event that you do not appeal this Order, the said Order shall be deemed confirmed.
4. A photocopy of this document may be offered in evidence to the Court, should a trial result from a charge, which may be filed in an enforcement procedure. Copies of these documents may be obtained or examined at Building Department, City Hall, on workdays between 8:30 a.m. and 4:30 p.m.
5. If such repair or clearance is not done within the time specified in this Order, the Corporation may carry out the repair or clearance at the expense of the owner.
6. This Order is pursuant to Section 15.2(2) of the BUILDING CODE ACT, S.O. 1992, c.23, as amended.