

AGENDA
and Schedule "A"
to the minutes of the
PROPERTY STANDARDS COMMITTEE
meeting held
Friday, September 26, 2014
at 2:00 o'clock p.m.
Town of Walkerville Meeting Room, 3rd floor, City Hall

1. **CALL TO ORDER**

2. **DECLARATION OF CONFLICT OF INTEREST**

3. **ADOPTION OF THE MINUTES**

Adoption of the minutes of the meeting held January 22, 2014 (*previously distributed*).

4. **DEFERRALS/REQUEST FOR DEFERRALS**

HEARING OF APPLICANTS AND INTERESTED PARTIES - 2:00 o'clock p.m.

5. **DISCUSSION OF APPEALS**

5.1 **Pedro MacPherson** against an Order issued June 26, 2014 regarding property at 1020 Drouillard Road, Windsor, Ontario Lot 18 Plan 619. The Notice of Appeal dated July 11, 2014 has been received within the 14 day timeframe.

5.2 **Amiraco Properties Inc.** against an Order issued August 6, 2014 regarding property at 76 Tecumseh Road East, Windsor, Ontario Lot N Pt Lt 52 to N Pt Lt 56, Plan 891. The Notice of Appeal dated August 19, 2014 has been received within the 14 day timeframe.

6. **REPORTS**

None

7. **COMMUNICATIONS**

Letter from Jeffrey Aitkens, Ricci, Enns, Roller & Settrington LLP dated August 7, 2014 regarding Helen Wolfe, 816 Howard Avenue – *attached*.

8. **ADJOURNMENT**



Office of the City Clerk
 203-350 City Hall Square East • Windsor, Ontario N9A 6S1
 Tel: 519-255-6222 ext. 6430 • Fax: 519-255-6868

NOTICE OF APPEAL

IN THE MATTER OF the Maintenance & Occupancy Bylaw 147-2011
 as amended, of the Corporation of the City of Windsor

RECEIVED

BETWEEN:

PEDRO MacPherson

JUL 11 2014

Appellant

BLDG. & DEV. DEPARTMENT

- and -

Respondent

TAKE NOTICE that the above-named Appellant hereby appeals to the Property Standards Committee from the

ORDER TO Repair.

Repair or Demolish; Prohibit Use of Property; Vacate Property; etc.

Made by Eddy Staup C.B.S.O.

Inspector Name and Title

On the 25 day of July, 2014

RESPECTING THE PROPERTY KNOWN AS:

1020 Drouin Road Rd.

Municipal Number, (if this is a vacant lot provide Registered Plan and Lot Numbers)

BASIS OF APPEAL:

I received this letter on the 10 July 2014
a new know issues to this property, never was informed
~~to~~ even when this property was bought, the city
told me this property was ok.
I do not know even now what issues are about.
notice of repair is too soon. (the time given)
I am repairing to live in it.

NOTE:

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 date on which the Order was served upon him/her**, file a Notice of Appeal, duly completed, with the Committee Coordinator, Property Standards Committee, Suite 203- 350 City Hall Square East, Windsor, Ontario. Pursuant to Section 4.8 of the Property Standards By-Law, a processing fee of \$351.00 shall be paid at the time the appeal is filed.

DATED at WINDSOR this 11 day of July, 2014

Signature of Appellant or Agent or Solicitor

MAILING ADDRESS: P.O. Box 60609 - 1597 Wilson Av, Toronto, ON, M3L

EMAIL ADDRESS: celtasoy@hotmail.com

HOME PHONE #: ~~416 763 9255~~ ALTERNATE # 416 763 9255

TO: Council Services - Attention: Committee Coordinator 519-255-6222 ext. 6430
 or clerks@city.windsor.on.ca

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is collected under the authority of The Building Code Act, R.S.O. 2001 as amended. The information is required in order to process the appeal to the Property Standards Committee. The name and business address of the applicant and/or authorized agent is public information. The address of the property which is the subject of the appeal is also public information. Please be advised that any personal information i.e. name, address may become part of a public record in an electronic i.e. website and/or paper format i.e. agenda, minutes.



ORDER TO REPAIR

UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 147-2011 AS AMENDED BY BY-LAW 213-2011

To: PEDRO MACPHERSON P.O. BOX 60609 1597 WILSON AVE. TORONTO, ONTARIO M3L 2N5	Legal Description and Municipal Address & Roll Number of non- conforming Property: Folder Number:	Plan 619 Lot 18 1020 Drouillard Road Roll #3739-010 100 10000 0000 2014-188848 VY
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Date of Inspection: JUNE 25, 2014

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 147-2011 as amended by by-law 213-2011, 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: **1020 DROUILLARD ROAD**
Does not conform to the standards set forth in By-law Number 147-2011 as amended by By-law 213-2011

DESCRIPTION OF PROPERTY: This is a legal two storey single family dwelling which has been vacant for at least 4 years and is in a state of disrepair.

DEFECTS AND CONDITIONS NOT IN COMPLIANCE WITH THE BY-LAW:

DEFECT 1:

CLEARING AND LEVELING OF RESIDENTIAL VACANT BUILDINGS

Despite any other provision of this bylaw an Officer may issue an order directing the owner to demolish a derelict or vacant building.

DERELICT BUILDING shall mean:

- (a) a building which has been left vacant by the owner for a period of two years or more, or
- (b) a building damaged by fire, storm or other catastrophic event where, in the opinion of the Officer the building is beyond reasonable repair
(Derelict Building definition - added B/L 213-2011. Dec. 5/11)

CORRECTION 1:

DEMOLISH the "DERELICT" building and level and grade the site in accordance with this bylaw to the satisfaction of the Officer.

Dated at Windsor, Ontario, this 26th day of JUNE, 2014.

Lee Anne Doyle, MCIP, RPP
Chief Building Official

Per:



Eddy Staudt, C.B.C.O.
Inspector/Property Standards Officer
Building Department
(519) 255-6611 Ext. 6192

Handwritten notes: }
→ (519) 255-6453
June 26
Staudt

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 8:00 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.

Shero →



Office of the City Clerk
 203-350 City Hall Square West • Windsor, Ontario N9A 6S1
 Tel: 519-255-6222 ext. 6430 • Fax: 519-255-6868

NOTICE OF APPEAL

IN THE MATTER OF the Maintenance & Occupancy Bylaw 147-2011,
 as amended, of the Corporation of the City of Windsor

BETWEEN:

AMIRACO PROPERTIES INC
 Appellant
 - and -
CITY OF WINDSOR
 Respondent

TAKE NOTICE that the above-named Appellant hereby appeals to the Property Standards Committee from the

ORDER TO ORDER TO REPAIR
 Repair or Demolish; Prohibit Use of Property; Vacate Property; etc.

Made by ROBERTO VANI MANAGER OF INSPECTIONS
 Inspector Name and Title

On the 6th day of AUGUST, 2014

RESPECTING THE PROPERTY KNOWN AS:

76 TECUMSEH ROAD EAST
 Municipal Number, (if this is a vacant lot provide Registered Plan and Lot Numbers)

BASIS OF APPEAL:

INTENSE FIRE TOOK PLACE IN BUILDING - RESTORATION
BEGAN IMMEDIATELY - TIME TO COMPLY IS NOT LONG
ENOUGH TO GET ALL WORK COMPLETED TO STANDARD
AND CODE.

NOTE:

An Owner or occupant who has been served with an order made under BCA subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail, or applying in person within 14 days after being served the order to the secretary of the committee at Suite 203- 350 City Hall Square East, Windsor, Ontario. Pursuant to Section 4.8 of the Property Standards By-Law, a processing fee of \$351.00 shall be paid at the time the appeal is filed. The deadline for filing a complete application along with the processing fee is August 26, 2014 @ 4:30 PM.

DATED at WINDSOR this 19th day of AUGUST, 2014

Amoussa AMIRA MOUSSA
 Signature of Appellant or Agent or Solicitor

MAILING ADDRESS: 90 YORK PROPERTY MANAGEMENT
106-470 DUNDAS STREET LONDON ON N6B 1W3

EMAIL ADDRESS: amoussa@yorkproperty.ca

HOME PHONE #: 519-200-2690 ALTERNATE # 519-670-3780
Mike Meddaoui cell.

TO: Council Services - Attention: Committee Coordinator 519-255-6222 ext. 6430
 or clerks@city.windsor.on.ca

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is collected under the authority of The Building Code Act. R.S.O. 2001 as amended. The information is required in order to process the appeal to the Property Standards Committee. The name and business address of the applicant and/or authorized agent is public information. The address of the property which is the subject of the appeal is also public information. Please be advised that any personal information i.e. name, address may become part of a public record in an electronic i.e. website and/or paper format i.e. agenda, minutes.



ORDER TO REPAIR

UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 147-2011 AS AMENDED BY BY-LAW 213-2011

To: Amiraco Properties Inc
470 Dundas
London, Ont
N6B 1W3

Legal Description and
Municipal Address of
non-conforming
Property:

Lot N Pt Lt 52 To N Pt Lt 56 Plan 891

76 Tecumseh E

Folder Number: 14-194237

Date of Inspection: August 6, 2014

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 147-2011 as amended by by-law 213-2011, 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: **76 Tecumseh E**
Does not conform to the standards set forth in By-law Number 147-2011 as amended by By-law 213-2011

DESCRIPTION OF PROPERTY USE: This is a Hi Rise apartment building with brick veneer finish and balconies along the north and south sides

DEFECTS AND CONDITIONS NOT IN COMPLIANCE WITH THE BY-LAW:

DEFECT 1:	Apartment 507 has suffered a high intensity fire which has gutted the unit, including blowing out windows, doors and exterior cladding 1.1, 1.2, 1.4, 1.5, 1.8, 1.32
CORRECTION 1:	First have an Ontario licensed engineer check the floor and ceiling to ensure no damage to these assemblies from intense heat and water. Then remove all damaged finishes, framing etc and install new to suit
DEFECT 2:	There has been extensive smoke and some water damage on the 5 th and other floors as well as the stairwells 1.1, 1.2,
CORRECTION 2:	Remove all damaged and smoke infused items, clean and fume the areas and rebuild as required
DEFECT 3:	Replace all damaged fire alarm systems, stand pipe/hose cabinet, fire extinguisher as required 1.1, 1.42
CORRECTION 3:	Repair or replace all fire systems and supply certificate of conformance from qualified testing firm as to proper operation
DEFECT 4:	The electrical and mechanical systems have been damaged 1.1, 1.42, 3.14
CORRECTION 4:	Have qualified tradesman make necessary repairs and supply ESA clearance certificate for electrical work
**NOTE:	ALL PERTINENT PERMITS MUST BE OBTAINED PRIOR TO COMMENCING WORK ON THIS ORDER TO REPAIR.

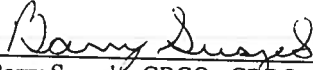
YOU ARE HEREBY REQUIRED, by this Order, to do the work required to repair the defects set forth in this Order and make the said property conform to the standards set forth in the said By-law

ON OR BEFORE: August 30, 2014

Dated at Windsor, Ontario, this 6th day of August, 2014.

Lee Anne Doyle, MCIP, RPP
Chief Building Official

Per:



Barry Suszek CBCO CRBO
Inspector/Property Standards Officer
Building Department
(519) 255-6611 Ext. 6264
e-mail bsuszek@city.windsor.on.ca

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6. This Order is pursuant to Section 15.2(2) of the BUILDING CODE ACT, S.O. 1992, c.23, as amended.