

ORDER TO REPAIR

UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 9-2019 AS AMENDED BY BY-LAW 140-2020

To: CAROLINE ANGELA M CHEVALIER
BOX 233
1690 HURON CHURCH RD
WINDSOR ON N9C 2L1

Description: PLAN 693 N PT LOT 42 S PT; LOT 41;
5080.00SF 40.00FR 127.00D

Property Address: 832 SUNSET AVE

Roll Number: 050-260-08700-0000

Violation Number: 23 27838

Date of Inspection: June 6, 2023

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 as amended by By-law 140-2020, 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: 832 SUNSET AVE
Does not conform to the standards set forth in By-law Number 9-2019 as amended by By-law 140-2020

DESCRIPTION OF PROPERTY:

SINGLE DWELLING UNIT

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.

CORRECTIONS

THERE ARE OVERGROWN SHRUBS AND WEEDS IN THE REAR YARD OF THE PROPERTY. TRIM OR REMOVE THE OVERGROWN SHRUBS. REMOVE THE WEEDS. MAINTAIN THE PROPERTY IN A CLEAN, SANITARY AND SAFE CONDITION AND TO THE SATISFACTION OF THE OFFICER.

THE STORAGE ROOM IN THE LOWER LEVEL IS FILLED WITH GARBAGE. REMOVE THE GARBAGE FROM THE PROPERTY. MAINTAIN ALL ROOMS INSIDE THE BUILDING IN A CLEAN, SANITARY AND SAFE CONDITION.

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.

CORRECTION

MULTIPLE WINDOWS IN THE LOWER LEVEL, AND ONE ON THE UPPER LEVEL ARE FILLED WITH LOOSE INSULATION, COVERED WITH GARBAGE BAGS/CARDBOARD AND TAPED TO THE WALL. REPAIR OR REPLACE ALL DAMAGED/DETERIORATED WINDOWS. ENSURE ALL WINDOWS ARE SECURED, WEATHER TIGHT, IN GOOD WORKING ORDER, OPEN, CLOSE AND LOCK AS INTENDED. REPLACE ALL ROTTED WOOD AND CRACKED/BROKEN GLASS. ALL REPAIRS TO BE COMPLETED IN A WORKMANLIKE MANNER AND TO THE SATISFACTION OF THE OFFICER.

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

THE WALL IN THE MAIN FLOOR BATHROOM IS CRACKED AND PEELING ABOVE THE WINDOW. REPAIR THE WALL IN THE MAIN FLOOR BATHROOM SO IT IS FREE OF HOLES, CRACKS, AND LOOSE/DETERIORATED MATERIALS. ALL REPAIRS TO BE COMPLETED IN A WORKMANLIKE MANNER AND TO THE SATISFACTION OF THE OFFICER.

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.

CORRECTIONS

THE FLOOR ON THE LANDING BETWEEN MAIN FLOOR AND UPPER LEVEL IS MISSING THREE TILES. REPLACE THE TILES, OR INSTALL NEW FLOORING. ENSURE ALL FLOORING IN THE DWELLING IS SAFE, SECURED, LEVEL, AND FREE FROM LOOSE/DAMAGED MATERIALS AND TRIP HAZARDS. ALL REPAIRS TO BE COMPLETED IN A WORKMANLIKE MANNER AND TO THE SATISFACTION OF THE OFFICER.

THE CARPETING AT THE TOP OF LOWER LEVEL STAIRS IS RIPPED. REPAIR OR REPLACE THE LOOSE/RIPPED SECTION AT THE TOP STEP BY THE MAIN FLOOR.

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

THE MAIN FLOOR BATHROOM WINDOW AND UPPER FLOOR BEDROOM WINDOWS ARE MISSING SCREENS. INSTALL THE REQUIRED WINDOW SCREENS.

DEFECT - Section 3.14

Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system. The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use and intended use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained:

- (a) In compliance with the respective requirements of the Electrical Safety Code and Building Code;
- (b) In good working order and good repair; and
- (c) In a safe condition.

CORRECTION

THE JUNCTION BOX IN THE KITCHEN ABOVE THE STOVE IS EXPOSED. INSTALL A PROPERLY SIZED JUNCTION BOX COVER AND ENSURE THE WIRES ARE SAFE AND SECURED. ENSURE ALL ELECTRICAL COMPONENTS IN THE DWELLING UNIT ARE SAFE, IN GOOD WORKING ORDER, AND MEET ALL REQUIREMENTS AND STANDARDS OF THE ELECTRICAL SAFETY CODE.

DEFECT - Section 3.25

No basement or cellar or portion thereof shall be used as a dwelling unit or habitable rooms of a dwelling unit, unless it meets the following requirements: (a) Access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room;

(b) In the calculations referred to in Section 3.16 provided that one-half of the total area of such windows is above the top of the window well. Where less than half the light transmitting area of a window is above the top of a window well, only that area of the window above the top of the window well may be counted in the calculations.

(c) The minimum required unobstructed ventilation area to the outdoors shall not be limited to the requirements of Section 3.17, if, in the opinion of the Officer, the location of windows that are capable of being opened or vents, providing such ventilation, is such as to create a poorly and inadequately ventilated room.

(d) Except where a door on the same level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with:

- i) At least one window that can be opened from the inside without the use of tools and,
- ii) At least one window shall, in every bedroom, provide an unobstructed open portion having a minimum area of .35 m2 with no dimension less than 380 mm.

(e) Each habitable room shall be separated from service rooms by a suitable fire separation in compliance with Ontario Building Code Regulations.

CORRECTION

THE LOWER LEVEL IS NOT SAFE OR SUITABLE TO BE USED AS A DWELLING UNIT OR HABITABLE ROOMS OF A DWELLING UNIT. THE WINDOWS DO NOT COMPLY WITH THE REQUIREMENTS LISTED ABOVE. **CEASE ANY USE OF HABITABLE ROOMS (BEDROOMS) IN THE LOWER LEVEL OF THE DWELLING UNIT.**

DEFECT - Section 3.26

Every dwelling unit shall be equipped with an approved smoke alarm(s) conforming to the current edition of the OBC regulations that shall be:

- (a) installed on every floor level in proximity of bedrooms and in conformance with the manufacturers' instructions or recommendations for installation;
- (b) clearly audible within sleeping areas even though the doors to the sleeping areas may be closed;
- (c) either wired directly into the electrical system without a disconnect switch, or be battery powered. Sufficient additional replacement batteries shall be maintained nearby at all times as replacements for the smoke alarm, should it be battery powered so that at any given time such smoke alarm may have its battery or batteries replaced as warranted in order to keep it fully operational; and
- (d) continuously operating, except during periods of unavoidable electrical power interruption or battery replacement, as the case may be.

CORRECTION

THE SMOKE ALARM IN THE HALLWAY ON THE UPPER FLOOR IS NOT IN WORKING ORDER. REPAIR OR REPLACE THE SMOKE ALARM. ENSURE THE DWELLING UNIT IS EQUIPPED WITH APPROVED SMOKE ALARMS IN GOOD WORKING ORDER, AND MEET ALL REQUIREMENTS OF DEFECT SECTION 3.26.

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: JULY 9, 2023

Dated at Windsor, Ontario, on JUNE 9, 2023

John Revell, MCIP, RPP
Chief Building Official

Per:



Michael Forte
Building Bylaw Officer
Planning and Building Department - Building Division
Phone: 226-347-1056
E-mail: mforte@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.