

ORDER TO REPAIR

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

To: DIANE LUCIE BARON
631 RIVERSIDE DR E

LOUIS PHILIP VAUPOTIC
631 RIVERSIDE DR E

Description: PLAN 129 LOT 2 BLK 2; 2583.25SF
25.00FR 103.33D

Property Address: 575 RIVERSIDE DR E

Roll Number: 030-080-08600-0000

Violation Number: 23 5067

Date of Inspection: January 17, 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: 575 RIVERSIDE DR E
Does not conform to the standards set forth in By-law Number 9-2019 as amended by By-law 140-2020

DESCRIPTION OF PROPERTY:

MULTIFAMILY DWELLING

DEFECT - Section 1.6

In every building or structure, the foundations, piers, posts or other similar supports shall be maintained in good repair and structurally sound. Where necessary, foundation walls shall be extended to a depth of 1,070 mm below finish grade, provided with subsoil drains at the footings, shored, waterproofed, and treated or repaired to prevent moisture penetration or footing settlement. Every foundation wall, basement, cellar or crawlspace shall be maintained so as to protect the building against deterioration, including that due to weather, water entry, dry rot, and infestation by rodents, vermin or insects. The perimeter of slab on grade type foundations shall be maintained to prevent rodent infestation.

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. REPAIR ANY DEFECTIVE / DETERIORATED CONCRETE BLOCKS AT MAIN BUILDING FOUNDATION WALL AND ACCESSORY STRUCTURE EXTERIOR WALLS. REPOINT ANY DETERIORATED MORTAR AS REQUIRED TO MAINTAIN FOUNDATION AND EXTERIOR WALLS IN GOOD REPAIR AND WATERTIGHT CONDITION.
2. REPAIR / REPLACE ANY DEFECTIVE / MISSING SIDING AT MAIN BUILDING AND ACCESSORY STRUCTURE AS REQUIRED TO MAINTAIN EXTERIOR WALLS IN GOOD REPAIR AND WATERTIGHT CONDITION.

ALL FOUNDATION AND EXTERIOR WALLS OF BOTH MAIN BUILDING AND ACCESSORY STRUCTURE TO PRESENT AN APPEARANCE THAT IS UNIFORM AND NEAT IN THE OPINION OF THE OFFICER AND FREE FROM ANY DAMAGED, DEFECTIVE, UNSECURED OR DETERIORATED MATERIALS AS WELL AS ANY CONDITIONS THAT ENCOURAGE PEST INFESTATION.

NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BYLAW 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

1. REPAIR / REPLACE ANY WINDOWS AND EXTERIOR DOORS OF MAIN BUILDING AND ACCESSORY STRUCTURE CONTAINING DAMAGED / DEFECTIVE MATERIALS OR HARDWARE. WINDOWS AND EXTERIOR DOORS MUST BE MAINTAINED IN GOOD REPAIR AND WEATHER TIGHT CONDITION.
2. REPAIR / REPLACE THE DEFECTIVE OVERHEAD DOOR AT ACCESSORY STRUCTURE

NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BYLAW OFFICER

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.

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.

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.

DEFECT - Section 1.12

Guard - Openings

Guards for residential occupancies shall have no openings which would permit the passage of a spherical object having a diameter of 100 mm unless it can be shown that the location and size of such openings which exceed this limit does not represent a hazard.

Guards - Not to Facilitate Climbing

Guards around exterior balconies, porches and decks of buildings of residential occupancy shall be constructed and maintained not to facilitate climbing.

CORRECTION

1. INSTALL MISSING HANDRAILS AS OUTLINED IN SECTION 1.10 AT FRONT AND REAR DOORS. ALL WORK TO BE DONE TO INDUSTRY STANDARD AND IN COMPLIANCE WITH ALL REQUIRED BYLAWS AND CODES.
 2. **OBTAIN AND BUILDING PERMIT TO REPLACE THE MISSING REAR STAIRS AND REPAIR / REPLACE THE DETERIORATED AND PREVIOUSLY POORLY REPAIRED 2ND FLOOR DECK / BALCONY / CANOPY AT REAR OF BUILDING. GUARD RAILS TO BE MAINTAINED IN COMPLIANCE WITH REQUIRED BYLAWS AND CODES. DUE TO PRESENCE OF DETERIOREATED MATERIALS, ENGINEER OVERSIGHT REQUIRED AT OWNERS EXPENSE.**
BUILDING PERMIT REQUIRED – PLANS REQUIRED WITH APPLICATION. PROFESSIONAL ENGINEER DESIGN / SCOPE OF WORK REPORT REQUIRED.
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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 DETERIORATED ASPHALT SHINGLES, FASCIA AND SOFFITS OR MAIN BUILDING AND ACCESSORY STRUCTURE TO ENSURE ROOFS ARE MAINTAINED IN GOOD REPAIR AND WATERTIGHT CONDITION.

NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BYLAW OFFICER

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 neighbouring 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

1. REPAIR / REPLACE ANY DEFECTIVE / MISSING EAVES TROUGHS AND DOWN SPOUTS OF MAIN BUILDING AND ACCESSORY STRUCTURE PERIMETER ROOF DRAINAGE SYSTEM TO BE MAINTAINED IN GOOD REPAIR AND DISCHARGE RUNOFF TO A POINT OF DISPOSAL ON OWN PROPERTY ACCEPTABLE TO THE OFFICER.

NO PERMIT REQUIRED – COMPLIANCE REVIEW BY BUILDING BYLAW OFFICER

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 16, 2023

Dated at Windsor, Ontario, on January 17, 2023

John Revell, MCIP, RPP
Chief Building Official

Per:



Peter Quaglia
Inspector/Property Standards Officer
Building Department
Telephone: 519-919-5133
e-mail: pquaglia@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.