

Property Standards Committee – Meeting held December 11, 2018

A meeting of the Property Standards Committee is held this day commencing at 9:30 o'clock a.m. in Room 204, 350 City Hall Square West, there being present the following members:

Councillor Rino Bortolin, Chair
Councillor Ed Sleiman
Wes Kukiela (arrives at 9:35 a.m.)

Guest in attendance:

Councillor Jo-Anne Gignac

Also present are the following resource personnel:

Rob Vani, Manager of Inspections/Deputy Chief Building Official
Nicole Brush, Building By-law Enforcement Officer
Michael Forte, Building By-law Enforcement Officer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 9:30 o'clock a.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 Councillor Bortolin,
That the minutes of the Property Standards Committee of its meeting held March 21, 2017 **BE ADOPTED** as presented.
Carried.

4. Appeals

4.1 1849677 Ontario Ltd. (Amina Mebdaoui, representative, participates via conference phone) regarding an Order to Repair VY 18-154125 for property at 625-645 Argyle Road, Windsor, Ontario Plan 211, Lots 4 6 N Pt. Lot 8, Blk L, 0.36AC. The Notice of Appeal dated September 28, 2018 has been received within the 14 day timeframe.

Nicole Brush, Building By-law Enforcement Officer provides an overview of the deficiencies noted in the Order to Repair. She adds the following corrections/work have been completed:

- **Deficiency Sections 1.11, 1.13 and 1.23** - Trim or remove all overgrown scrubs and brush along the building, walkway and fence that reduces sightlines to the building and block exterior lighting, so as to remove any unsafe conditions. Maintain the property to be clean and free from rubbish, brush or other debris and from objects or conditions that might create unsafe conditions.
- Replace any damaged or missing eaves troughs and downspouts, ensuring they are installed in good working condition as per industry standards, to properly manage water runoff from roof surface. Water from downspouts to discharge onto owner's property, away from foundation walls to a point of disposal acceptable to the Officer.
- Remove any doors or blinds constructed on fire escapes to allow free access to each unit and to allow direct unobstructed access to grade, and maintain fire escapes in a clean and clear condition.

Ms. Amina Mebdaoui, representative, 1849677 Ontario Ltd. participates in the meeting via a teleconference phone and provides the following comments:

- Agrees with the deficiencies outlined in the Order to Repair with **the exception of Section 1.30 relating to the parking area.**
- Requests an extension of time (late spring) to complete the mortar work, the repointing and to treat the staircase (requires warm weather to do this work).
- The parking lot is gravel, is well maintained and water drains through the gravel.
- The corrections for Section 1.30 requires the following:
 - *Pave all parking areas entirely and maintain with a hard surface consisting of concrete, asphalt, paving brick or block or other similar material*
 - *Provide an internal drainage system satisfactory to the Officer, which discharges into the municipal storm system,*
 - *Repair and maintain curbs or curb stops,*
 - *Provide adequate lighting in such a way as to deflect from nearby properties.*

R. Vani states By-law 147-2011 requires that a parking lot that exceeds four spaces must be paved.

Amina Mebdaoui notes there are only twelve rentals in the apartment building making the requirement for a paved parking lot not financially feasible for the landlord. She adds the neighbours also park in this lot.

The Chair asks if consideration could be given to “shrinking” the two lots with four parking spaces in each. A. Mebdaoui responds affirmatively.

Moved by Councillor Sleiman, seconded by W. Kukiela,

That the following decisions of the Property Standards Committee relating to the Appeal to the Order to Repair VY 18-154125 by 1849677 Ontario Ltd regarding property at 625-645 Road, Windsor, Ontario **BE APPROVED:**

Deficiency 1.7 – Extension of time to April 15, 2019

Deficiency 1.9 – CONFIRM THE ORDER (30 days to comply)

Deficiency 1.25 –CONFIRM THE ORDER (30 days to comply)

Deficiency 1.30 –Extension of time to April 15, 2019 and further, that the applicant work with Administration to reduce the footprint of the parking lot.

Carried.

4.2 Mihaly Kruszely regarding an Order to Repair VY 18-154276 for property at 1566 Lillian Avenue, Windsor, Ontario, Plan 739, Pt. Lot 7. The Notice of Appeal dated October 1, 2018 was received within the 14 day timeframe.

Mihaly Kruszely, appellant is present and available to answer questions.

Nicole Brush, Building By-law Enforcement Officer provides an overview of the deficiencies noted in the Order to Repair. She adds the following corrections/work have been completed:

- **Deficiency Sections 1.7, 1.11 and 1.23** – All exterior walls shall be maintained in a watertight condition and in good repair so that they remain straight, level and plumbed, 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.
- A guard shall be installed and maintained in good repair as follows:
- Except for the edge 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 to 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.

- 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 600 mm.
- 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.
- In yards of multiple dwellings and non-residential properties, sufficient lighting of exterior property areas shall be provided to minimize any danger to persons using walkways.
- Artificial lighting standards and fixtures shall be kept in a safe condition, in working order and in good visual condition.
- Walkway shall be maintained, resurfaced or regraded as necessary to ensure a reasonably smooth, slip free and safe surface for pedestrian traffic.

Mihaly Kruszely, provides the following comments relating to this matter:

- Deficiency 1.8, - began work on the siding including the installation of fascia and soffits, however, the contractor did not complete the job and left the jobsite. Having difficulty in retaining another contractor to finish the job.
- Deficiency 1.9, M. Kruszely disagrees with the correction to obtain a building permit.
- Deficiencies 3.2 and 3.3 – States no one is living in the home at this time. Work is in progress and the floor tile has been repaired.

The Chair expresses concern that there are exposed electrical wires with evidence of water coming down and adds this is completely unacceptable. He states there is no range hood over the gas stove and the fumes need to be vented out.

N. Brush indicates there is grease on the walls which is highly combustible and notes gas stoves give off carbon monoxide.

Moved by Councillor Sleiman, seconded by W Kukiela,

That the following decisions of the Property Standards Committee relating to the Appeal to the Order to Repair VY 18-154276 by Mihaly Kruszely regarding property at 1566 Lillian Avenue, Windsor, Ontario **BE APPROVED:**

- Deficiency 1.1 – Extension of time to March 15, 2018
- Deficiency 1.8 – Extension of time to March 15, 2018
- Deficiency 1.9 – CONFIRM THE ORDER (30 days to comply) and obtain a Building Permit
- Deficiency 1.12- Extension of time to March 15, 2018
- Deficiency 1.25-CONFIRM THE ORDER (30 days to comply)

Carried.

4.3 Pierre Turcotte regarding an Order to Repair VY 18-152335 for property at 3151 Robinet, Plan 62, Lot 5;RP12R7660 Part 1. The Notice of Appeal dated September 26, 2018 was **not** received within the 14 day timeframe.

Pierre Turcotte is present and available to answer questions.

Michael Forte, Building By-law Enforcement Officer provides an overview of the deficiencies noted in the Order to Repair. He adds he attended the property recently, and states none of the corrections have been addressed and nothing is in compliance.

Pierre Turcotte provides the following comments relating to this matter:

- Requesting an extension of time (six months) and requires assistance to do the repairs.
- In 2013, Mr. Turcotte developed a rash on his hands which rendered him unable to work.
- Mr. Turcotte began wearing cotton gloves (he does drywall work). He has allergies to rubber and plastic.

The Chair remarks as Mr. Turcotte has had issues with his hands which have prevented him from working, he asks if there will be a change in his condition soon, or should consideration be given to selling or divesting the property.

In response to a question asked by the Chair regarding if financial assistance is available, R. Vani responds grants are available through Ontario Renovates which is administered through Housing & Children's Services.

R. Vani explains an appellant is unable to use financial or medical issues in court. The appellant must comply with the Order to Repair.

The Chair asks if the Building Department can work with the appellant to set deadlines for the work to be undertaken. R. Vani responds the Building Department is willing to work with the appellant to set realistic timelines and at some point, charges can be brought before the Provincial Court.

Moved by W. Kukiela, seconded by Councillor Sleiman,
That the Order to Repair VY 18-152335 regarding property at 3151 Robinet, Windsor, Ontario by Pierre Turcotte **BE CONFIRMED** (30 days to comply) and further that administration **BE REQUESTED** to work with the appellant to set realistic timelines to undertake the corrections outlined in the Order to Repair.

Carried.

5. Adjournment

There being no further business, the meeting is adjourned at 11:45 o'clock a.m.

CHAIR

COMMITTEE COORDINATOR