

## **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