

**Property Standards Committee**  
Meeting held April 30, 2024

A meeting of the Property Standards Committee is held this day commencing at 10:00 o'clock a.m. in Room 522b, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair  
Councillor Mark McKenzie  
Michael George  
Dan Lunardi

***Regrets received from:***

Councillor Fabio Costante

***Appellant in attendance:***

Dong Wu Jia, Appellant and Amelio Fantin, Agent regarding ***Item 5.1***

***Also present are the following resource personnel:***

Rob Vani, Deputy Chief Building Official – Inspections  
Nicole Brush, Building By-law Enforcement Officer  
Frank Pasciuta, Building By-law Enforcement Officer  
Karen Kadour, Committee Coordinator

**1. Call to Order**

The Chair calls the meeting to order at 10:05 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 Mark McKenzie, seconded by Michael George,  
That the minutes of the Property Standards Committee of its meeting held February 13, 2024 **BE ADOPTED** as presented.

Carried.

#### 4. Request for Deferral, Referral or Withdrawal

None.

#### 5. Appeals

Rob Vani, Deputy Chief Building Official reviews the powers of the Property Standards Committee which allows for the following:

- To Confirm the Order as issued
- To Amend the Order
- To Quash the Order
- To Extend the time limit for compliance (provide a specific date)

Rob Vani adds that the decision on the Order is binding, unless the appellant or CBO appeals the Order to the Superior Court in which such case they may overrule the findings by the Property Standards Committee.

Dong Wu Jia, appellant and Amelio Fantin, Agent appear before the Property Standards Committee against an Order to Repair VY 24-004829 issued January 17, 2024 regarding property at 987 Wyandotte Street West and 606 Oak Avenue. The Notice of Appeal dated January 30, 2024 was received within the 14-day time frame.

The document entitled “987 Wyandotte Street West – OTR 24-004829” provided by Nicole Brush, Building By-law Officer is **attached** as Appendix A. The salient points on the matter are put forth as follows:

- Attended the property on January 16, 2024, conducted the investigation and issued an Order to Repair on January 17, 2024. A complaint was sent to 311 regarding a lack of heat in the unit.
- Entered the basement unit (by the tenant) and the temperature was 54 degrees Fahrenheit or 12.1 degrees Celsius which is well below the minimum temperature of 22 degrees Celsius as prescribed by the Property Standards By-law.
- Other issues included water damaged ceilings in the living area, ceiling heights measured at 1829 mm (6'-0'). The Property Standards By-law requires a minimum clear ceiling height of 1950 mm (6''-5'') for habitable space in a basement.
- No smoke or CO detectors observed.
- The owner interjects and advised that the heat has been repaired, however, the Building By-law Officer has not received confirmation of this.
- The Building By-law Officer is requesting that a building permit be obtained to either remove the existing unit and return it to storage space by removing all plumbing fixtures, sinks, tubs, showers, any other plumbing and cap it off properly.

In response to a question asked by Michael George regarding if the unit is reverted back to storage, are smoke detectors required, Nicole Brush responds that smoke detectors are required on every level of the property.

Amelio Fantin, Agent advises that they are looking at the possibility to do some development of the building and making some multiple units. He advises there was a period of time when there was a cold spell on two floors (bottom and upstairs floors) and adds that the heating unit has been repaired. He indicates that the basement unit will not be used for tenancy due to the height restriction which would be very expensive. He asks is it necessary to remove the sinks and toilet and to cap the sewer pipes, as the owner purchased the building in 2011 and questions if these features could be “grandfathered in” as this would be a major expense to the owner at this point.

Dan Lunardi advises that this Committee does not have the authority to amend the Property Standards By-law.

Dong Wu Jia indicates that the basement is a utility and laundry room and it is a convenience to have the washroom in this area. The basement will only be used for storage and laundry.

Councillor Mark McKenzie asks if anyone is living in Unit 5. Dong Wu Jia responds that she is the only person residing in the building and adds that the work was completed over the past week.

Rob Vani advises that Administration’s concerns relate to the basement which is a separate unit which was never lawfully established. Whether the fixtures were there or not, it may not have been a separate unit at the time when it was being used as a salon on the main floor of the building. The current separate unit in the basement was not lawfully established, the existence of a washroom and a kitchen facility separate from the balance of the building, meets the definition of a *dwelling unit* under our Zoning By-law. In order to comply with the Zoning By-law, those elements need to be removed so it is not a dwelling unit. If they want to keep those elements, they would need to reintroduce connect) that entire basement space to the dwelling unit above so that it is your typical unit with an accessible basement like you would have in any other home with access to a basement space. As it stands now, it is a separate dwelling unit that does not comply with the property standards bylaw.

Moved by Dan Lunardi, seconded by Michael George,  
That the Order to Repair VY 24-004829 regarding property at 987 Wyandotte Street West and 606 Oak Avenue **BE CONFIRMED** with a deadline of 30 days from the date of this decision.

Carried.

## 6. Adjournment

There being no further business, the meeting is adjourned at 10:30 o'clock a.m.