

KK/
Windsor, Ontario November 21, 2014

A meeting of the **Property Standards Committee** is held this day commencing at 1:30 o'clock p.m. in the Public Works Board Room, 1266 McDougall, there being present the following members:

John Middleton, Vice Chair
Councillor Ron Jones
Councillor Fulvio Valentinis

Also present are the following resource personnel:

Patrick Brode, Senior Legal Counsel
John Revell, Developmental Chief Building Official
Rob Vani, Manager of Inspections (West)
Monica Ciriello, Articling Law Student
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

The Vice Chair calls the meeting to order at 1:30 o'clock p.m. and the Committee considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

2. DECLARATIONS OF CONFLICT

None disclosed.

3. ADOPTION OF THE MINUTES

Moved by Councillor Jones, seconded by Councillor Valentinis,
That the minutes of the Property Standards Committee of its meeting held January 22,
2014 **BE ADOPTED** as presented.
Carried.

4. REQUEST FOR DEFERRALS

None.

5. DISCUSSION OF APPEALS

5.1 Pedro MacPherson against an Order issued June 26, 2014 regarding property at 1020 Drouillard Road, Windsor, Ontario Lot 18 Plan 619. The Notice of Appeal dated July 11, 2014 has been received within the 14 day timeframe.

Pedro MacPherson participates in the meeting (from Toronto) via a teleconference phone.

R. Vani states as a result of complaints received from neighbours, a building Inspector attended the property on June 25, 2014 and indicates the building is “derelict” which means “*a building which has been left vacant by the owner for a period of two years or more*”. He states an Order to Demolish was issued and as of this date, Mr. MacPherson has not complied.

Mr. MacPherson provides the following as it relates to the Notice of Appeal for 1020 Drouillard Road:

- Some repairs have been made to the porch
- Intends to relocate to Windsor
- As he resides in Toronto, he made occasional visits to the site.
- There is electricity and water currently available in the building.

In response to a question asked by the Vice Chair regarding how many days the appellant attended the property over the last two years, Mr. MacPherson responds approximately 90 days.

R. Vani indicates Fire & Rescue Services also attended the property to confirm the property is indeed vacant and notes the gas meter has been shut off.

In response to a question asked by Councillor Valentinis regarding what repairs have been undertaken, Mr. MacPherson replies the first floor and basement are now livable; the dry wall was replaced; the exterior fence was repaired and the gardens were cleared and levelled. Mr. MacPherson indicates the repairs will be completed by summer 2015.

Councillor Jones asks if the building is unsafe. R. Vani responds the building is unsafe as some of the deck is sitting on rocks and stones and there is a need for a safe egress. He suspects there is a migration of water into the structure as well based on the condition of the roof flashing and missing and damaged exterior cladding.

The Vice Chair questions if Mr. MacPherson would be willing to meet with the Building Department to discuss a work plan and timetable. Mr. MacPherson responds affirmatively.

Councillor Valentinis recommends this matter come back within 30 days.

Councillor Jones expresses concern as it relates to the means of egress and possible vandalism; the safety of the community and non-compliance in this matter.

Moved by Councillor Valentinis, seconded by Councillor Jones,

That the Order to Repair for the property located at 1020 Drouillard Road **BE DEFERRED** to November 28, 2014 to allow for Mr. Pedro MacPherson to meet with the Building Department in order to formulate a work plan and timetable and failing that, the Order to Repair will proceed by default.

Carried.

5.2 Amiraco Properties Inc. against an Order issued August 6, 2014 regarding property at 76 Tecumseh Road East, Windsor, Ontario Lot N Pt. Lt 52 to N Pt 56, Plan 891. The Notice of Appeal dated August 19, 2014 has been received within the 14 day timeframe.

Amira Moussa and Mike Meddaoui, Amiraco Properties Inc. are present and available to answer questions.

R. Vani reports one of the units in the Hi Rise apartment building suffered a high intensity fire which gutted the unit; including blowing out windows, doors and exterior cladding.

Mr. Mike Meddaoui states he attempted to contact the Building Department on three separate occasions; however, he did not receive a response. He is requesting an additional 90 days to correct the deficiencies.

Moved by Councillor Valentinis, seconded by Councillor Jones,

That the request by Amiraco Properties Inc. for an extension of 90 days (February 19, 2015) to correct the deficiencies as outlined in the Order to Repair for the property located at 76 Tecumseh Road East, Windsor, Ontario **BE PERMITTED**.

Carried.

5.3 Kurt Raulin against an Order issued August 7, 2014 regarding property at 1411 Giles Boulevard East, Windsor, Ontario Plan 648 Lot 596. Payment to file the Notice of Appeal was not within the 14 day timeframe due to the fact the appellant was abroad and Canada Post did not initially allow the daughter to access the Registered Mail. Approval to hear this appeal has been provided by the Manager of Inspections (East).

Kurt Raulin is present and available to answer questions.

In response to a question asked by Councillor Valentinis regarding if someone was hired to assist with the repairs over the last two years, Mr. Raulin responds no one was hired, however, his son has been assisting.

R. Vani indicates the building Department has attended the property on numerous occasions since the year 2000. On August 6, 2014 an Order to Repair was issued noting three deficiencies primarily relating to the roof and the masonry. He notes the work undertaken to date is unsatisfactory

Moved by Councillor Valentinis, seconded by Councillor Jones,
That the Order to Repair dated August 7, 2014 for the property located at 1411 Giles
Boulevard East **BE CONFIRMED.**
Carried.

6. **REPORTS**

None.

7. **COMMUNICATIONS**

P. Brode indicates the Property Standards Committee has no further jurisdiction as it
relates to the property located at 816 Howard Avenue, Helen Wolfe, owner.

8. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 2:35 o'clock p.m.

VICE CHAIR

COMMITTEE COORDINATOR

NOTICE OF APPEAL

IN THE MATTER OF the Maintenance & Occupancy Bylaw 147-2011, as amended, of the Corporation of the City of Windsor

BETWEEN:

JAMES KEYS

Appellant

- and -

Respondent

TAKE NOTICE that the above-named Appellant hereby appeals to the Property Standards Committee from the

ORDER TO REPAIR

(Repair) or Demolish; Prohibit Use of Property; Vacate Property; etc.

Made by MIKE ARTHUR INSPECTOR / PROPERTY STANDARDS OFFICER

Inspector Name and Title

On the 25th day of MARCH, 2015

RESPECTING THE PROPERTY KNOWN AS:

3237 VIRGINIA PARK AVENUE

Municipal Number, (if this is a vacant lot provide Registered Plan and Lot Numbers)

BASIS OF APPEAL:

MY BIGGEST CONCERN HERE IS ONE OF TIME. I RECEIVED THE ORDER TO REPAIR ON APRIL 2 WHICH MEANT EASTER WAS A WASHOUT. FOR THE REMAINDER OF APRIL I HAVE ONLY 4 DAYS OFF WORK. I INTEND TO DO A LOT OF THE OUTSIDE WORK MYSELF. I HAVE VACATION TIME BOOKED OFF IN MAY TO MAKE THAT POSSIBLE. I BELIEVE I CAN HAVE ALL THE REPAIRS DONE BY THE END OF MAY. I'M ASKING HERE FOR THE

NOTE: DEADLINE TO BE MOVED TO THE END OF MAY. THANK-YOU.

An Owner or occupant who has been served with an order made under BCA subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail, or applying in person within 14 days after being served the order to the secretary of the committee at Suite 203- 350 City Hall Square East, Windsor, Ontario. Pursuant to Section 4.8 of the Property Standards By-Law, a processing fee of \$351.00 shall be paid at the time the appeal is filed. The deadline for filing a complete application along with the processing fee is APRIL 16, 2015 @ 4:30 PM.

DATED at WINDSOR this 26th day of March, 2015

James Keys Signature of Appellant or Agent or Solicitor

MAILING ADDRESS: 3237 VIRGINIA PARK AVE. WINDSOR, ONT. N9E 2C4

EMAIL ADDRESS:

HOME PHONE #: (519) 969-3927 ALTERNATE #

CALL - RE MEETING

TO: Council Services - Attention: Committee Coordinator 519-255-6222 ext. 6430 or clerks@city.windsor.on.ca

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is collected under the authority of The Building Code Act. R.S.O. 2001 as amended. The information is required in order to process the appeal to the Property Standards Committee. The name and business address of the applicant and/or authorized agent is public information. The address of the property which is the subject of the appeal is also public information. Please be advised that any personal information i.e. name, address may become part of a public record in an electronic i.e. website and/or paper format i.e. agenda, minutes.



ORDER TO REPAIR

UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 147-2011 AS AMENDED BY BY-LAW 213-2011

To: James Moreland Keys
3237 Virginia Park Avenue
Windsor, ON N9E 2C4

Legal Description and
Municipal Address of
non-conforming
Property:

N PT Lot 495; S PT Lot 496 Plan 1329
ROLL# 3739-080-310-13600-0000
3237 Virginia Park Avenue

Folder Number: 15-169181 VY

Date of Inspection: March 17, 2015

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 147-2011 as amended by by-law 213-2011, 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: **3237 Virginia Park Avenue**
Does not conform to the standards set forth in By-law Number 147-2011 as amended by By-law 213-2011

DESCRIPTION OF PROPERTY USE:

1 storey, concrete masonry unit foundation, wood framed, masonry and aluminium sided, asphalt shingled roof, detached single dwelling unit

DEFECTS AND CONDITIONS NOT IN COMPLIANCE WITH THE BY-LAW:

DEFECT 1:	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 below the frost line, 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.
CORRECTION 1:		Repair or replace damaged concrete block foundation walls and footings as required at front porch.
DEFECT 2:	1.7	All exterior walls shall be maintained in a watertight condition and in good repair so that they remain straight, level and plumb (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.
CORRECTION 2:		Vent pipes penetrating through exterior walls to be properly sealed.
DEFECT 3:	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.
CORRECTION 3:		Repair or replace damaged and deteriorated wood doors, windows, frames and trim on the building. Replace broken glass in exterior windows and doors.
DEFECT 4:	1.9	All stairs, porches, landings, loading docks, guards, handrails, balconies, canopies, awnings, fire escapes, rainwater pipes, flashings, and supports for solar panels, air conditioners and all similar equipment shall be maintained in good repair, properly anchored and free from defects and unsafe conditions.
CORRECTION 4:		Repair or replace damaged and deteriorated concrete threshold and modify or replace concrete step to comply with maximum rise requirements at rear (west) door.

DEFECT 5:	1.12 All roofs shall be maintained in good repair and in a watertight condition.
CORRECTION 5:	Repair and/or replace roofing materials on the dwelling including but not limited to shingles, flashing, sheathing, ice and water shield, insulation as per manufacturers specifications to protect the interior of the building from the weather. Ensure all damaged materials are replaced.
DEFECT 6:	1.13 Water runoff from roof surfaces shall discharge into an eaves trough or gutter and thence to a downpipe, discharging directly into the municipal storm system if approved or authorized by the City Engineer, or to a point of disposal acceptable to the Officer.
CORRECTION 6:	Repair or replace soffits, fascia, gutters and downspouts on building as to drain water away from the structures. Modify the discharge outlets to splash pad on ground as required.
DEFECT 7:	1.26 Except where part of a storm water management system, all vacant lots and every yard shall be graded and maintained in such a manner as to prevent: (a) water from entering into buildings;
CORRECTION 7:	Grade and concrete sidewalks around perimeter of dwelling to be sloped to shed water away from foundation.
**NOTE:	ALL PERTINENT PERMITS MUST BE OBTAINED PRIOR TO COMMENCING WORK ON THIS ORDER TO REPAIR.

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: April 27, 2015

Dated at Windsor, Ontario, this 25 day of March, 2015.

William Jean, P.Eng.
Chief Building Official

Per:



Mike Arthur
Inspector/Property Standards Officer
Building Department
(519) 255-6611 Ext. 6263
e-mail: marthur@city.windsor.on.ca

NOTICE:

1. If the owner or person against whom an Order has been served or their agent who is not satisfied with the terms or conditions of the order may appeal such Order 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. An Order that is not appealed within the time referred above 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 an order of an officer under section 15.2(2) is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge, the municipality may cause the property to be repaired or demolished accordingly.
6. This Order is pursuant to Section 15.2(2) of the BUILDING CODE ACT, S.O. 1992, c.23, as amended by S.O. 2010 c.19,.





Office of the City Clerk
 203-350 City Hall Square West • Windsor, Ontario N9A 6S1
 Tel: 519-255-6222 ext. 6430 • Fax: 519-255-6868

NOTICE OF APPEAL

IN THE MATTER OF the Maintenance & Occupancy Bylaw 147-2011,
 as amended, of the Corporation of the City of Windsor

BETWEEN:

OMAYA INVESTMENTS INC.

Appellant

- and -

THE CITY OF WINDSOR

Respondent

TAKE NOTICE that the above-named Appellant hereby appeals to the Property Standards Committee from the

ORDER TO REPAIR THE DEFECTS SET FORTH IN THE ORDER
 Repair or Demolish; Prohibit Use of Property; Vacate Property; etc.

Made by MR. BARRY SUSZEK, INSPECTOR / PROPERTY STANDARDS OFFICER
 Inspector Name and Title

On the JUNE 9 day of JUNE, 2015

THIS NOTICE WAS RECEIVED ON JUNE 15, 2015 AT 5:00 P.M.

RESPECTING THE PROPERTY KNOWN AS:

120 CARON AVE WINDSOR, ON.

Municipal Number, (if this is a vacant lot provide Registered Plan and Lot Numbers)

BASIS OF APPEAL:

IT WILL TAKE A FEW WEEKS TO GET A STRUCTURAL REPORT
FROM THE ENGINEERS AND BASED ON THE REPORT, WE CAN
GO FORWARD WITH THE REPAIRS, IF NEEDED
FROM MY PAST EXPERIENCE, IT MAY TAKE MORE THAN A YEAR
IF ALL BALCONIES NEED REPAIRS. SO, THE COMPLETION DATE OF
JULY 11, 2015 IS NOT WORKABLE.

NOTE:

An Owner or occupant who has been served with an order made under BCA subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail, or applying in person within 14 days after being served the order to the secretary of the committee at Suite 203- 350 City Hall Square East, Windsor, Ontario. Pursuant to Section 4.8 of the Property Standards By-Law, a processing fee of \$351.00 shall be paid at the time the appeal is filed. The deadline for filing a complete application along with the processing fee is July 1, 2015 @ 4:30 PM.

DATED at WINDSOR this JUNE 24 day of JUNE, 2015

[Signature]
 Signature of Appellant or Agent or Solicitor

MAILING ADDRESS: 76- GREEN ASH CRES. RICHMOND HILL ON, L4B 5Z2

EMAIL ADDRESS: PPURTIS@YAHOO.CA

HOME PHONE #: 905-771-0168 ALTERNATE # _____

TO: Council Services - Attention: Committee Coordinator 519-255-6222 ext. 6430
 or clerks@city.windsor.on.ca

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is collected under the authority of The Building Code Act, R.S.O. 2001 as amended. The information is required in order to process the appeal to the Property Standards Committee. The name and business address of the applicant and/or authorized agent is public information. The address of the property which is the subject of the appeal is also public information. Please be advised that any personal information i.e. name, address may become part of a public record in an electronic i.e. website and/or paper format i.e. agenda, minutes.

CITY OF WINDSOR
 COUNCIL SERVICES

JUN 25 2015

RECEIVED

A FRIENDLY NOTE FOR THE COMMITTEE MEMBERS.

As the work order clearly states that the balconies were recently repaired, it also clearly shows that we are proactive in maintaining our properties. Maintaining a property is fundamental to our day to day business and we do not take it lightly. It seems to be a common practice with the City of Windsor to issue work order soon as they receive a phone call from a tenant. We have 151 tenants in this property. Four tenants are troublesome simply because we asked for rent increases after no rent increase at all for the past 12 years. A friendly phone call from the inspector would have been enough.

I am not sure if the city realises that the work orders put certain burdens and constraints on the owners such as insurance costs increases, refinancing difficulties and not being able to sell the property. Impression in general among the rental property owners is that the City of Windsor is anti-business. This may be one of the reasons that there has been no highrise rental property construction for the past 35 years. One can build a brand new building and have some cement fall from some corners in 5 years. It does not mean that the structural integrity of the building is compromised. It only means that we need to repair it and does not need engineers to inspect the whole property. It is part of the continuous maintenance process. City fathers should take a note of it. Windsor does not have a lot of vacant land and as the economy improves, it will need more highrise structures.

I have owned similar properties in Gatineau, Que., Ottawa, Hamilton and London but I never had one work order in the past 39 years. In Windsor, I have been threatened by an Inspector with a fine of \$50,000.00 for not clearing a walkway due to a snow storm. At the same time, properties owned by the city were not cleared. I think, it is a very heavy handed approach and not conducive for promoting Windsor.

I think, the building inspection department should build good relations with the owners and feel free to talk with owners, if they feel owners can help improve not only the property in question but image of the city itself.

ORDER TO REPAIR

UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 147-2011 AS AMENDED BY BY-LAW 213-2011

To: OMAVA INVESTMENTS INC
76 GREEN ASH CRES
RICHMOND HILL ON L4B 3S2

Description: ESSEX CONDO PLAN 145; LEVEL 1
THRU LEVEL 16

Property Address: 120 CARON AVE

Roll Number: 040-110-01351-BLDG

Violation Number: 15 184851

~~Date of Inspection:~~ June 9, 2015

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 147-2011 as amended by by-law 213-2011, 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: 120 CARON AVE
Does not conform to the standards set forth in By-law Number 147-2011 as amended by By-law 213-2011

DESCRIPTION OF PROPERTY: This is a multi storey brick veneer apartment building with below grade parking garage

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 conditioners and all similar equipment shall be maintained in good repair, properly anchored and free from defects and unsafe conditions.

DEFECT Section 1.34

Parking garages and parking structures shall be:

- (a) maintained in a clean and safe condition;
- (b) adequately ventilated at all times to provide $(3.8L/s/m^2)$ (0.75 cfm/ft^2) of floor area minimum if ventilated by mechanical means;
- (c) adequately lighted at all times, so that the number and arrangement of light fixtures is such as to provide an average level of illumination of at least 54 lux (five foot-candle) at floor level over the entire floor area with a minimum level of 11 lux (one foot-candle) at any location on the floor; and
- (d) equipped with wire screens or other suitable means of protection for lighting fixtures, so as to prevent accidental or malicious damage.

CORRECTION

The balconies appear to have been recently repaired but show signs of cracking with concrete pulling away from the repair and water infiltration is evident. The parking garage areas shows signs of water/salt infiltration at the concrete deck and especially at the ramp area, paint has flaked away and the concrete has begun to spawl with sections falling away, as well as there is water damage to the foundation walls.

Have an Ontario Licensed professional Engineer review these areas, prepare a written report of his findings as well outline repairs, perform these repairs and when complete submit a certificate of conformance.

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 11, 2015

~~Dated at Windsor, Ontario, on~~ June 11, 2015

William Jean, P.Eng.
Chief Building Official

Per:



Barry Suszek
Inspector/Property Standards Officer
Building Department
Telephone: 519-255-6267 x 6264
e-mail: bsuszek@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.

Kadour, Karen

From: Vani, Rob
Sent: Wednesday, July 22, 2015 8:07 AM
To: 'Pauline Puri'; Kadour, Karen
Cc: Suszek, Barry
Subject: RE: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST

Mr. Puri,

The following are the issues that remain outstanding as noted in Order to Repair under 'Correction', the Order cannot be closed until the following are complied with:

- 1. The engineer report does not outline the specific required repairs, does not provide specific locations for repair and no detailed scope of work with a methodology for the repairs**
- 2. No building permit application to the Permit services Division has been received to date for the purposes of a review and issuance of a building permit**
- 3. No repairs have been conducted to the satisfaction of this office and the engineer of record, no letter of conformance has been submitted from the engineer upon completion of the repairs**

I trust this clarifies our position.

Regards,

Roberto Vani, C.E.T., CBCO
Manager of Inspections/Deputy CBO
City of Windsor Planning & Building Department, Inspections Division

From: Pauline Puri [mailto:ppuri25@yahoo.ca]
Sent: Tuesday, July 21, 2015 5:44 PM
To: Vani, Rob; Kadour, Karen
Subject: Re: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST

Hello Mr.Vani,
Thank you for your email. Could you please explain why the report does not fully address the requirements as outlined in the Order of Repair? I like to bring it to the attention of Crozierbaird and have them answer your concerns.
Thank you.
Kan Puri

From: "Vani, Rob" <rvani@citywindsor.ca>
To: "ppuri25@yahoo.ca" <ppuri25@yahoo.ca>
Cc: "Kadour, Karen" <kkadour@citywindsor.ca>; "Lunardi, Dan" <dlunardi@citywindsor.ca>; "Suszek, Barry" <bsuszek@citywindsor.ca>
Sent: Tuesday, July 21, 2015 5:28 PM
Subject: FW: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST

Good Afternoon Mr. Puri,

I have reviewed the attached engineer prepared by Crozierbaird on behalf of the Inspector who is out of office. Please be advised that the report does not fully address the requirements as outlined in the Order to Repair, as such the Order is not in compliance.

Furthermore, your request to rescind the Order to Repair cannot be dealt with at this time. Legally only the Property Standards Committee can rule on that request at the scheduled hearing date, you or your agent will have an opportunity to make arguments to the Committee for 'Rescinding' the Order at the appropriate time.

Best regards,

Roberto Vani, C.E.T., CBCO
Manager of Inspections/Deputy CBO
City of Windsor Planning & Building Department, Inspections Division

From: Kadour, Karen
Sent: Tuesday, July 21, 2015 9:41 AM
To: Vani, Rob; Lunardi, Dan
Subject: FW: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST

From: Pauline Puri [<mailto:ppuri25@yahoo.ca>]
Sent: Tuesday, July 21, 2015 9:12 AM
To: Kadour, Karen
Subject: Re: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST

Hi Mrs. Kadour,

Please find attached an inspection report submitted to me by Crozierbaird - Engineers, Planners, Architects.

This report clearly states the issues and the corrective actions needed to address them. This report does not raise any concerns regarding the structural integrity of the building. Mr. Baird has inspected all parts of the property mentioned in the work order and found no evidence of structural failure. Since the work order is based on structural issues, I request you to rescind this work order.

We thank you for your cooperation.

Kan Puri

From: "Kadour, Karen" <kkadour@citywindsor.ca>
To: "'dhussey70@hotmail.com'" <dhussey70@hotmail.com>; "'ppuri25@yahoo.ca'" <ppuri25@yahoo.ca>
Sent: Tuesday, July 14, 2015 9:24 AM
Subject: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST

When: Friday, August 14, 2015 9:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Meeting Room Walkerville, 3rd Floor CityHall

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Good Morning...A meeting of the Property Standards Committee will be held on **Friday, August 14, 2015 at 9:00 a.m. in the Walkerville Meeting Room**, 3rd floor, City Hall, 350 City Hall Square West.

NOTICE TO APPELLANTS: YOUR HEARINGS WILL BEGIN AT 10:00. PLEASE DO NOT ARRIVE UNTIL 10 A.M.

Kadour, Karen

From: Pauline Puri [ppuri25@yahoo.ca]
Sent: Tuesday, July 21, 2015 9:12 AM
To: Kadour, Karen
Subject: Re: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST
Attachments: CCI20150721.jpg

Hi Mrs. Kadour,

Please find attached an inspection report submitted to me by Crozierbaird - Engineers, Planners, Architects.

This report clearly states the issues and the corrective actions needed to address them. This report does not raise any concerns regarding the structural integrity of the building. Mr. Baird has inspected all parts of the property mentioned in the work order and found no evidence of structural failure. Since the work order is based on structural issues, I request you to rescind this work order.

We thank you for your cooperation.

Kan Puri

From: "Kadour, Karen" <kkadour@citywindsor.ca>
To: "'dhussey70@hotmail.com'" <dhussey70@hotmail.com>; "ppuri25@yahoo.ca" <ppuri25@yahoo.ca>
Sent: Tuesday, July 14, 2015 9:24 AM
Subject: PROPERTY STANDARDS COMMITTEE MEETING - KAREN CLERKS X6430 - POST

When: Friday, August 14, 2015 9:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Meeting Room Walkerville, 3rd Floor CityHall

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Good Morning...A meeting of the Property Standards Committee will be held on **Friday, August 14, 2015 at 9:00 a.m. in the Walkerville Meeting Room**, 3rd floor, City Hall, 350 City Hall Square West.

NOTICE TO APPELLANTS: YOUR HEARINGS WILL BEGIN AT 10:00. PLEASE DO NOT ARRIVE UNTIL 10 A.M.

Notice: My Email Address has Changed

The domain name for all City of Windsor email addresses is now @citywindsor.ca

Please update me in your contact list by switching the suffix in my email address to @citywindsor.ca

Thank you.

July 17, 2015

120 Caron Ave.
Windsor, ON
N9A 6W7

SUBJECT: 120 Caron Avenue, Windsor Inspection

Crozier Baird has been retained by Kan Puri, owner of 120 Caron Avenue, a multi-storey apartment building and parking garage in the City of Windsor.

The City of Windsor inspected the site on June 9th, 2015 and provided Mr. Puri with an Order to repair defects in accordance with the By-law 147-2011 being a By-law to establish Standards for the Maintenance and Occupancy of Property in the City of Windsor.

The following is a summary of the 'Correction' required per the inspection.

The balconies appear to have been recently repaired but show signs of cracking with concrete pulling away from the repair and water infiltration is evident. The parking garage areas shows signs of water/salt infiltration at the concrete deck and especially at the ramp area, paint has flaked away and the concrete has begun to spawl with sections falling away, as well as there is water damage to the foundation walls.

Crozier Baird has visited the site and working with the owner, proposes the following:

- 1) With regards to the cracking of concrete on the balconies, our inspection concluded there are no structural concerns with regards to the balconies. Crozier Baird witnessed approximately five (5) cracks total when inspecting the balconies. The owner has agreed to fix these cracks.
- 2) With regards to water/salt infiltration, there is one location along the north side of the building in the parking garage where water has infiltrated. The owner has agreed to damp proof the building's exterior walls to reduce any potential for water seepage.
- 3) Crozier Baird has witnessed some very minor spawling on the concrete ramp in the parking garage. Crozier Baird does not see any structural problems with the spawling and the owner has agreed to fix the spawling as appropriate.

We trust our proposal above is satisfactory; however, should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

CROZIER BAIRD – ENGINEERS, PLANNERS, ARCHITECTS



Matthew J. Baird, P.Eng PMP SCPM
President
519-326-6161

NOTICE OF APPEAL

IN THE MATTER OF the Maintenance & Occupancy Bylaw 147-2011,
as amended, of the Corporation of the City of Windsor

BETWEEN:

832426 Ontario Limited

Appellant

City of Windsor

-and-
Respondent

TAKE NOTICE that the above-named Appellant hereby appeals to the Property Standards Committee from the

ORDER TO

REPAIR

Repair or Demolish; Prohibit Use of Property; Vacate Property; etc.

Made by

OLIVER POZAR, INSPECTOR / PROPERTY STANDARDS OFFICER

Inspector Name and Title

On the

7th

day of

MAY

2015

RESPECTING THE PROPERTY KNOWN AS:

2603 MEADOWBROOK LANE

Municipal Number, (if this is a vacant lot provide Registered Plan and Lot Numbers)

BASIS OF APPEAL:

- 1) IN OUR OPINION ROOFING SYSTEM MANSARD ROOF AND WINDOWS DO NOT NEED TO BE REPLACED BUT NECESSARY REPAIRS WILL BE MADE TO PREVENT WATER PENETRATION.
- 2) NEED CLARIFICATION IN ORDER TO DETERMINE THE SCOPE OF WORK. SPECIFICS ARE LACKING.

NOTE:

An Owner or occupant who has been served with an order made under BCA subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail, or applying in person within 14 days after being served the order to the secretary of the committee at Suite 203- 350 City Hall Square East, Windsor, Ontario. Pursuant to Section 4.8 of the Property Standards By-Law, a processing fee of \$351.00 shall be paid at the time the appeal is filed. The deadline for filing a complete application along with the processing fee is May 26, 2015@ 4:30 PM.

DATED at WINDSOR this

22nd

day of

MAY

2015

Signature of Appellant or Agent or Solicitor

MAILING ADDRESS:

2609 MEADOWBROOK LANE, UNIT 01 OFFICE, WINDSOR, ON N8T 2X9

EMAIL ADDRESS:

olhussay70@hotmail.com

HOME PHONE #:

519-945-4386

ALTERNATE #

TO: Council Services - Attention: Committee Coordinator 519-255-6222 ext. 6430
or clerks@city.windsor.on.ca

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is collected under the authority of The Building Code Act, R.S.O. 2001 as amended. The information is required in order to process the appeal to the Property Standards Committee. The name and business address of the applicant and/or authorized agent is public information. The address of the property which is the subject of the appeal is also public information. Please be advised that any personal information i.e. name, address may become part of a public record in an electronic i.e. website and/or paper format i.e. agenda, minutes.

ORDER TO REPAIR

UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 147-2011 AS AMENDED BY BY-LAW 213-2011

To: 832426 ONTARIO LIMITED
C/O ALLY ESMAIL PRESIDENT
11 RAEVIEW DR
STOUFFVILLE ON L4A 7X4

Description: ESSEX CONDO PLAN 164;
LEVELS 1 TO 3

Property Address: 2603 MEADOWBROOK LANE

Roll Number: 070-770-02901-BLDG

Violation Number: 15 177957

Date of Inspection: April 22, 2015

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 147-2011 as amended by by-law 213-2011, 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: 2603 MEADOWBROOK LANE
Does not conform to the standards set forth in By-law Number 147-2011 as amended by By-law 213-2011

DESCRIPTION OF PROPERTY:

THIS IS A 3 STOREY RESIDENTIAL CONDOMINIUM CONSTRUCTED WITH A FLAT ROOF, BRICK VENEER, AND SHINGLED MANSARD STYLE ROOF.

DEFECT 1 **Section 1.12**

All roofs shall be maintained in good repair and in a watertight condition.

It is the opinion of the Officer that the BUILDING ENVELOPE (Flat Roofing System, Mansard Roof, and Windows) are at the end of their service life. The Building Envelope has been compromised and is deteriorating due to exposure to elements such as rain water, sun, wind, and ice damage. Attempts to repair have not been successful due to continuous leaks, and complaints from the tenants.

CORRECTION

Replace the Flat Roofing System, the Mansard roofs, along with any deteriorated wood products, and Windows to ensure a watertight condition.

OR

Retain the services of a *Building Envelope Specialist*, acceptable to the officer, to address the flat roof, mansard roofs, and exterior finishes, AND submit a report to the Building Dept. identifying how to protect the Building Envelope and areas that require repair.

DEFECT 2 **Section 3.2**

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

Safely remove all damaged material, and repair interior finishes (walls and ceilings) to new condition.

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: June 18, 2015

Dated at Windsor, Ontario, on May 7, 2015

William Jean, P.Eng.
Chief Building Official

Per:



Oliver Pozar
Inspector/Property Standards Officer
Building Department
Telephone: 519-255-6611 x6184
e-mail: opozar@city.windsor.on.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.

NOTICE OF APPEAL

IN THE MATTER OF the Maintenance & Occupancy Bylaw 147-2011,
as amended, of the Corporation of the City of Windsor

BETWEEN:

832426 Ontario Limited
Appellant

City of Windsor - and -
Respondent

TAKE NOTICE that the above-named Appellant hereby appeals to the Property Standards Committee from the
ORDER TO REPAIR

Repair or Demolish; Prohibit Use of Property; Vacate Property; etc.

Made by OLIVER POZAR, INSPECTOR / PROPERTY STANDARDS OFFICER
Inspector Name and Title

On the 7th day of MAY, 20 15

RESPECTING THE PROPERTY KNOWN AS:

2619 MEADOWBROOK LANE

Municipal Number, (if this is a vacant lot provide Registered Plan and Lot Numbers)

BASIS OF APPEAL:

- 1) IN OUR OPINION, ROOFING SYSTEM MANSARD ROOF AND WINDOWS DO NOT NEED TO BE REPLACED BUT NECESSARY REPAIRS WILL BE MADE TO PREVENT WATER PENETRATION.
- 2) NEED CLARIFICATION IN ORDER TO DETERMINE THE SCOPE OF WORK. SPECIFICS ARE LACKING.

NOTE:

An Owner or occupant who has been served with an order made under BCA subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail, or applying in person within 14 days after being served the order to the secretary of the committee at Suite 203-350 City Hall Square East, Windsor, Ontario. Pursuant to Section 4.8 of the Property Standards By-Law, a processing fee of \$351.00 shall be paid at the time the appeal is filed. The deadline for filing a complete application along with the processing fee is May 26, 2015 @ 4:30 PM.

DATED at WINDSOR this 22nd day of MAY, 20 15

[Signature]
Signature of Appellant or Agent or Solicitor

MAILING ADDRESS: 2609 MEADOWBROOK LANE, UNIT 01 OFFICE, WINDSOR, ON N8T 2X9

EMAIL ADDRESS: obhussky70@hotmail.com

HOME PHONE #: 519-945-4386 ALTERNATE # _____

TO: Council Services - Attention: Committee Coordinator 519-255-6222 ext. 6430
or clerks@city.windsor.on.ca

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is collected under the authority of The Building Code Act, R.S.O. 2001 as amended. The information is required in order to process the appeal to the Property Standards Committee. The name and business address of the applicant and/or authorized agent is public information. The address of the property which is the subject of the appeal is also public information. Please be advised that any personal information i.e. name, address may become part of a public record in an electronic i.e. website and/or paper format i.e. agenda, minutes.

ORDER TO REPAIR

UNDER THE MAINTENANCE AND OCCUPANCY BY-LAW 147-2011 AS AMENDED BY BY-LAW 213-2011

To: 832426 ONTARIO LIMITED
C/O ALLY ESMAIL PRESIDENT
11 RAEVIEW DR
STOUFFVILLE ON L4A 7X4

Description: ESSEX CONDO PLAN 164; LEVELS 1 & 2

Property Address: 2619 MEADOWBROOK LANE

Roll Number: 070-770-02901-BLDG

Violation Number: 15 177989

Date of Inspection: April 22, 2015

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 147-2011 as amended by by-law 213-2011, 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: 2619 MEADOWBROOK LANE
Does not conform to the standards set forth in By-law Number 147-2011 as amended by By-law 213-2011

DESCRIPTION OF PROPERTY:

THIS IS A 2 STOREY RESIDENTIAL CONDOMINIUM CONSTRUCTED WITH A FLAT ROOF, BRICK VENEER, AND SHINGLED MANSARD STYLE ROOF.

DEFECT 1

Section 1.12

All roofs shall be maintained in good repair and in a watertight condition.

It is the opinion of the Officer that the BUILDING ENVELOPE (Flat Roofing System, Mansard Roof, and Windows) are at the end of their service life. The Building Envelope has been compromised and is deteriorating due to exposure to elements such as rain water, sun, wind, and ice damage. Attempts to repair have not been successful due to continuous leaks, and complaints from the tenants.

CORRECTION

Replace the Flat Roofing System, the Mansard roofs, along with any deteriorated wood products, and Windows to ensure a watertight condition.

OR

Retain the services of a *Building Envelope Specialist*, acceptable to the officer, to address the flat roof, mansard roofs, and exterior finishes, AND submit a report to the Building Dept. identifying how to protect the Building Envelope and areas that require repair.

DEFECT 2

Section 3.2

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

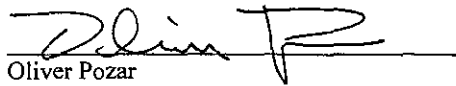
Safely remove all damaged material, and repair interior finishes (walls and ceilings) to new condition.

ON OR BEFORE: June 18, 2015

Dated at Windsor, Ontario, on May 7, 2015

William Jean, P.Eng.
Chief Building Official

Per:



Oliver Pozar

Inspector/Property Standards Officer

Building Department

Telephone: 519-255-6611 x6184

e-mail: opozar@city.windsor.on.ca DEFECT Section 3.2

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.

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.