

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee
From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development
Subject: Property Standards Related Demolitions
Date: November 14, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the attached by-law (Appendix 'A') **BE INTRODUCED** at the Council meeting on **November 28, 2023**, it being noted that the effect of the by-law will be to permit the City of London to take necessary actions, including the potential demolition of the buildings and structures at the following addresses: **712 Adelaide Street North, 1803 Bradley Avenue, 19 Redan Street, and 188 Wharnccliffe Road South.**

Summary

The request for demolition approval as per authority of the *Building Code Act* is intended as a near-to-last effort to motivate property owners to address ongoing violations of the Property Standards By-law. All associated inspection and potential demolition costs are invoiced to the property owner.

Link to the Corporate Strategic Plan

Enforce London's property related by-laws through proactive enforcement to protect the health and safety of all residents.

Background Information

City Council Policy directs that when a Property Standards Order is not complied with, the Director of Municipal Compliance may have the property demolished, as per authority of the *Building Code Act*, once Council has passed a by-law approving of the potential demolition.

Property Standards Orders issued for the subject properties have not been appealed and no actions have been taken to achieve compliance. The following sections include photos depicting the current condition of the subject buildings. The majority of the building conditions pertain to the exterior building envelope which continue to negatively impact the interior of the structures. Currently, proactive inspections are ongoing to ensure that the buildings remain secured against unauthorized entry. Proactive inspection fees and any actions regarding securing the buildings are invoiced to the property owners. Photos of the various properties follow on the next pages.

188 Wharncliffe Rd S

**Property Standards Order PV-23-017555
Expired July 15, 2023 (no appeal) and registered on title.**



188 Wharncliffe Rd. S – Front Photos



188 Wharncliffe Rd S – Rear Photos

19 Redan St.

**Property Standards Order PV 23-019728
Expired July 31, 2023 (no appeal) and registered on title.**



19 Redan St – Interior & Roof Example



19 Redan Street – Front Exterior



19 Redan Street – Interior 2

1803 Bradley Ave.

Property Standards Order PV 23-021741

Expired August 14, 2023 (no appeal) and registered on title.



1803 Bradley Ave – Front Exterior



1803 Bradley Ave. – Front Exterior 2



1803 Bradley Ave – Rear Exterior

712 Adelaide Street North

Property Standards Order PV 21-024716

Expired, October 9, 2023 (no appeal) and registered on title.



712 Adelaide St N – Front Exterior



712 Adelaide St N – Rear Exterior w. Fire Damage



712 Adelaide St N – North Side

Conclusion

Property Standards Orders issued by Municipal Law Enforcement Officers have been ignored by the property owners. The buildings remain vacant and in contravention of the Property Standards By-law. Civic Administration is recommending the vacant abandoned buildings be considered for demolition as per the authority of the *Building Code Act*.

Prepared by: Ethan Ling, MSc.
Development Policy Coordinator
Municipal Compliance

Submitted by: Nicole Musicco
Manager, Policy & Special Operations
Municipal Compliance

**Reviewed and
Concurred by:** Orest Katolyk, MLEO (C)
Director, Municipal Compliance

Recommended by: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix "A"

Bill No.
2023

By-law No.

A By-law to approve the potential demolition of vacant buildings at 188 Wharnccliffe Rd S, 19 Redan St, 1803 Bradley Ave, and 712 Adelaide St N under the Property Standards provisions of the Building Code Act.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 15.1(3) of the *Building Code Act* provides that the council of a municipality may pass a by-law to require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

AND WHEREAS Council has passed Property Standards By-law CP-16 that requires owners of property that does not conform to the standards of the by-law to repair and maintain the property to conform with the standards of the by-law or to clear it of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.2(2) of the *Building Code Act* provides that an officer who finds that a property does not conform with the standards prescribed in the Property Standards By-law may make an order giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.4 of the *Building Code Act* provides that, 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;

AND WHEREAS section 15.4(3) of the *Building Code Act* provides that a municipal corporation or a person acting on its behalf is not liable to compensate the owner, occupant, or any other person by reason of anything done by or on behalf of the municipality in the reasonable exercise of its powers under subsection (1);

AND WHEREAS section 15.4(4) of the *Building Code Act* provides that the municipality shall have a lien on the land for the amount spent on the repair or demolition under subsection (1) and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*;

AND WHEREAS Council passed By-law A.-6554-211 to adopt a Policy whereby, in the event a confirmed Property Standards Order is not complied with, the City's Manager of By-law Enforcement shall not cause the property to be demolished unless he or she has reported to Council setting out the reasons for the proposed demolition and Council has passed a by-law approving of the proposed demolition;

AND WHEREAS a Property Standards Order has not been complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge;

AND WHEREAS the City's Chief Municipal Law Enforcement Officer has reported to Council setting out the reasons for the proposed demolition;

AND WHEREAS Municipal Council may wish to cause the property to be demolished;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The potential demolition of the abandoned buildings in the City of London (listed below) is approved and the properties may be cleared of all identified buildings, structures, debris, and refuse and left in a graded and levelled condition in accordance with the *City of London Property Standards By-law* and the *Ontario Building Code Act* if required. The municipal addresses of the properties are:

- 721 Adelaide Street North
- 1803 Bradley Avenue
- 19 Redan Street
- 188 Wharncliffe Road South

2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2023

Josh Morgan,
Mayor

Michael Schulthess
City Clerk

First reading - _____, 2023

Second reading - _____, 2023

Third Reading - _____, 2023