

<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P. ENG. MANAGING DIRECTOR - DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>PROPERTY STANDARDS RELATED DEMOLITIONS July 18, 2017</b>

**RECOMMENDATION**

That, on the recommendation of the Managing Director of Development & Compliance Services and Chief Building Official, the attached proposed by-law **BE INTRODUCED** at the Council meeting on July 25, 2017; it being noted that the effect of the by-law will cause the City to take all necessary actions to demolish buildings and structures at the following locations: 200 Adelaide Street North; 78 Oxford Street West; 80 Oxford Street West; 533 Piccadilly Street and 724 Dundas Street.

**BACKGROUND**

On June 28, 2010, City Council passed City Policy indicating that where a Property Standards Order is not complied with, the Chief Municipal Law Enforcement Officer shall not cause the property to be demolished unless the matter has been reported to Council setting out the reasons for the proposed demolition and Council has passed a by-law approving of the proposed demolition. The report may advise Council that in addition to the non-compliance of a Property Standards Order, the subject vacant property has created or has contributed to neighbourhood nuisance issues including, but not limited to: pest infestation, break and enter, squatters, prostitution, drug use, arson, graffiti, and the accumulation of trash/rubbish/debris.

**SUBJECT PROPERTIES**

There have been complaints regarding the upkeep buildings located at: 200 Adelaide Street North; 78 Oxford Street West; 80 Oxford Street West; 533 Piccadilly Street and 724 Dundas Street. These buildings have been vacant for some time and remain unoccupied.

The City has taken numerous enforcement related actions to secure the buildings as a result of no actions being taken on behalf of the property owner. All actions taken by the City including costs of securing, property cleanups and inspection fees were billed to the property owner. On numerous occasions, London Police Services attend with Municipal Law Enforcement Officers as squatters were reported in the buildings. London Fire Services proactively inspect vacant buildings on a monthly basis to ensure that the buildings are secure. Vacant dilapidated buildings are the source of increasing municipal costs related to enforcement agencies.

The subject buildings remain vacant and in a dilapidated state. Property Standards and/or Unsafe Orders issued for the subject properties remain outstanding. Violations include: roof and related roof structure maintenance, door and window maintenance, pests ( 200 Adelaide St. N. – Property Standards Order); partial wall collapse (724 Dundas Street – Order to Make Safe); roof and related roof structure maintenance, door and window maintenance, building no longer structurally sound ( 78 Oxford St. W. – Property Standards Order, Order to Make Safe); door and window maintenance, building no longer structurally sound ( 80 Oxford St. W. - Property Standards Order, Order to Make Safe); and roof and related roof structure maintenance and dilapidated shed ( 533 Piccadilly St. – Property Standards Order). Several of these properties have had squatters removed by London Police Services, have evidence of graffiti vandalism and have an accumulation of debris. The associated Orders are attached to this report as Appendix A.

The vacant buildings located at 787 and 809 Fanshawe Park Rd W. were originally notified of a pending City initiated demolition and have replied in writing that they have begun the process of demolishing all buildings at these locations.

Photos of all properties are included as Appendix B to this report.

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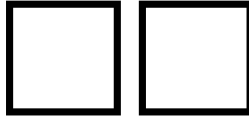
<b>CONCLUSION</b>
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Civic Administration recommends these dilapidated buildings be demolished to address ongoing neighbourhood nuisance, safety and quality of life issues. All demolition costs including inspection fees and the preparation of a Designated Substance Survey to identify any hazardous materials will be invoiced to the property owner. If fees are not paid, the costs are added to the tax roll.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>O. KATOLYK, MLEO ( C )</b> <b>CHIEF MUNICIPAL LAW ENFORCEMENT</b> <b>OFFICER</b>	<b>G. KOTSIFAS, P.ENG.</b> <b>MANAGING DIRECTOR</b> <b>DEVELOPMENT &amp; COMPLIANCE SERVICES</b> <b>AND CHIEF BUILDING OFFICIAL</b>

Att: Appendix A  
Appendix B

cc: LPS – COR Unit  
Fire Prevention  
Registered property owners



Bill No.  
2017

By-law No.

A By-law to approve demolition of abandoned buildings with municipal addresses of 200 Adelaide Street North; 78 Oxford Street West; 80 Oxford Street West; 533 Piccadilly Street and 724 Dundas Street 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);

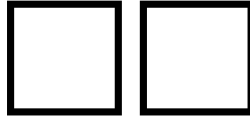
AND WHEREAS section 15.4(4) of the *Building Code Act* provides that the municipality shall have a lien on the land for the amount spent on the repair or demolition under subsection (1) and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*;

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 wishes 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 demolition of abandoned buildings at municipal addresses of 200 Adelaide Street North; 78 Oxford Street West; 80 Oxford Street West; 533 Piccadilly Street and 724 Dundas Street, City of London is approved, and the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, in accordance with the City of London Property Standards By-law and *Building Code Act*.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council

, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First reading -  
Second reading -  
Third reading -