

COMMUNITY & PROTECTIVE SERVICES COMMITTEE

To: CHAIR AND MEMBERS
COMMUNITY & PROTECTIVE SERVICES COMMITTEE

From: GEORGE KOTSIFAS, P, ENG.
DEPUTY CITY MANAGER, PLANNING & ECONOMIC DEVELOPMENT

Subject: PROPERTY STANDARDS RELATED DEMOLITION

Date: May 11, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Planning & Economic Development, the attached by-law (Appendix 'A') **BE INTRODUCED** at the Council meeting on May 25, 2021; it being noted that the effect of the by-law will cause the City of London to take all necessary actions to demolish buildings and structures at the following location: 508 Riverside Drive.

Executive Summary

Civic Administration recommends that dilapidated buildings be demolished to address ongoing neighbourhood nuisance, safety, and quality of life issues. All associated demolition costs are invoiced to the property owner.

Linkage to the Corporate Strategic Plan

Implement existing by-laws with a risk based protocol focusing on municipal purposes of public safety and neighbourhood stability.

Analysis

1.0 Background Information

City Council Policy directs that when 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, and Council has passed a by-law approving of the proposed demolition.

There have been numerous complaints regarding 508 Riverside Drive. The subject building has been vacant for some time and remains unoccupied.

The City of London has taken numerous enforcement related actions to secure the building and as a result, no actions have been 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 Service attended this property to address squatters and trespassing issues. The subject building remains vacant and in a decrepit state. A Property Standards Order issued for the subject property remains outstanding. The associated Order is attached to this report as Appendix "B".

Photos of the subject property is included as Appendix "C" to this report.

The property owner was advised by letter of the preparation of this report, and was offered delegation status at committee.

Submitted by: OREST KATOLYK, MLEO (C)
CHIEF MUNICIPAL LAW ENFORCEMENT OFFICER

Recommended by: GEORGE KOTSIFAS, P. ENG.
DEPUTY CITY MANAGER, PLANNING & ECONOMIC
DEVELOPMENT

Appendix “A”

Bill No.
2021

By-law No.

A By-law to approve demolition of abandoned building with municipal address of 508 Riverside Drive 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 an abandoned building at municipal address of 508 Riverside Drive, 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 on _____, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – _____, 2021
Second reading – _____, 2021
Third reading – _____, 2021

Appendix "B"

THE CORPORATION OF THE CITY OF LONDON

ORDER

Issued Pursuant to Subsection 15.2(2) of the Ontario Building Code Act, S.O.1992, c.23

ORDER NUMBER: PV 21-027644

DATE ISSUED: March 31, 2021

ISSUED TO: Thames Valley Boat Club
508 Riverside Dr
LONDON ON N6H 2R7

MUNICIPAL ADDRESS: 508 Riverside Dr., London ON

LEGAL DESCRIPTION: CON 1 PT LOT 20 RP 33R3522 PART 1,2,3, 0.12AC 62.00FR D

BE ADVISED that on **November 4, 2020** an inspection of the above-noted property revealed the property does not conform to the standards prescribed in The City of London Property Standards By-Law CP-16.

The particulars of the repairs to be made are set out in the "Schedule of Repairs to be Made", attached hereto, and forming part of this **ORDER**.

You are Hereby Ordered to carry out the repairs as set out in the "Schedule of Repairs to be Made" or the site is to be cleared of all buildings, structures, debris or refuse. This **ORDER** shall be complied with and the property brought into conformance with the standards prescribed in the Property Standards By-law on or before **April 21, 2021**.

Where it has been determined that the repairs or clearance as set out in this Order have not been carried out in accordance with this **ORDER** as confirmed or modified, in addition to any possible court action, The Corporation of the City of London may carry out the repairs or clearance at the owner's expense. The Corporation of the City of London shall have a lien on the land for the amount spent on the repairs or clearance and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*. The amount may be added to the tax roll of the property.

You are Hereby Advised that if you are not satisfied with the terms or conditions of this **ORDER**, **you may appeal** by sending a notice of appeal by registered mail to the Secretary of the Property Standards Committee, c/o Development & Compliance Services, City Hall, P.O. Box 5035, London, Ontario, N6A 4L9. **Appeal fee for property standards notice is \$150.00.**

TAKE NOTICE that the final day giving notice of appeal from this **ORDER** shall be **April 21, 2021**.

In the event that no appeal is received within the above prescribed period, the **ORDER** shall be deemed to be confirmed and shall be final and binding. You are expected to comply with the terms and conditions of this **ORDER** to avoid any possible enforcement actions being taken.

Where a permit is required to carry out a repair required to comply with this Order, it is the responsibility of the owner to obtain any such permit.

Failure to comply with this ORDER may result in enforcement action being taken.

DATED AT LONDON, ONTARIO, this 31st day of March 2021.

SHANE MADDOX
PROPERTY STANDARDS OFFICER

"SCHEDULE OF REPAIRS TO BE MADE"

Municipal Address
027644

508 Riverside Drive

File No. PV 20-

Date of Inspection

November 4, 2020

Owner

Thames Valley Boat Club
508 Riverside Dr
LONDON ON N6H 2R7

1) Non-conformance:

The roof has not been maintained and is in disrepair.

By-law Section:

4.4 Roofs and Roof Structures

4.4.1 Roof/Related Roof Structure - Maintained

Every roof including related roof structures, fascias, soffits, eavestroughs, roof gutters, downpipes, guards and lightning arrestors shall be maintained

Repair to be made:
comply

Repair all roof related structures to the main dwelling to
with the CP-16 by-law.

2) Non-conformance:

Building exterior surfaces are not maintained and are in
disrepair.

By-law Section:

4.6 Exterior Surfaces

4.6.1 Exterior Surfaces - Maintained

All exterior surfaces on a building shall be maintained.

4.6.2 Remove - Stains - Defacement

Appropriate measures shall be taken to remove any stains or
other defacement occurring on the exposed finished exterior
surfaces and, where necessary, to restore the surface and
adjacent areas to, as near as possible, their appearance
before the staining or defacement occurred.

Repair to be Made:

Repair and maintain above requirements in accordance with
City of London Property Standards Bylaw CP-16.

Appendix "C"

