

Report to Community and Protective Services Committee

To: CHAIR AND MEMBERS
From: COMMUNITY AND PROTECTIVE SERVICES COMMITTEE
GEORGE KOTSIFAS, P. ENG., DEPUTY CITY MANAGER,
Subject: PLANNING AND ECONOMIC DEVELOPMENT
PROPERTY STANDARDS RELATED DEMOLITION
Date: JUNE 22, 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 July 6, 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: 120 Weston Street.

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 (MLEO) 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.

The subject site is an approximately 10 acre parcel of land with an abandoned industrial building situated on the south portion. The property is located at the east end of Weston Street, south of the south branch of the Thames River, between Trevithen Street & Fairview Avenue. This portion of the building has been vacant for several years and remains unoccupied. There is an operating indoor commercial recreation use (indoor volleyball) in the east end of the subject building. This area is not part of the demolition.

Four (4) photos of the subject property are included as Appendix "B" to this report

A Property Standards Order was issued on July 24, 2018 (attached as Appendix "C") . Charges were issued and the property owner pled guilty. The requested repairs remain unresolved and outstanding. The abandoned portion of the subject building remains vacant and in a dilapidated state.

In May 2021, a fire occurred in the abandoned portion of the building. The cause of the fire remains undetermined.

The City of London has taken several enforcement related actions to ensure the building is maintained in a safe and tidy manner over several years. Notwithstanding the efforts of Staff, no actions have been taken by the property owner to comply with the property standards order.

Conclusion

Excluding the commercial recreation use in the east of the subject building, Civic Administration is recommending the demolition of 120 Weston Street due to matters of safety and inaction.

Prepared by: Orest Katolyk, MLEO (C), Director, Municipal Compliance

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 120 Weston 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 an abandoned building at municipal address of 120 Weston Street, City of London is approved, and the property shall be cleared of all identified 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" – Photos



Photo 1 - rear of abandoned building



Photo 2 - rear of abandoned building



Photo 3 - front of abandoned building



Photo 4 - front of abandoned building

Appendix 'C' – Attachment: *Property Standards Order – 120 Weston Street*