

## Report to Community and Protective Services Committee

**To:** CHAIR AND MEMBERS, COMMUNITY AND PROTECTIVE SERVICES COMMITTEE (CPSC)  
**From:** GEORGE KOTSIFAS, P. ENG., DEPUTY CITY MANAGER, PLANNING AND ECONOMIC DEVELOPMENT  
**Subject:** PROPERTY STANDARDS RELATED DEMOLITION – 72 Wellington Street  
**Date:** SEPTEMBER 21, 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 October 5, 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: **72 Wellington Street**.

## Executive Summary

Civic Administration recommends that dilapidated buildings be demolished to address ongoing neighbourhood nuisance, safety, and quality of life issues. All associated inspection and 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 known municipally as 72 Wellington St and is located north of the south branch of the Thames River. The property itself is approximately 685m<sup>2</sup> (7400 sqft) and the vacant two-storey building sits on the southerly half of the property.

Photos of the subject property, taken over the last few years, are included as Appendix "B" to this report.

The building was first identified as vacant around 2016 and the last five (5) years Municipal Staff have inspected the premises and issued work orders multiple times under numerous Municipal By-laws for a variety of infractions. Examples of three of those work orders are appended to this report.

- Appendix "C" Work Order - issued May 16, 2019 under the *Vacant Buildings By-law A-35* requiring the owner of the building to bring the property into compliance as indicated on the Order.
- Appendix "D" Work Order - issued March 30, 2021 under the *City of London Yard & Lot Maintenance By-law PW-9* requiring the owner to bring the property into compliance as indicated on the Order.
- Appendix "E" Work Order - issued June 2, 2021 under the Ontario Building Code Act ordering the owner to make repairs as outlined therein.

As indicated the Enforcement Staff have taken several enforcement related inspections and actions to ensure the building is maintained in a safe and tidy manner. Notwithstanding the efforts of Staff, no actions have been taken by the property owner to comply with the property standards orders. It should be noted that on June 16, 2021 the building was removed from the Register of Cultural Heritage Resources by Council.

## **Conclusion**

Based on the evidence herein, Civic Administration is recommending the demolition of the former residence at 72 Wellington 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 72 Wellington 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 72 Wellington Street, in the City of London, is approved and the property shall 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 *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 – 72 Wellington St. from Road



Photo 2 – Interior of 72 Wellington St.





Photo 3 - rear of 72 Wellington St.





Photo 4 – 72 Wellington St – south side of building (facing river and bike path)





Photo 5 – 72 Wellington St south side at rear (facing river and bike path)



# APPENDIX "C"



300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

**London**  
CANADA

## WORK ORDER

**Contravention of the Vacant Building By-Law**  
Pursuant to Subsection 3.2 of The City of London Vacant Buildings By-law

**Date Order Issued:** May 16, 2019

**File No. 19-018394**

**Property Inspection Date:** May 16, 2019

**Address to which Order Applies:** 72 Wellington St, London, ON.

**Order issued to:** 2555126 ONTARIO INC  
C/O LOREDANA ONESAN  
642 BASELINE RD E  
LONDON ON  
N6C 2R4

Be advised that on May 16, 2019, an inspection of the above noted property revealed a contravention of the City of London Vacant Buildings By-law A-35.

In accordance with Part 3, Subsection 3.1 of By-law A-35,

Every owner of a vacant building shall:

- a) ensure that the vacant building is secured against unauthorized entry;
- b) maintain liability insurance on the vacant building; and
- c) protect the vacant building against the risk of fire, accident or other danger.

You are hereby ordered, under Subsections 3.2 and 3.5 of The City of London Vacant Buildings By-law A-35 to bring this property in to compliance immediately by undertaking the following:

- (i.) notify the London Fire Department and the Chief Building Official in writing that the building is a vacant building;
- (ii.) provide the Chief Building Official with a copy of the certificate of insurance for the subject building;
- (iii.) ensure that all combustible materials within the vacant building are removed to reduce any potential fire load;
- (iv.) secure the subject building from unauthorized entry.

As per section 3.6 of the Vacant Buildings By-law, the City may take any action the City deems necessary to secure or repair a vacant building in accordance with this By-law.

**TAKE NOTICE:** In accordance with Subsections 3.7 and 5.2 of the By-law to Regulate Vacant Buildings A-35, this building has been secured and the costs of work done shall be added to the tax role of this property and collected in the same manner as taxes.

Order issued by:

John Austen  
City of London  
Property Standards Officer

# APPENDIX "D"



300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

**London**  
CANADA

## **WORK ORDER – Contravention of the by-law**

Pursuant to Subsection 3.9 of The City of London Yard & Lot Maintenance By-law PW-9

**Date Order Issued: March 30/2021**

**File No.21 009593**

**Address to which Order Applies: 72 Wellington St, LONDON ON**

**Order issued to:** 2555126 ONTARIO INC  
C/O LOREDANA ONESAN  
642 BASELINE RD E  
LONDON ON N6C 2R4

A contravention of Part 2 of the City of London Yard & Lot Maintenance By-law PW-9 is found to exist at the above noted address:

- **2.5 Land – clean- cleared – free of refuse**  
**Every owner shall keep his land clean, cleared and free of refuse.**

Refuse includes, but is not limited to: **uncontained garbage, refuse**

By-Law PW-9, to bring this property in to compliance on or before, **April 13, 2021**.

In an effort to reduce the number of attendances by a Municipal Law Enforcement Officer, this office will accept electronic photos/video following the clearing of refuse/grass. Forward visuals to the officer's email below, for review and response. Ensure that the visuals are clear, and sufficiently capture the entire exterior of the property. (send all yards/outdoor spaces)

Failure to do so the Corporation of the City of London (or designate) will cause the property to be brought into compliance in accordance with Part 5 (Sections 5.3 and 5.4) of By-law PW-9 of the Corporation of the City of London. The City may recover the costs incurred in doing the work, or by causing it to be done, by adding the costs to the tax roll and collecting them in the same manner as property taxes. The minimum fee for this service, including administration/inspection fees is \$245.00.

**Should By-law PW-9 violations occur at this address in the next 12 months, you as the assessed property owner will receive no further notice prior to enforcement action being taken.**

Municipal Law Enforcement inspections where required as a result of a failure to remedy a by-law violation by the date of compliance as set out in a written notice / order are subject to a re-inspection fee of \$110.00. This fee will be levied following the re-inspection and is subject to all applicable taxes.

**To review the Yard & Lot Maintenance By-law please go to [www.london.ca](http://www.london.ca) or contact the City Clerk's Office (519-661-4530) to request a copy.**

**Order issued by:**

*Shane Maddox*

Shane Maddox  
Municipal Law Enforcement Officer  
The Corporation of the City of London  
Development & Compliance Services, Rm 706  
By-law Enforcement Section  
Phone: 519-661-4660 Fax: 519-963-5080  
Direct Line: 519-661-2489 ext 5299  
[smaddox@london.ca](mailto:smaddox@london.ca) [www.london.ca](http://www.london.ca)



# APPENDIX "E"



300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

**London**  
CANADA

## REGISTERED MAIL

June 2, 2021

File No. PV 21-015726

2555126 Ontario Inc  
c/o Loredana Onesan  
642 Base Line Rd E  
LONDON ON N6C 2R4

### Municipal Address: 72 Wellington St

As an owner or occupant including a person having an interest in the above-noted property, I hereby enclose an Order pursuant to Subsection 15.2(2) of the Ontario Building Code Act, S.O. 1992, c.23.

***Please be advised that under City of London Inspection By-law No. A-30 and the Fees & Charges By-law A-56, an inspection fee will be charged at the rate of \$110.00 per hour (minimum charge: \$110.00) for any inspection conducted following the compliance date, where any of the deficiencies listed in the schedule(s) of the Property Standards Order have not been corrected. Failure to pay for any inspection costs will result in the costs being added to the property tax roll.***

Failure to comply with an Order may result in enforcement actions being taken.

If you require any information concerning this matter, please contact the undersigned at this office.

Yours truly,

Shane Maddox  
Property Standards Officer

SM:sb  
Attach.

cc: BF – June 21, 2021

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**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 21-015726

DATE ISSUED: June 2, 2021

ISSUED TO: 2555126 Ontario Inc  
c/o Loredana Onesan  
642 Base Line Rd E  
LONDON ON N6C 2R4

MUNICIPAL ADDRESS: 72 Wellington St., London ON

LEGAL DESCRIPTION: LONDON PT LOT 1 S/S SOUTH ST REG 7400.00SF 74.00FR  
100.00D

**BE ADVISED** that on **June 1, 2021** 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 **June 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 **June 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 2nd day of June 2021.

*Shane Maddox*

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**SHANE MADDOX**  
**PROPERTY STANDARDS OFFICER**



## "SCHEDULE OF REPAIRS TO BE MADE"

**Municipal Address**

72 Wellington St

File No. PV 21-015726

**Date of Inspection**

June 1, 2021

**Owner**

2555126 Ontario Inc  
c/o Loredana Onesan  
642 Base Line Rd E  
LONDON ON N6C 2R4

**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:

Repair all roof related structures to the main dwelling to comply 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.

**3) Non-conformance:**

Balcony, landing on upper south side of building is missing guardrail and in disrepair.

By-law Section:

**4.5 Floors, Stairs, Verandas, Porches, Decks, Loading Docks and Balconies**

**4.5.1 Floors, Stairs - Maintained**

Every floor, stair, verandah, porch, deck, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained.

**4.5.2 Maintenance - Includes**

Without restricting the generality of subsection 4.5.1, the maintenance includes:

(a) repairing or replacing floors, treads and risers, including finishes such as linoleum and carpet that contain depressions, protrusions or are broken, torn, warped, loose or otherwise defective;

(b) renewing or strengthening structural members that are rotted, deteriorated or loose;

(c) repainting or the re-applying of other equivalent preservative, if required.

Repair to be made:

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

## "SCHEDULE OF REPAIRS TO BE MADE - PAGE 2"

**Municipal Address**

**72 Wellington St**

File No. PV 21-015726

**Date of Inspection**

June 1, 2021

**Owner**

2555126 Ontario Inc  
c/o Loredana Onesan  
642 Base Line Rd E  
LONDON ON N6C 2R4

**4) Non-conformance:**

Debris, garbage and furniture scattered around property.

By-law Section:

**3.1.1 Exterior - Maintained - Neat and Tidy**

Exterior property areas shall be maintained in a neat and tidy condition.

**3.1.2 Neat and Tidy Includes**

Without restricting the generality of subsection 3.1.1, maintained in a neat and tidy condition includes removal of:

- (a) rubbish, garbage, brush, waste, litter and debris;
- (b) injurious insects, termites, rodents, vermin and other pests;
- (c) growth of weeds in excess of 20 cm (8");
- (d) ground cover, hedges and bushes which are unreasonably overgrown;
- (e) dead, decayed or damaged trees or other growth and the branches and limbs thereof which create an unsafe condition;
- (f) wrecked, dismantled, inoperative, discarded, unused, or unlicensed vehicles or trailers, except in an establishment licensed or authorized to conduct or operate a wrecking business;
- (g) machinery or parts thereof, or other objects or parts thereof, or accumulation of material that creates an unsafe condition or which is not in keeping with the neighbouring properties;
- (h) dilapidated or collapsed structures or erections, and the filling or protecting of any uncovered cavities such as wells, cisterns, septic tanks.

Repair to be made:

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

**5) Non-conformance:**

Overall interior of the building is a state of disrepair – missing handrail/guardrails, holes in walls, stairs unsafe, etc

By-law Section:

**4.5 Floors, Stairs, Verandas, Porches, Decks, Loading Docks and Balconies**

**4.5.1 Floors, Stairs - Maintained**

Every floor, stair, verandah, porch, deck, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained.

**4.2.2 Maintenance - Includes**

Without restricting the generality of subsection 4.2.1 the maintenance may include:

- (a) extension of the wall foundations below grade or regrading to provide adequate frost cover;
- (b) installing subsoil drains where such would be beneficial;
- (c) repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports;
- (d) grouting, waterproofing, cladding or replacing as necessary so as to be weather tight;
- (e) the replacement, cladding or treatment with other methods to restore the wall to its original or acceptable equivalent appearance;
- (f) the applying of acceptable materials to preserve all wood, metal work or other materials not inherently resistant to weathering or wear;



## "SCHEDULE OF REPAIRS TO BE MADE - PAGE 3"

<b><u>Municipal Address</u></b>	<b>72 Wellington St</b>	File No. PV 21-015726
<b><u>Date of Inspection</u></b>	June 1, 2021	
<b><u>Owner</u></b>	2555126 Ontario Inc c/o Loredana Onesan 642 Base Line Rd E LONDON ON N6C 2R4	

- (g) the restoring, or replacing of:
  - (i) the foundations, walls, columns, beams, floor and roof slabs; and
  - (ii) components, cladding, finishes and trims forming a part thereof;
- (h) the carrying out of such other work as may be required to overcome any existing settlement detrimental to the appearance of the building;
- (i) removing or replacing loose or unsecured objects and materials.

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

***For properties with Heritage designation, or that fall within a designated Heritage area, Section 2.7 of By-law CP-16 will apply and a Heritage alteration permit may be required. Please contact a Heritage Planner at 519-661-4980 for more information.***

***No order made under section 15.2 of the Building Code Act in respect of a Part IV heritage property or a Part V heritage property shall state that the site is to be cleared of all buildings or structures and left in a graded and levelled condition. That part of an order in respect of a Part IV heritage property or a Part V heritage property that states that a site is to be cleared of all buildings or structures and left in a graded and levelled condition is of no force or effect.***

June 2, 2021  
SM:sb