

## **COMMITTEE OF THE WHOLE - OCTOBER 6, 2008**

### **PROPERTY STANDARDS ISSUES**

#### **Recommendation**

The Director of Enforcement Services recommends:

That Council direct staff to cause the necessary work to be carried out to remediate Property Standards matters on the properties municipally known as 269 Arnold Avenue, 274 Arnold Avenue and 7585 Bathurst Street, pursuant to Section 2.4 of By-law 409-99.

#### **Economic Impact**

The cost of a contractor to remediate the three properties listed will be approximately \$45,000. This cost will be invoiced to the property owner. Should the invoice not be paid, the amount will be added to the Tax Roll for the properties.

#### **Communications Plan**

N/A

#### **Purpose**

This report is to provide additional information regarding three properties with chronic property standard problems.

#### **Background - Analysis and Options**

Staff prepared a report regarding 274 Arnold and 7585 Bathurst that was considered by the Committee of the Whole on March 3, 2008 and March 25, 2008. The matter was deferred by Council on March 31, 2008 due to a pending sale of the lands and potential development of the properties.

During the elapsed time period since March, the sale and development plans have fallen through. The poor condition of the properties that was outlined in the previous (attached) reports have not improved and remain outstanding.

The properties do not meet the threshold for the issuance of a demolition order. The remedies available to the City are to continue to pursue action through the courts and cause remediation at the property owner's expense.

Further, Council at its meeting of May 22, 2007, directed remediation work be conducted at 269 Arnold Avenue due to the derelict condition of the property. This remediation work costs approximately \$17,000 and has been placed on the Tax Roll for the property.

This property has again begun to deteriorate. A Property Standards Order was issued on August 25, 2008 to remove garbage and abandoned vehicles on the property and to remove dead trees. This order has not been complied with to date.

As a result of the condition of this property, immediate remediation of the property should be considered to prevent it from once again causing a negative impact on the community.

#### **Relationship to Vaughan Vision 2020**

This report is in keeping with the Vaughan Vision in that it speaks to excellence in service delivery; and enhances and ensures community safety, health and wellness.

**Regional Implications**

N/A

**Conclusion**

The property owner for these three properties has chronically neglected the properties in question and escalation of the enforcement methodology is supported in these cases.

**Attachments**

Item 14, Report 16

Item 7, Report 13

**Report prepared by:**

Tony Thompson  
Director, Enforcement Services

Respectfully submitted,

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Tony Thompson  
Director, Enforcement Services

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Janice Atwood-Petkovski  
Commissioner of Legal & Administrative Services  
and City Solicitor

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 14, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

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**PROPERTY STANDARDS ISSUES**

(Referred from the Committee of the Whole Meeting of March 3, 2008)

**The Committee of the Whole recommends that this matter be deferred for a period of one month, to provide an opportunity for outstanding issues to be resolved.**

Recommendation of the Committee of the Whole meeting of March 3, 2008:

That this matter be referred to the Committee of the Whole meeting of March 25, 2008.

Report of the Commissioner of Legal and Administrative Services and City Solicitor, dated March 3, 2008

**Recommendation**

The Commissioner of Legal and Administrative Services and City Solicitor, and the Director of Enforcement Services, recommend:

1. That Council direct staff to cause the necessary work to be carried out to remediate Property Standards matters on the properties municipally known as 274 Arnold Avenue and 7585 Bathurst Street, pursuant to Section 2.4 of By-law 409-99.

**Economic Impact**

The cost of the contractor to remediate the two properties is estimated at approximately \$20,000. each. The cost will be billed to the property owner. If the invoice is not paid, the amounts will be added to the Tax Roll for the properties.

**Communications Plan**

Not applicable.

**Purpose**

This report is to provide information regarding two properties with chronic property standard problems, to seek authority to remediate these problems, and to adopt criteria for future enforcement actions.

**Background - Analysis and Options**

Section 24 of By-law 409-99 (Property Standards) provides authority for the municipality to demolish or repair problem properties and place the cost of the demolition or repairs on the municipal taxes. Prior to any work being done, Council must provide direction to staff to cause the work to be done.

Stringent guidelines are required for this process due to the serious nature of the intervention.

The two properties in this report have been chronic problems for many years and have been the subject of many notices, orders and convictions in Court, yet the problems persist.

Prior to staff requesting Council authority to proceed with repairs, all three of the following must be met:

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EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

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1. An outstanding and confirmed Property Standards Order; **and**
2. A minimum of two prior convictions in court for related bylaw offences, **and**
3. At consistent pattern of enforcement action over at least two years.

The Purchasing Policy is followed in the retainer of external contractors to do the work.

A synopsis of Enforcement Services historic involvement at each property is listed below. An inspection of each property on February 4, 2008 showed the properties in worsening condition despite previous enforcement actions.

**1. 7585 Bathurst Street**

Staff has received 23 complaints on this property resulting in 90 inspections since May 1999. These calls range from long grass to a defective septic system. There have been two convictions for not complying with a Property Standards Order and there is a trial pending on June 5, 2008 for continuing Property Standards contraventions.

**2. 274 Arnold Avenue**

Staff has received 15 complaints on this property resulting in 55 inspections. As with 7585 Bathurst, there have been two convictions for not complying with a Property Standards Order and there is a trial pending on June 5, 2008 for continuing Property Standards contraventions.

As indicated earlier in the report, inspections were conducted on each property on February 4, 2008, the results of which are below:

**1. 7585 Bathurst Street**

- mortar missing from the bricks in numerous locations;
- siding is missing from the upper portion of the north and south facing walls;
- siding on the south side of dwelling must be replaced or the area must be painted with a protective paint;
- the rear basement window is broken and has to be replaced or boarded;
- the top portion of the chimney bricks is dilapidated and there is no chimney cap;
- the air vent by the rear landing steps needs to be capped;
- the front and rear doors require paint and edges caulking;
- the rear landing requires painting with a protective paint.

While the property appears to be presently occupied, the remedial work is exterior, not interior work.

**2. 274 Arnold Avenue**

- broken tiles, exposing wood;
- mortar is missing from the bricks along the walls;
- mortar is missing from the foundation bricks/blocks;
- paint is peeling off the bricks;
- the soffit has broken away from the roof overhang;
- the paint is peeling off the walls;
- no hand rail on the rear steps;
- loose pieces of concrete beside the rear steps;
- siding is missing from the upper portion of the east and west facing walls;
- exposed opening in the above noted roof portion;
- the top portion of the chimney bricks is dilapidated and there is no chimney cap.

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**Item 14, CW Report No. 16 – Page 3**

In addition to the above deficiencies, the condition of the roofs at each location is questionable. The properties outlined in this report are owned by the same person.

There is continual resistance to comply with City of Vaughan By-laws. Although this is an escalation in efforts to obtain compliance, these properties are chronic property standards offenders in the City.

A lawyer representing the property owner has indicated that the owner would like to develop the site in the summer of 2008. However, there are no applications received or firm plans to further this intention at the current time.

**Relationship to Vaughan Vision 2007**

This report is in keeping with the Vaughan Vision in that it speaks to providing effective and efficient delivery of services.

**Regional Implications**

Not applicable.

**Conclusion**

This property owner, for these two properties, has chronically neglected the properties in question and the escalation in enforcement is warranted in this case.

**Attachments**

Photographs of 274 Arnold Avenue and 7585 Bathurst Street

**Report prepared by:**

Tony Thompson  
Director of Enforcement Services

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 7, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

7

PROPERTY STANDARDS ISSUES

The Committee of the Whole recommends that this matter be referred to the Committee of the Whole meeting of March 25, 2008.

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, and the Director of Enforcement Services, recommend:

1. That Council direct staff to cause the necessary work to be carried out to remediate Property Standards matters on the properties municipally known as 274 Arnold Avenue and 7585 Bathurst Street, pursuant to Section 2.4 of By-law 409-99.

Economic Impact

The cost of the contractor to remediate the two properties is estimated at approximately \$20,000. each. The cost will be billed to the property owner. If the invoice is not paid, the amounts will be added to the Tax Roll for the properties.

Communications Plan

Not applicable.

Purpose

This report is to provide information regarding two properties with chronic property standard problems, to seek authority to remediate these problems, and to adopt criteria for future enforcement actions.

Background - Analysis and Options

Section 24 of By-law 409-99 (Property Standards) provides authority for the municipality to demolish or repair problem properties and place the cost of the demolition or repairs on the municipal taxes. Prior to any work being done, Council must provide direction to staff to cause the work to be done.

Stringent guidelines are required for this process due to the serious nature of the intervention.

The two properties in this report have been chronic problems for many years and have been the subject of many notices, orders and convictions in Court, yet the problems persist.

Prior to staff requesting Council authority to proceed with repairs, all three of the following must be met:

1. An outstanding and confirmed Property Standards Order; **and**
2. A minimum of two prior convictions in court for related bylaw offences, **and**
3. At consistent pattern of enforcement action over at least two years.

The Purchasing Policy is followed in the retainer of external contractors to do the work.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 7, CW Report No. 13 – Page 2

A synopsis of Enforcement Services historic involvement at each property is listed below. An inspection of each property on February 4, 2008 showed the properties in worsening condition despite previous enforcement actions.

1. **7585 Bathurst Street**  
Staff has received 23 complaints on this property resulting in 90 inspections since May 1999. These calls range from long grass to a defective septic system. There have been two convictions for not complying with a Property Standards Order and there is a trial pending on June 5, 2008 for continuing Property Standards contraventions.
2. **274 Arnold Avenue**  
Staff has received 15 complaints on this property resulting in 55 inspections. As with 7585 Bathurst, there have been two convictions for not complying with a Property Standards Order and there is a trial pending on June 5, 2008 for continuing Property Standards contraventions.

As indicated earlier in the report, inspections were conducted on each property on February 4, 2008, the results of which are below:

1. **7585 Bathurst Street**
  - mortar missing from the bricks in numerous locations;
  - siding is missing from the upper portion of the north and south facing walls;
  - siding on the south side of dwelling must be replaced or the area must be painted with a protective paint;
  - the rear basement window is broken and has to be replaced or boarded;
  - the top portion of the chimney bricks is dilapidated and there is no chimney cap;
  - the air vent by the rear landing steps needs to be capped;
  - the front and rear doors require paint and edges caulking;
  - the rear landing requires painting with a protective paint.

While the property appears to be presently occupied, the remedial work is exterior, not interior work.

2. **274 Arnold Avenue**
  - broken tiles, exposing wood;
  - mortar is missing from the bricks along the walls;
  - mortar is missing from the foundation bricks/blocks;
  - paint is peeling off the bricks;
  - the soffit has broken away from the roof overhang;
  - the paint is peeling off the walls;
  - no hand rail on the rear steps;
  - loose pieces of concrete beside the rear steps;
  - siding is missing from the upper portion of the east and west facing walls;
  - exposed opening in the above noted roof portion;
  - the top portion of the chimney bricks is dilapidated and there is no chimney cap.

In addition to the above deficiencies, the condition of the roofs at each location is questionable. The properties outlined in this report are owned by the same person.

There is continual resistance to comply with City of Vaughan By-laws. Although this is an escalation in efforts to obtain compliance, these properties are chronic property standards offenders in the City.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 7, CW Report No. 13 – Page 3

A lawyer representing the property owner has indicated that the owner would like to develop the site in the summer of 2008. However, there are no applications received or firm plans to further this intention at the current time.

**Relationship to Vaughan Vision 2007**

This report is in keeping with the Vaughan Vision in that it speaks to providing effective and efficient delivery of services.

**Regional Implications**

Not applicable.

**Conclusion**

This property owner, for these two properties, has chronically neglected the properties in question and the escalation in enforcement is warranted in this case.

**Attachments**

Photographs of 274 Arnold Avenue and 7585 Bathurst Street

**Report prepared by:**

Tony Thompson  
Director of Enforcement Services

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Please refer to Item 14, Report No. 16, Committee of the Whole for disposition of this matter.