

COMMITTEE OF THE WHOLE – MARCH 25, 2008

PROPERTY STANDARDS ISSUES

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

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:

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.

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.

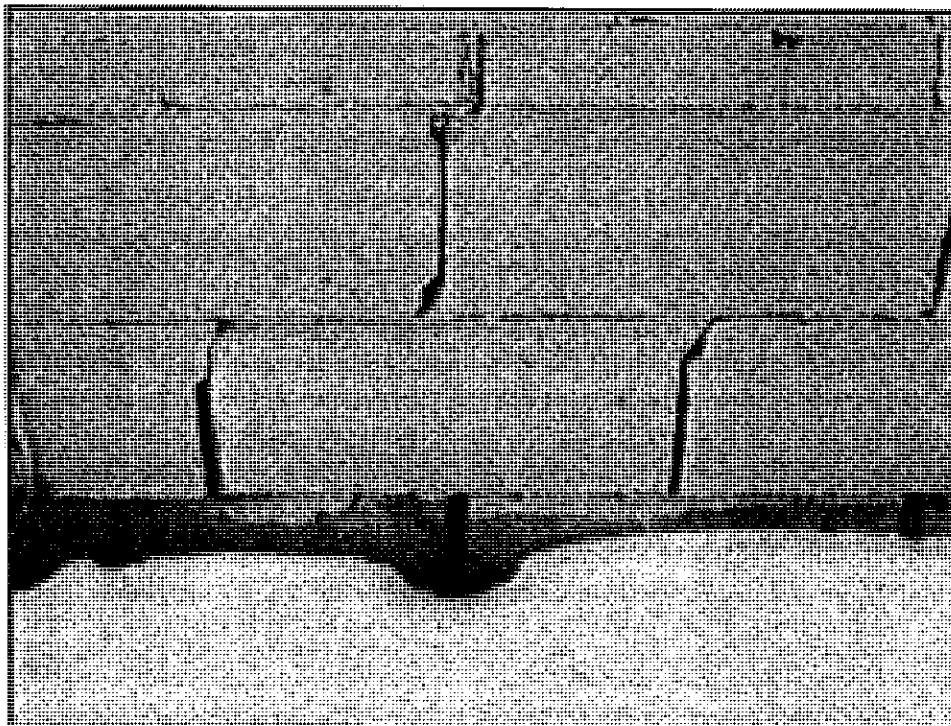
Attachments

Photographs of 274 Arnold Avenue and 7585 Bathurst Street

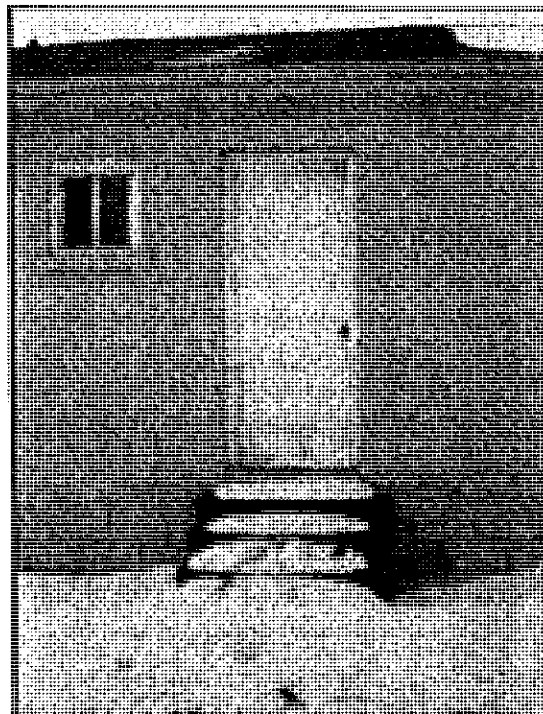
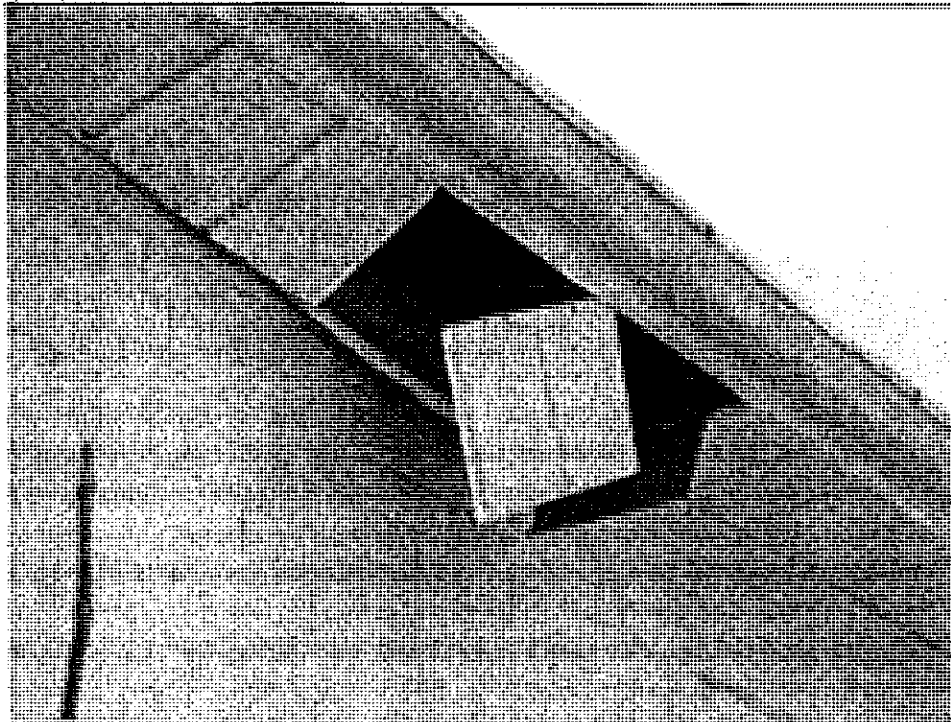
Report prepared by:

Tony Thompson
Director of Enforcement Services

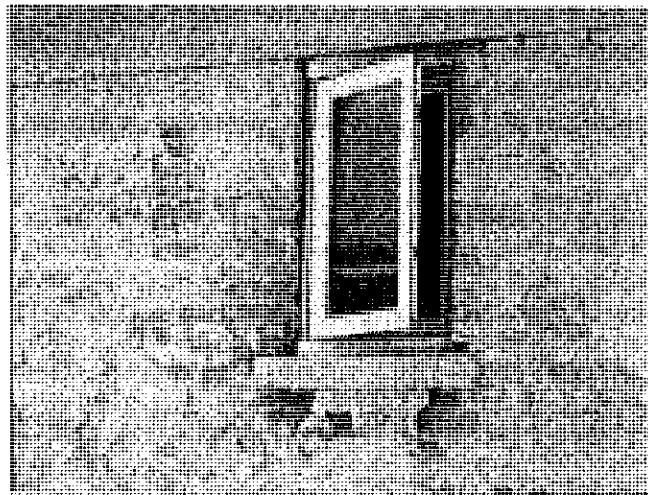
Pictures of 274 Arnold



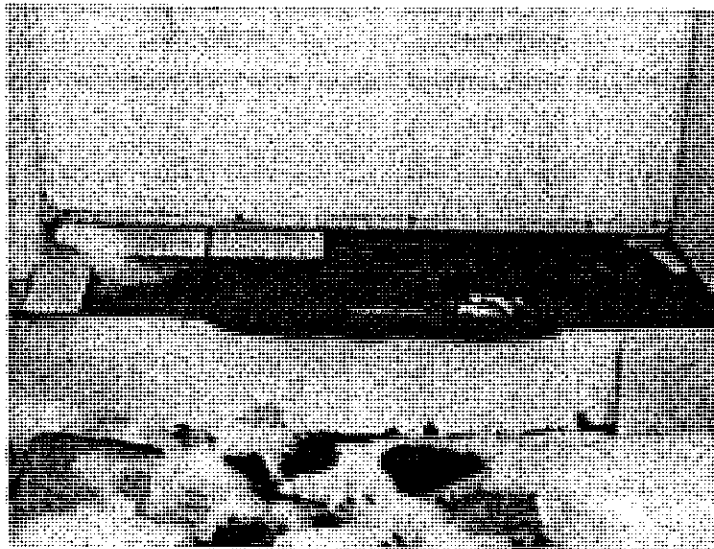
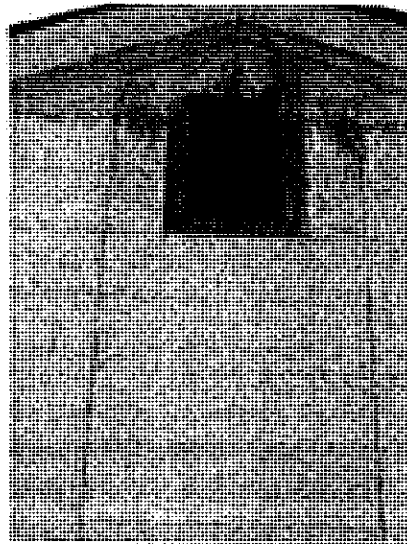
Pictures of 274 Arnold



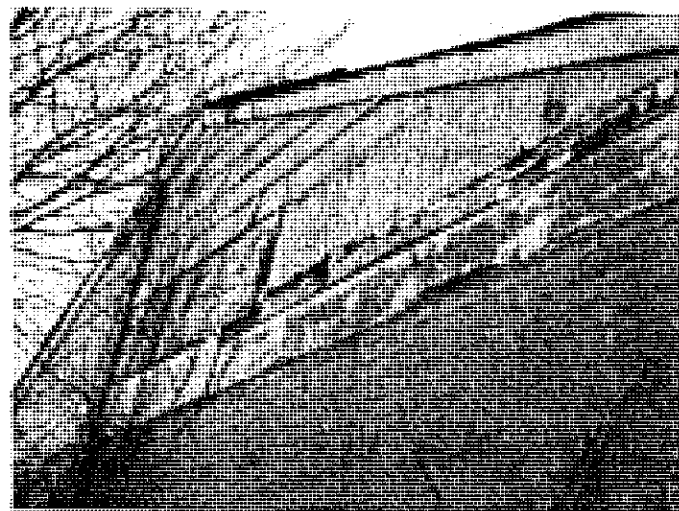
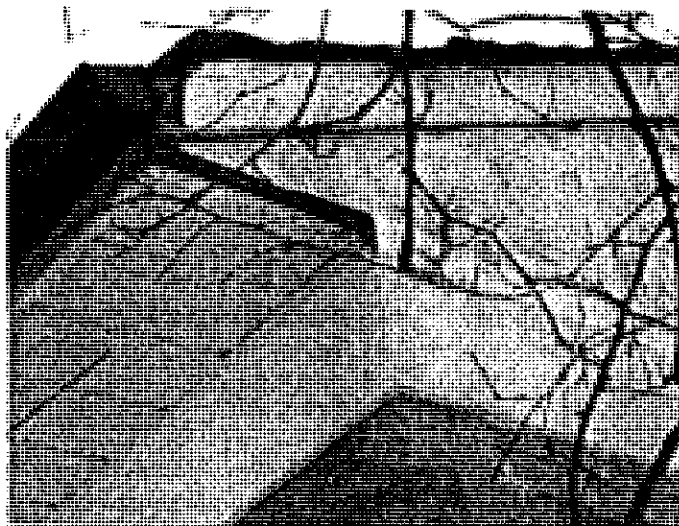
Pictures of 274 Arnold



Pictures of 274 Arnold



Pictures of 7585 Bathurst



Pictures of 7585 Bathurst

