

## **COMMITTEE OF THE WHOLE - FEBRUARY 22, 2011**

### **PROPERTY STANDARD ISSUES – 33 CHIARA – WARD 1**

#### **Recommendation**

The Director of Enforcement Services recommends:

1. That Council direct staff to cause the necessary work to be carried out to remediate all Property Standards matters on the property municipally known as 33 Chiara Drive, pursuant to Section 2.4 of the Property Standards By-law 409-99.

#### **Contribution to Sustainability**

The remediation of this property will reduce the garbage and debris accumulating on the property also reducing potential negative impacts on the environment and potentially the health and well being of its citizens.

#### **Economic Impact**

The cost of a contractor to remediate the property is estimated to be approximately \$15,000. This cost will be invoiced to the property owner. In the event that the invoice is not paid, the amount will be added to the Tax Roll of the property.

#### **Communications Plan**

N/A

#### **Purpose**

This report is to provide information regarding a property with chronic property standard problems, and to seek authority to cause the necessary remediation work to be carried out and charged to the property taxes.

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

Section 2.4 of By-law 409.99 (Property Standards) provides the municipality with the authority to demolish or repair problem properties and place the cost of the demolition or repairs on the tax roll for the property. Prior to any work being performed, Council must provide direction to staff to cause the work to be done.

A protocol for when to deploy this action was developed in March 2008. The criteria used is as follows:

1. An outstanding Property Standards Order; and
2. A minimum of two prior convictions for related by-law offences; and
3. A consistent pattern of enforcement action over the past two years.

The property at 33 Chiara Drive has been a chronic problem since 2002. There have been numerous Zoning Notices, Property Standards Orders, and Encroachment Notices issued to the property over the past five years.

On May 26, 2009 Council approved the recommendation in Report 27, Item 19, directing staff to have all necessary work done to remediate the property. The property owner also appeared before the Committee of the Whole on May 12, 2009 and spoke against the recommendation.

As arrangements were being finalized to have contractors conduct the clean up, the home owner cleaned up the property himself. The home owner was also convicted for breaching the Property Standards By-law, and received a nominal fine.

On June 24, 2010 Enforcement Services received another complaint regarding the condition of the property. Staff attended and found the entire property in poor condition as outlined by the description below.

1. Rear yard – Cages; Wrought iron stand with debris; Plastic pails; Blue wood sheets; Stacks of wood against house and bell tower; Metal kegs; Undeterminable machinery; Sections of wrought iron fencing; Glass; Undeterminable materials that are buried under the above items
2. Driveway - Tarped materials; Fan; Weed wacker; Iron fencing; Car jack; Glass
3. Walkway to street from house - Tarped materials; Metal poles
4. Interlocked portion of front yard – Cage; Glass; Machinery (undeterminable)
5. Area beside enclosed front porch - Piece of wrought iron fencing being supported by a piece of wood in the ground; Trellis that is leaning
6. Side yard - Fish tanks; Hosing; Plastic containers; Roller chicken wire; Pieces of wrought iron; Pieces of metal; PVC railing; Undeterminable items buried under the above items

The materials on the property and the condition of the property is very similar to the issues dealt with in 2009 and has further deteriorated with additional debris and items added over the past two months.

This residence is part of a semi-detached structure and impacts neighbours on all sides of the property.

There has been previous convictions for a property standards matter in 2003 and 2010. There is currently an outstanding expired Property Standards Order on the property. There has been no compliance with the latest Property Standards Order and the matter has again been referred to the courts. The preliminary court date is scheduled for March 4, 2011.

There is continual resistance by the property owner to comply with City of Vaughan by-laws. The property is a blight on the community and surrounding residents are suffering because of the condition of the property. Although this action represents a significant escalation in efforts to obtain compliance, this property stands out as one of the worst in the City.

This property meets the established guidelines for bringing this escalation strategy to Council.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the Vaughan Vision in that it:

1. Enhances and ensures community safety, health and wellness;
2. Pursues excellence in service delivery.

**Regional Implications**

N/A

**Conclusion**

This property owner has chronically violated City of Vaughan By-laws and is creating a negative impact to the surrounding residents. An escalation of enforcement strategies is warranted in this case.

**Attachments**

1. Photographs

**Report prepared by:**

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Respectfully submitted,

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Services

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and City Solicitor



