

HEARING COMMITTEE AGENDA

Hearing Committee Meeting
Wednesday, June 27, 2018
Tom Davies Square

COUNCILLOR MARK SIGNORETTI, CHAIR

Fern Cormier, Vice-Chair

6:00 p.m. HEARING COMMITTEE MEETING
COMMITTEE ROOM C-11

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DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

PUBLIC HEARINGS

1. Report dated May 31, 2018 from the General Manager of Corporate Services regarding Order to Remedy Appeal - ACR 778158 and 778163 (1710 Bancroft Drive, Sudbury). **3 - 47**
(RESOLUTION PREPARED)
(This report provides information about an Order to Remedy and associated appeal for a property standards matter at 1710 Bancroft Drive, Sudbury.)
2. Report dated June 4, 2018 from the General Manager of Corporate Services regarding Order to Remedy Appeal - ACR 763501 (2501 Blyth Road, Sudbury). **48 - 60**
(RESOLUTION PREPARED)
(This report provides information about an Order to Remedy and associated appeal for a property standards matter at 2501 Blyth Road, Sudbury.)

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD AND ANNOUNCEMENTS

NOTICES OF MOTION

ADJOURNMENT

Request for Decision

Order to Remedy Appeal - ACR 778158 and 778163 (1710 Bancroft Drive, Sudbury)

Presented To:	Hearing Committee
Presented:	Wednesday, Jun 27, 2018
Report Date	Thursday, May 31, 2018
Type:	Public Hearings

Resolution

Option One:

THAT the City of Greater Sudbury confirm the Property Standards Order to Remedy issued to the Owner of 1710, Sudbury, ON, pursuant to Section 15.3(3.1)1 of the Building Code Act.

Option Two:

THAT the City of Greater Sudbury extend the time for complying with the Property Standards Order to Remedy issued to the Owner of 1710, Sudbury, ON, pursuant to Section 15.3(3.1)2 of the Building Code Act.

Option Three:

THAT the City of Greater Sudbury rescind the Property Standards Order to Remedy issued to the Owner of 1710 Bancroft Drive, Sudbury, ON, pursuant to Section 15.3(3.1)1 of the Building Code Act.

Option Four:

THAT the City of Greater Sudbury modify the Property Standards Order to Remedy issued to the Owner of 91 Logan Street, Sudbury, ON, pursuant to Section 15.3(3.1)1 of the Building Code Act and that the modification be as follows:

Signed By

Report Prepared By

Craig Moxam
By-law Enforcement Officer
Digitally Signed May 31, 18

Manager Review

Brendan Adair
Manager of Security and By-Law
Digitally Signed May 31, 18

Financial Implications

Jim Lister
Manager of Financial Planning and
Budgeting
Digitally Signed Jun 4, 18

Recommended by the Department

Kevin Fowke
General Manager of Corporate
Services
Digitally Signed Jun 8, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 12, 18

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

Report Summary

A Property Standards Order requiring property repair(s) and Engineers Report to confirm structural integrity

at 1710 Bancroft was issued on November 24, 2017, pursuant to the Building Code Act, S.O. 1992, Chapter 23 as amended. The Council of the City of Greater Sudbury enacted By-law 2011-277, cited as the "Maintenance and Occupancy Standards By-law".

Greater Sudbury enacted By-law 2011-277, cited as the "Maintenance and Occupancy Standards By-law". This By-law prescribes standards for the maintenance and occupancy of properties within the City and enacted to ensure the safety of residents and the upkeep of properties to prevent the degradation of the community and neighborhoods. In receipt of a request for an appeal and failing an ability to resolve the matter, the appeal is now being brought before Committee for review and decision.

Financial Implications

There no financial implications associated with this report.

Recommendations

That the Property Standards Order To Remedy issued by Municipal Law Enforcement Officer Craig Moxam to Deja Properties Inc c/o [REDACTED] and [REDACTED] on November 24,2017, be upheld.

Background

Property Standards Order to Remedy (herein referred to as "the Order") was issued pursuant to the Building Code Act, S.O. 1992, chapter 23, as amended (herein referred to as "the Act")

The Council of the City of Greater Sudbury enacted By-law 2011-277, cited as the "Maintenance and Occupancy Standards By-law" (herein referred to as "the By-law"). This By-law has been passed under the authority of section 15 of the Act and prescribes standards for the maintenance and occupancy of properties within the City and for requiring properties not in conformance with the standards therein to be repaired and maintained to conform to the standards. This By-law was enacted to ensure the safety of residents and the upkeep of properties to prevent the degradation of the community and neighborhoods.

The enforcement and appeal provisions of this By-law are found in the Building Code Act. It provides for inspection powers of the officer, the issuance of an Order, the establishment of a Property Standards Committee, and the procedures for an appeal of the Order. Specific time frames and methods of notification are established in the Act and the powers of the Property Standards Committee are also set out in the Act.

Facts and Evidence Supporting the Order-Presented by Brendan Adair:

See Appendix A.

Attached to this report for the Committee's review and in support of the recommendation are the following:

- 1- Property Standards Appeal Committee Report prepared by MLEO Moxam.
- 2- Photographs 1-14 taken by MLEO Moxam at 1710 Bancroft on November 17,2017.
- 3- Corporate search and Registry Act /Land Titles documents as provided by City of Greater Sudbury legal department. Contact Kathie Bowschar-Lische
- 4- Order To Remedy.
- 5- Photographs 15-16 taken by MLEO Moxam of posted Order to Remedy at 1710 Bancroft on November 24,2017.

6- Request for Appeal letter submitter by Derek Schryer to the Hearing Committee dated December 17, 2017

Witness List:

██████████ formerly of 1710 Bancroft Drive Apartment █.

██████████ of 1710 Bancroft Drive Apartment █.

Andre Guillot, Manager of Building Services City of Greater Sudbury.

MLEO Craig Moxam.

Conclusion

Section 15.3(3.1) of the Building Code Act sets out the powers of the committee on an appeal of an Order. It provides to the committee the same powers and functions of the officer who made the order, and can confirm, modify or rescind the Order, and can also extend the time for complying with the order, if in the committee's opinion doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement.

Section 18 of the City of Greater Sudbury's Official Plan starts with the statement "Adequate and affordable housing for all residents is a fundamental component of Greater Sudbury's Healthy Community approach to growth and development. Further statements include the achieving diversity in the housing supply by maintaining a balanced mix of ownership and rental housing, and addressing housing requirements for low-income groups and people with special needs. One of the objectives of the policy is to ensure that the City's housing stock provides acceptable levels of health and safety through enforcement of the property maintenance standards in all forms of housing. The intent and purpose of the by-law may also be determined through statements in the preamble; "Whereas the lack of upkeep of a residential property can lead to the degradation of a neighborhood and of a community."

It is for these reasons that the recommendation in this report is to uphold the Order, #778158 and 778163 dated November 24, 2017, to ensure that the owner of the property of 1710 Bancroft Drive Sudbury, complies with the maintenance and occupancy standards as set out in the CGS By-law, 2011-277.

Property Standards Appeal Committee Report

1710 Bancroft Drive Sudbury On-ACR # 778158 and 778163

Prepared by MLEO Craig Moxam #1313

On November 17, 2017, at approximately 10:30 am Officer Moxam attended 1710 Bancroft Drive Sudbury for an inspection. On site for the inspection were the callers from Apt ■ and ■ for each complaint. The two callers showed Officer Moxam a number of issues related to property standards throughout the common area and inside each of their respective apartments.

The inspection began with the sidewalk and wooden steps leading to the porch outside the callers apartment entrance. The wooden balusters of the handrail were insecure, broken and some were missing. (see ph #1). Also the upper railing and decking appeared to be loose and rotting.(see ph #2). At the main entrance, the security/motion light was missing a bulb and not operational.(see ph #3). The main entrance door was badly dented and could not be properly secured or locked. (see ph 4). Upon entering the common entrance/hallway and the stairway to the second floor the handrail was observed to be un fastened from the wall. (see ph 5).

The caller from apartment ■ showed the issues inside that apartment to Officer Moxam. They included defective windows. (see ph 6,7,8,). These windows were rotting, with some unable to be fully opened, and some not opened at all. All the interior window casings had peeling paint and moisture on the sills. Cold air could be felt around the perimeter of these windows.

Before inspecting the other apartment #■ the callers both wished Officer Moxam to observe the furnace air filter which was located on the main floor inside a small room adjacent the main entrance door. The filter was removed by one of the callers and photographed by Officer Moxam. (see ph 9).

The inspection of apartment ■ revealed uncovered furnace air vents in the ceiling of the living and bedroom. All of these were very dirty and covered in thick black dust.(see ph 10/11).The main two large corner windows facing Bancroft Drive were cracked and tuck taped, however a large amount of cold fresh air was entering inside the apartment. The window casings and sills also had peeling paint and moisture evident upon them.

The city database revealed the owners of this property to be Deja Properties Inc. The callers advised that the property management company which have most contact for repairs and maintenance on the property was Northern Properties. In an effort to speak to the owner(s) of the property, contact was made with Northern Properties. They advised the contact for Deja Properties was ■■■■■. A phone number was also provided.

Given the extent of deficiencies observed at the property, Officer Moxam requested and re attended on November 22, 2017 with the manager of Building Services, Andre Guillot. A second inspection was conducted of these two apartments, with access being provided to other apartments at the property as well. At this time, Mr.Guillot noted that it appeared to him that the building may have shifted from its foundations as the rear, or northerly, side of the building was leaning away from the southerly half. (see

ph 14). It was observed that the floors in the units attended (all units main floor except #4) were sloping badly and unlevel. Mr. Guillot suggested that, in order to be certain of the structural integrity of the building, the owner(s) would require an engineer to conduct an inspection and provide a report.

On November 23, 2017 Officer Moxam received a phone call from [REDACTED]. He advised he was the property manager of 1710 Bancroft Drive, but refused to disclose any information regarding the ownership of the property when Moxam inquired. Subsequently, in order to properly issue the Order To Remedy for the property, the completion of a corporate search was requested through the City of Greater Sudbury Legal Department. The search revealed that Deja Properties Inc was an active Ontario Business Corporation, registered as Ontario 2303775, with an address of 516 Lavoie Street in Sudbury, Ontario. The Corporation Profile Report revealed the Administrator of the Corporation as [REDACTED]. The Corporation Director was listed as [REDACTED].

Given the extent of these property standards issues, the following day November 24, 2017 an Order To Remedy was posted on the property at 1710 Bancroft at the front of the building facing the street.(see ph 15-16).

On the 17 December, 2017, [REDACTED] of Deja Properties filed a letter of appeal to the committee. It is also noted that on January 23, 2018 some of the windows in apartment 6 were upgraded.



















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IONS
6. **Précaution** : avant de commencer la pose, assurez-vous que l'unité est bien installée et que le système de ventilation est correctement configuré.
7. **Installation** : suivez les instructions de l'installateur pour la mise en place de l'unité.
8. **Test** : après l'installation, vérifiez que l'unité fonctionne correctement et que le système de ventilation est correctement configuré.
9. **Entretien** : vérifiez régulièrement l'état de l'unité et le système de ventilation.
10. **Remplacement** : remplacez l'unité par une nouvelle unité de même type et de même capacité.

IN OFF GAS APPLIANCE
IONS DE FONCTIONNEMENT
1. **Précaution** : avant de commencer la pose, assurez-vous que l'unité est bien installée et que le système de ventilation est correctement configuré.
2. **Installation** : suivez les instructions de l'installateur pour la mise en place de l'unité.
3. **Test** : après l'installation, vérifiez que l'unité fonctionne correctement et que le système de ventilation est correctement configuré.
4. **Entretien** : vérifiez régulièrement l'état de l'unité et le système de ventilation.
5. **Remplacement** : remplacez l'unité par une nouvelle unité de même type et de même capacité.

POUR COUPER LE GAZ DE L'APPAREIL
1. **Précaution** : avant de commencer la pose, assurez-vous que l'unité est bien installée et que le système de ventilation est correctement configuré.
2. **Installation** : suivez les instructions de l'installateur pour la mise en place de l'unité.
3. **Test** : après l'installation, vérifiez que l'unité fonctionne correctement et que le système de ventilation est correctement configuré.
4. **Entretien** : vérifiez régulièrement l'état de l'unité et le système de ventilation.
5. **Remplacement** : remplacez l'unité par une nouvelle unité de même type et de même capacité.













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The results in the Search criteria entered table are based on the criteria you entered on the previous page. You can change your criteria by pressing the **Refine search** button.

Search criteria

Corporate name: Deja Properties

Registration information or application number:

Search within: Search all

[Refine search](#)

Warning

Your search resulted in an exact match. This occurs when a search exactly matches another name in our database. Please review all exact matches before ordering a report with your chosen name. Pay special attention to any names and trademarks that could be confused with your name. Trademarks are protected.

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Download results as PDF 

Client No: 757801

Date: Nov 23, 2017

Client No: CITY OF GREATER SUDBURY
Address: 200 BRADY STREET P. O. BOX 5000, STATION A,
SUDBURY, ON
P3A 5P3
Tel. #: (705) 671-2489
Fax #: 17056734875
Attn: Kathie Bowschar-Lische

Order Number: 4597815
Client Reference: By-law Services (Craig Moxam)

Summary of Searches for DEJA PROPERTIES INC.

Name Requested: DEJA PROPERTIES INC.
Name Searched: DEJA PROPERTIES INC.

Jurisdiction of Business: ☐ Ontario ☐ Federal ☐ Other:
Jurisdiction(s) Searched: ☐ Ontario ☐ Federal ☐ Other:

CORPORATION FILE SEARCH

Date of Search: November 23, 2017

- | | |
|--|---|
| <input type="checkbox"/> Corporation Profile Report | <input type="checkbox"/> Certified <input type="checkbox"/> Discrepancies re: Officer / Director information |
| <input type="checkbox"/> Corporate Document List | <input type="checkbox"/> Certified <input type="checkbox"/> Discrepancies re: Address Information |
| <input type="checkbox"/> Corporation Business Names List | <input type="checkbox"/> Certified <input type="checkbox"/> Current Business Names Exist |
| <input type="checkbox"/> With Trade Names | <input type="checkbox"/> Expired Business Names Exist |
| <input type="checkbox"/> Without Trade Names | <input type="checkbox"/> Current & Expired Business Names Exist |
| <input type="checkbox"/> No Initial Return Filed | <input type="checkbox"/> Please advise if a Business Names List is required |
| <input type="checkbox"/> No Officer/Director Information on file | <input type="checkbox"/> Please advise if Expired Business Names List is required |
| <input type="checkbox"/> Corporation Point in time search | <input type="checkbox"/> Certified <input type="checkbox"/> NUANS® copies showing similar names enclosed |
| As of: | <input type="checkbox"/> Default <input type="checkbox"/> Dissolved by Companies Branch: |
| <input type="checkbox"/> Microfiche | <input type="checkbox"/> Certified <input type="checkbox"/> Default <input type="checkbox"/> Dissolved by Corporations Tax Act: |
| <input type="checkbox"/> Photocopies of pertinent documents | <input type="checkbox"/> Voluntary Dissolution: |
| <input type="checkbox"/> Photocopies of all articles on file | <input type="checkbox"/> Other Default: |
| <input type="checkbox"/> Photocopies of pertinent documents from inactive file | <input type="checkbox"/> Other Dissolution: |
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| <input type="checkbox"/> C.S.R.A. Instrument | <input type="checkbox"/> Real Estate : |
| <input type="checkbox"/> Pert. Pages <input type="checkbox"/> Complete Doc | <input type="checkbox"/> Subsearch <input type="checkbox"/> Full search <input type="checkbox"/> Filing : |

Request ID: 020980155
Transaction ID: 66344046
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Director
Ministry of Government Services
Toronto, Ontario

CORPORATION PROFILE REPORT

Ontario Corp Number	Corporation Name	Incorporation Date
2303775	DEJA PROPERTIES INC.	2011/10/27
		Jurisdiction
		ONTARIO
Corporation Type	Corporation Status	Former Jurisdiction
ONTARIO BUSINESS CORP.	ACTIVE	NOT APPLICABLE
Registered Office Address	Date Amalgamated	Amalgamation Ind.
516 LAVOIE STREET	NOT APPLICABLE	NOT APPLICABLE
SUDBURY ONTARIO CANADA P3A 5J3	New Amal. Number	Notice Date
	NOT APPLICABLE	NOT APPLICABLE
Mailing Address		Letter Date
555 BARRYDOWNE RD		NOT APPLICABLE
Suite # 22010 SUDBURY ONTARIO CANADA P3A 6A1	Revival Date	Continuation Date
	NOT APPLICABLE	NOT APPLICABLE
	Transferred Out Date	Cancel/Inactive Date
	NOT APPLICABLE	NOT APPLICABLE
	EP Licence Eff.Date	EP Licence Term.Date
	NOT APPLICABLE	NOT APPLICABLE
	Number of Directors Minimum Maximum	Date Ceased in Ontario
	00001 00005	NOT APPLICABLE
Activity Classification		
NOT AVAILABLE		

Request ID: 020980154
Transaction ID: 66344045
Category ID: (C)CC/E

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Ministry of Government Services
Toronto, Ontario

CORPORATION DOCUMENT LIST

Ontario Corporation Number
2303775

Corporation Name
DEJA PROPERTIES INC.

ACT/CODE	DESCRIPTION	FORM	DATE (YY/MM/DD)
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THIS REPORT SETS OUT ALL DOCUMENTS FOR THE ABOVE CORPORATION WHICH HAVE BEEN FILED ON OR AFTER JUNE 27, 1992, AND RECORDED IN THE ONTARIO BUSINESS INFORMATION SYSTEM AS AT THE DATE AND TIME OF PRINTING. ADDITIONAL HISTORICAL INFORMATION MAY EXIST ON MICROFICHE.

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Toronto, Ontario

CORPORATION DOCUMENT LIST

Ontario Corporation Number
2303775

Corporation Name
DEJA PROPERTIES INC.

ACT/CODE	DESCRIPTION	FORM	DATE (YY/MM/DD)
CIA	ANNUAL RETURN 2016 PAF: [REDACTED]	1C	2017/07/09 (ELECTRONIC FILING)
CIA	ANNUAL RETURN 2015 PAF: [REDACTED]	1C	2016/07/03 (ELECTRONIC FILING)
CIA	CHANGE NOTICE PAF: [REDACTED]	1	2016/04/15
CIA	ANNUAL RETURN 2014 PAF: [REDACTED]	1C	2015/06/27 (ELECTRONIC FILING)
CIA	ANNUAL RETURN 2013 PAF: [REDACTED]	1C	2014/06/28 (ELECTRONIC FILING)
CIA	ANNUAL RETURN 2012 PAF: [REDACTED]	1C	2013/06/01 (ELECTRONIC FILING)
CIA	ANNUAL RETURN 2011 PAF: [REDACTED]	1C	2013/06/01 (ELECTRONIC FILING)
CIA	CHANGE NOTICE PAF: [REDACTED]	1	2012/08/30
CIA	INITIAL RETURN PAF: [REDACTED]	1	2011/10/27 (ELECTRONIC FILING)
BCA	ARTICLES OF INCORPORATION	1	2011/10/27 (ELECTRONIC FILING)

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Name <input type="text" value="↑↓"/>	Jurisdiction and number <input type="text" value="↑↓"/>	Creation date (YYYY-MM-DD) <input type="text" value="↑↓"/>	Status <input type="text" value="↑↓"/>	Business activity (NAICS) <input type="text" value="1"/>
<u>DEJA</u> <u>PROPERTIES</u> <u>INC.</u>	ON-2303775	2011-10-27	Active	

1

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Ministry of Government Services
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CORPORATION PROFILE REPORT

Ontario Corp Number

2303775

Corporation Name

DEJA PROPERTIES INC.

Corporate Name History

DEJA PROPERTIES INC.

Effective Date

2011/10/27

Current Business Name(s) Exist:

NO

Expired Business Name(s) Exist:

NO

Administrator:
Name (Individual / Corporation)

[REDACTED]

[REDACTED]

Address

336 YONGE STREET

Suite # 321
BARRIE
ONTARIO
CANADA L4N 4C8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

DIRECTOR

Officer Type

Resident Canadian

Y

Request ID: 020980155
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CORPORATION PROFILE REPORT

Ontario Corp Number

2303775

Corporation Name

DEJA PROPERTIES INC.

Administrator:
Name (Individual / Corporation)

[REDACTED]
[REDACTED]

Address

336 YONGE STREET

Suite # 321
BARRIE
ONTARIO
CANADA L4N 4C8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

VICE-PRESIDENT

Resident Canadian

Y

Administrator:
Name (Individual / Corporation)

[REDACTED]
[REDACTED]

Address

336 YONGE STREET

Suite # 321
BARRIE
ONTARIO
CANADA L4N 4C8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

DIRECTOR

Officer Type

Resident Canadian

Y

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CORPORATION PROFILE REPORT

Ontario Corp Number

2303775

Corporation Name

DEJA PROPERTIES INC.

Administrator:
Name (Individual / Corporation)

[REDACTED]
[REDACTED]

Address

336 YONGE STREET

Suite # 321
BARRIE
ONTARIO
CANADA L4N 4C8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

PRESIDENT

Resident Canadian

Y

Administrator:
Name (Individual / Corporation)

[REDACTED]
[REDACTED]

Address

336 YONGE STREET

Suite # 321
BARRIE
ONTARIO
CANADA L4N 4C8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

SECRETARY

Resident Canadian

Y

Request ID: 020980155
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Ontario Corp Number

2303775

Corporation Name

DEJA PROPERTIES INC.

Administrator:
Name (Individual / Corporation)

[REDACTED]

Address

336 YONGE STREET

Suite # 321
BARRIE
ONTARIO
CANADA L4N 4C8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

TREASURER

Resident Canadian

Y

Administrator:
Name (Individual / Corporation)

[REDACTED]

Address

428 WESTMOUNT AVE
UNIT 1B

SUDBURY
ONTARIO
CANADA P3A 5V8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

DIRECTOR

Officer Type

Resident Canadian

Y

Request ID: 020980155
Transaction ID: 66344046
Category ID: (C)CC/E

Province of Ontario
Ministry of Government Services

Date Report Produced: 2017/11/23
Time Report Produced: 15:02:56
Page: 6

Certified a true copy of the data as recorded on the Ontario Business Information System.


Director
Ministry of Government Services
Toronto, Ontario

CORPORATION PROFILE REPORT

Ontario Corp Number

2303775

Corporation Name

DEJA PROPERTIES INC.

Administrator:
Name (Individual / Corporation)



Address

428 WESTMOUNT AVE
UNIT 1B

SUDBURY
ONTARIO
CANADA P3A 5V8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

PRESIDENT

Resident Canadian

Y

Administrator:
Name (Individual / Corporation)

JANA
L
SCHRYER

Address

428 WESTMOUNT AVE
UNIT 1B

SUDBURY
ONTARIO
CANADA P3A 5V8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

SECRETARY

Resident Canadian

Y

Request ID: 020980155
Transaction ID: 66344046
Category ID: (C)CC/E

Province of Ontario
Ministry of Government Services

Date Report Produced: 2017/11/23
Time Report Produced: 15:02:56
Page: 7

Certified a true copy of the data as recorded on the Ontario Business Information System.

Director
Ministry of Government Services
Toronto, Ontario

CORPORATION PROFILE REPORT

Ontario Corp Number

2303775

Corporation Name

DEJA PROPERTIES INC.

Administrator:
Name (Individual / Corporation)



Address

428 WESTMOUNT AVE
UNIT 1B
SUDBURY
ONTARIO
CANADA P3A 5V8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

TREASURER

Resident Canadian

Y

Administrator:
Name (Individual / Corporation)



Address

428 WESTMOUNT AVE
UNIT 1B
SUDBURY
ONTARIO
CANADA P3A 5V8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

DIRECTOR

Officer Type

Resident Canadian

Y

Request ID: 020980155
Transaction ID: 66344046
Category ID: (C)CC/E

Province of Ontario
Ministry of Government Services

Date Report Produced: 2017/11/23
Time Report Produced: 15:02:56
Page: 8

Certified a true copy of the data as recorded on the Ontario Business Information System.

Director
Ministry of Government Services
Toronto, Ontario



CORPORATION PROFILE REPORT

Ontario Corp Number

2303775

Corporation Name

DEJA PROPERTIES INC.

Administrator:
Name (Individual / Corporation)



Address

428 WESTMOUNT AVE
UNIT 1B

SUDBURY
ONTARIO
CANADA P3A 5V8

Date Began

2011/10/27

First Director

NOT APPLICABLE

Designation

OFFICER

Officer Type

VICE-PRESIDENT

Resident Canadian

Y

Request ID: 020980155
Transaction ID: 66344046
Category ID: (C)CC/E

Province of Ontario
Ministry of Government Services

Date Report Produced: 2017/11/23
Time Report Produced: 15:02:56
Page: 9

Certified a true copy of the data as recorded on the Ontario Business Information System.

Director
Ministry of Government Services
Toronto, Ontario



CORPORATION PROFILE REPORT

Ontario Corp Number

Corporation Name

2303775

DEJA PROPERTIES INC.

Last Document Recorded

Act/Code Description

Form

Date

CIA ANNUAL RETURN 2016

1C

2017/07/09 (ELECTRONIC FILING)

THIS REPORT SETS OUT THE MOST RECENT INFORMATION FILED BY THE CORPORATION ON OR AFTER JUNE 27, 1992, AND RECORDED IN THE ONTARIO BUSINESS INFORMATION SYSTEM AS AT THE DATE AND TIME OF PRINTING. ALL PERSONS WHO ARE RECORDED AS CURRENT DIRECTORS OR OFFICERS ARE INCLUDED IN THE LIST OF ADMINISTRATORS.

ADDITIONAL HISTORICAL INFORMATION MAY EXIST ON MICROFICHE.

The issuance of this certified report in electronic form is authorized by the Director of Companies and Personal Property Security Branch.


REGISTRY ACT/LAND TITLES ACT
LOI SUR L'ENREGISTREMENT DES ACTES/ LOI SUR
L'ENREGISTREMENT DES DROITS IMMOBILIERS

CERTIFICATE
CERTIFICAT

- ☒ Clause 27 (1) (c) of the *Land Registration Reform Act* (**electronic format**)
Clause 27 (1) (c) de la loi portant réforme de l'enregistrement immobilier (**sous forme électronique**)
- ☐ Clause 165 (4) (c) of the *Land Titles Act*
Clause 165 (4) (c) de la loi sur l'enregistrement des droits immobiliers
Clause 15(4) (c) of the *Registry Act*
Clause 15 (4) (c) de la loi sur l'enregistrement des actes

CERTIFIED to be a true copy of: Transfer SD 244358
(Instrument or deposit number)
COPIE CERTIFIÉE conforme de : (numéro de document ou de dépôt)

If record, add: 2017/11/24
(Year, month, day, time)
Pour relevé, ajouter: (année/ mois/jour/heure)


.....
REPRESENTATIVE FOR THE LAND REGISTRAR
REPRESENTANT (E) DU REGISTRATEUR

Properties

PIN 73579 - 0121 LT Interest/Estate Fee Simple
Description PCL 7406 SEC SES; FIRSTLY: PT LT 35 PL M101 MCKIM; SECONDLY: PT LT 1 CON 3
MCKIM AS IN LT42542; GREATER SUDBURY
Address 1710 BANCROFT DR
SUDBURY

Consideration

Consideration \$250,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name [REDACTED]
Address for Service [REDACTED]
Sudbury Ontario
P3A 5P6

I am at least 18 years of age.

The property is not ordinarily occupied by me and my spouse, who is not separated from me, as our family residence.

This document is not authorized under Power of Attorney by this party.

Name [REDACTED]
Address for Service [REDACTED]
T0L 0T0

I am at least 18 years of age.

The property is not ordinarily occupied by me and my spouse, who is not separated from me, as our family residence.

This document is not authorized under Power of Attorney by this party.

Transferee(s)**Capacity****Share**

Name DEJA PROPERTIES INC.
Address for Service 336 Yonge Street
Unit 321
BARRIE, Ontario
L4N 4C8

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

[REDACTED] 109 Elm St. acting for Signed 2013 01 28
Sudbury Transferor(s)
P3C 1T4

Tel 7056745221

Fax 7056747950

I am the solicitor for the transferor(s) and I am not one and the same as the solicitor for the transferee(s).

I have the authority to sign and register the document on behalf of the Transferor(s).

LRO # 53 Transfer

Registered as SD244358 on 2013 01 28 at 16:18

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd Page 2 of 3

Signed By

[Redacted]

125 Durham St.
Sudbury
P3E 3M9

acting for
Transferee(s)

Signed 2013 01 28

Tel 7056746497

Fax 7056748331

I am the solicitor for the transferee(s) and I am not one and the same as the solicitor for the transferor(s).

I have the authority to sign and register the document on behalf of the Transferee(s).

Submitted By

ARSENEAU POULSON LAW OFFICE

125 Durham St.
Sudbury
P3E 3M9

2013 01 28

Tel 7056746497

Fax 7056748331

Fees/Taxes/Payment

Statutory Registration Fee \$60.00

Provincial Land Transfer Tax \$2,225.00

Total Paid \$2,285.00

File Number

Transferee Client File Number : 113647DEJA

LAND TRANSFER TAX STATEMENTS

In the matter of the conveyance of: 73579 - 0121 PCL 7406 SEC SES; FIRSTLY; PT LT 35 PL M101 MCKIM; SECONDLY; PT LT 1 CON 3 MCKIM AS IN LT42542; GREATER SUDBURY

BY: [REDACTED]

TO: DEJA PROPERTIES INC.

1. [REDACTED], PRESIDENT AND [REDACTED] VICE PRESIDENT

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☐ (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) () above.
- ☒ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for DEJA PROPERTIES INC. described in paragraph(s) (c) above.
- ☐ (f) A transferee described in paragraph () and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph () and as such, I have personal knowledge of the facts herein deposited to.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	250,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor.	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	250,000.00
(h) VALUE OF ALL CHATTELS - items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	250,000.00

PROPERTY Information Record

A. Nature of Instrument: Transfer

LRO 53 Registration No. SD244358 Date: 2013/01/28

B. Property(s): PIN 73579 - 0121 Address 1710 BANCROFT DR Assessment: 5307010 - 01203800
SUDBURY Roll No

C. Address for Service: 336 Yonge Street
Unit 321
BARRIE, Ontario
L4N 4C8

D. (i) Last Conveyance(s): PIN 73579 - 0121 Registration No. LT706023

(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes ☒ No ☐ Not known ☐

E. Tax Statements Prepared By: Alesia Lynn Sostarich
125 Durham St.
Sudbury P3E 3M9

REGISTRY ACT/LAND TITLES ACT
LOI SUR L'ENREGISTREMENT DES ACTES/ LOI SUR
L'ENREGISTREMENT DES DROITS IMMOBILIERS

CERTIFICATE
CERTIFICAT

- ☒ Clause 27 (1) (c) of the *Land Registration Reform Act* (**electronic format**)
Clause 27 (1) (c) de la loi portant réforme de l'enregistrement immobilier (sous forme électronique)
- ☐ Clause 165 (4) (c) of the *Land Titles Act*
Clause 165 (4) (c) de la loi sur l'enregistrement des droits immobiliers
Clause 15(4) (c) of the *Registry Act*
Clause 15 (4) (c) de la loi sur l'enregistrement des actes

CERTIFIED to be a true copy of: P110 73579 - 0121
(Instrument or deposit number)
COPIE CERTIFIÉE conforme de : (numéro de document ou de dépôt)

If record, add: 2017/11/24 @ 11:17
(Year, month, day, time)
Pour relevé, ajouter: (année/ mois/jour/heure)


.....
REPRESENTATIVE FOR THE LAND REGISTRAR
REPRESENTANT (E) DU REGISTRATEUR



Ontario ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #53

73579-0121 (LT)

PAGE 1 OF 1
PREPARED FOR STAFF
ON 2017/11/24 AT 11:17:11

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PCL 7406 SEC SES; FIRSTLY: PT LT 35 PL M101 MCKIM; SECONDLY: PT LT 1 CON 3 MCKIM AS IN LT42542; GREATER SUDBURY

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
ABSOLUTE

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
2003/09/22

OWNERS' NAMES
DEJA PROPERTIES INC.

CAPACITY SHARE

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
LT640186	1989/01/11	NOTICE AGREEMENT				C
SD244358	2013/01/28	TRANSFER	\$250,000		DEJA PROPERTIES INC.	C
REMARKS: PLANNING ACT STATEMENTS.						
SD341206	2017/08/15	CHARGE	\$245,000	DEJA PROPERTIES INC.	CAISSE POPULAIRE VOYAGEURS INC.	C
SD341207	2017/08/15	NO ASSGN RENT GEN		DEJA PROPERTIES INC.	CAISSE POPULAIRE VOYAGEURS INC.	C
REMARKS: SD341206						

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCC A
200 RUE BRADY
SUDBURY ON P3A 5P3

POSTED

ORDER TO REMEDY
NON-CONFORMITY WITH STANDARDS
FOR MAINTENANCE AND OCCUPANCY OF
ALL PROPERTY

Issued pursuant to section 15.2(2) of
The Building Code Act, S.O. 1992, chapter 23, as amended.

Case # 778158-778163

Date of Inspection: November 22, 2017

Time: 14:10hrs

By-Law No.: 2011-277

Municipal address or legal description of property

☒ Occupied ☐ Unoccupied

1710 Bancroft Drive Sudbury On. P3B 1S1

Name of owner and mailing address



DESCRIPTION OF NON-CONFORMITY

LOCATION

BY-LAW
Reference

Every part of a building or structure on a property shall be maintained in good repair and structurally sound condition so as...
To be capable of sustaining safely its own weight, and any additional load to which it normally may be subjected to.

Entire building

3.01
(1) (a)

Every floor shall be smooth and level and maintained so as to be free of all loose warped, protruding, broken or rotted boards that may create an unsafe condition.

Units 3,4,6,7.

4.03
(1)

Windows, skylights, exterior doors and frames, basement or cellar hatchways, attic access doors including storm and screen doors and storm windows shall be maintained...
Shall be of such construction so as to prevent the entrance of wind, snow or rain into the building and to minimize heat loss through infiltration.

Units 2,6,7

3.04
(2)

All windows capable of being opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise All windows capable of being opened and all exterior doors shall secured from inside the building.

Entrance door to upper units

3.04
(2)

Surface conditions of walkways, driveways and parking lots shall be installed and maintained in a safe condition so as to :
Prevent ponding of storm water
Provide safe passage under normal use and weather conditions day or night
Be free from health and other hazards.

Entrance landing/
decking to upper floors. (west side of bldg)

2.07
(1)a, d, e.

All exterior walls and surfaces of every building or structure shall be Sound, plumb and weathertight , free from loose or unsecured objects and maintained in good repair.
Free from cracked or broken masonry units, defective or deteriorated wood or metal siding or trim, cracked, broken or loose stucco, loose or unsecured objects.

Exterior siding east ,north and west side of Building.

3.03
(1) a, b.

When an exterior opening is used or required for ventilation or illumination and is not protected by a door ,window or similar closure it shall be protected with
Mesh screening, metal grills or other equivalent durable rust proof material or
Other protection so as to effectively prevent the entry of rodents, large insects or vermin.

All exterior windows

3.05
(1) a, b.

157209

Ventilation shall be provided to and maintained and operated in all rooms and spaces within a building so as to prevent accumulations of heat, dust, fumes, gases, including carbon monoxide, vapours and other contaminants which may create a fire, explosion, toxic hazard or health hazard. Every ventilation system shall be cleaned regularly and maintained in good working condition and good repair.	All Furnaces hot /cold duct work and related filters. Entire building.	4.10 (1) (2)
Every inside or outside stair and every porch or landing appurtenant to it shall be maintained so as to be free of holes, cracks and other defects which constitute accident or hazards.	Upper floor exterior and interior hand rails	4.04 (1)
Guardrails shall be installed and maintained in good repair around all landings, porches, balconies.	As above	(2)

REQUIRED ACTION

- 1) Provide an Engineer's report to verify the structural integrity of the floor system (sagging floors in Apt # 3, 4, 6, 7.)
- 2) Subject to the Engineer's report obtain all necessary permits from Building Services to address any /all issues (building or demolition.)
- 3) Repair, replace all defective windows and doors including framing hardware and weather stripping.
- 4) Ensure all windows are weather tight.
- 5) Address re occurring ice and snow build up at exterior door west side leading to upper floor units.
- 6) Repair, replace all defective buckling exterior cladding/siding.
- 7) Install screens on all windows.
- 8) Repair, replace all handrails and guards for exterior and interior stair cases and landings.
- 9) Ensure all heating/cooling ventilation ducting is cleaned and related filter systems replaced.

There must be compliance with the terms and conditions of this order before this date: January 26, 2018.

TAKE NOTICE THAT if such repair or clearance is not done within the time specified in this order, the Municipality may carry out the repair or clearance at the expense of the owner. Clause 15.2 (2) (c).

APPEAL TO PROPERTY STANDARDS COMMITTEE - An owner or occupant upon whom this order has been served, if not satisfied with the terms or conditions of the order, may appeal to the Property Standards Committee by sending notice of appeal by registered mail to the Secretary of the Committee on or before December 22, 2017 and, in the event that the order is not appealed, it shall be deemed to be confirmed. Subsection 15.3 (2).



Craig Moxam
Property Standards Officer
674-4455 ext.2318

Date Order Served: November 24, 2017

DISTRIBUTION OF ORDER TO REMEDY* - The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property. Subsection 15.2(3).

REGISTRATION OF ORDER - Where a copy of this order is registered in the proper land registry office, any person acquiring any interest in the land, subsequent to the registration of the order, shall be deemed to have been served with the order on the day on which the order was served. Subsection 15.2 (4).

OFFENCE – If a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$100000 for a first offence and \$200000 for a subsequent offence contrary to Section 36(4).

OFFENCE - Personal information contained on this form, collected pursuant to a by-law passed under the Building Code Act, 1992 will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the procedures under that Act.

Original - CONTRAVENOR*	Copy - OFFICE	Copy - PROPERTY STANDARDS OFFICER	Copy - BUILDING CONTROLS	Copy- FIELD
-------------------------	---------------	-----------------------------------	--------------------------	-------------



POSTED
NOTICE TO OCCUPANTS
OF A RESIDENTIAL FIRE ALARM SYSTEM
INSTALLATION

NOTICE TO OCCUPANTS OF A RESIDENTIAL FIRE ALARM SYSTEM INSTALLATION. This notice is to inform you of the installation of a fire alarm system in your residence. The system is designed to detect fire and sound an alarm to alert you. It is important that you understand the system and its components, and that you know how to respond in the event of an alarm. Please read the following information carefully.

SYSTEM COMPONENTS:

- Control Panel: The central unit that receives signals from the detectors and sounds the alarm.
- Detectors: Devices that sense smoke or heat and send a signal to the control panel.
- Alarm Sounder: A device that produces a loud sound to alert you.
- Power Source: The system is powered by a battery, which is replaced by the installer.

INSTALLATION AND TESTING:

- The system was installed by a qualified technician.
- The system was tested and found to be in good working order.
- The system will be tested again in 30 days.

MAINTENANCE:

- The system should be tested monthly.
- The battery should be replaced annually.
- The system should be inspected by a qualified technician annually.

RESPONSE:

- In the event of an alarm, please evacuate the residence immediately.
- Call the fire department (911) and provide the address.
- Do not re-enter the residence until the fire department has cleared it.

CONTACT:

For more information, please contact the installer at [phone number].



December 17, 2017

City of Greater Sudbury
C/O Property Standards Committee
Attn: Secretary of the Committee
PO Box 5000, STN A
200 Brady Street
Sudbury, ON P3A 5P3

RE: Case # 778158-778163
1710 Bancroft Dr Sudbury, ON P3B 1S1



To the Secretary of the Property Standards Committee,

We appeal the Order to Remedy Non-conformity with Standards for Maintenance and Occupancy of all Property dated and served November 24, 2017.

Please advise on the next required action.

Thank you,

Per: _____



DEJA Properties Inc
PO Box 2900, STN A
Sudbury, ON
P3A 5J3



Request for Decision

Order to Remedy Appeal - ACR 763501 (2501 Blyth Road, Sudbury)

Presented To:	Hearing Committee
Presented:	Wednesday, Jun 27, 2018
Report Date	Monday, Jun 04, 2018
Type:	Public Hearings

Resolution

Option One:

THAT the City of Greater Sudbury confirm the Property Standards Order to Remedy issued to the Owner of 2501 Blyth Road, Sudbury, ON, pursuant to Section 15.3(3.1)1 of the Building Code Act.

Option Two:

THAT the City of Greater Sudbury extend the time for complying with the Property Standards Order to Remedy issued to the Owner of 2501 Blyth Road, Sudbury, ON, pursuant to Section 15.3(3.1)2 of the Building Code Act.

Option Three:

THAT the City of Greater Sudbury rescind the Property Standards Order to Remedy issued to the Owner of 2501 Blyth Road, Sudbury, ON, pursuant to Section 15.3(3.1)1 of the Building Code Act.

Option Four:

THAT the City of Greater Sudbury modify the Property Standards Order to Remedy issued to the Owner of 2501 Blyth Road, Sudbury, ON, pursuant to Section 15.3(3.1)1 of the Building Code Act and that the modification be as follows:

Signed By

Report Prepared By

Tina Whitteker
By-law Enforcement Officer
Digitally Signed Jun 4, 18

Manager Review

Brendan Adair
Manager of Security and By-Law
Digitally Signed Jun 4, 18

Financial Implications

Jim Lister
Manager of Financial Planning and Budgeting
Digitally Signed Jun 4, 18

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Jun 8, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 18

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

Report Summary

A Property Standards Order to require that drainage is contained within the limits of 2501 Blyth was issued

on November 06, 2017, pursuant to the Building Code Act, S.O. 1992, Chapter 23 as amended. The Council of the City of Greater Sudbury enacted By-law 2011-277, cited as the "Maintenance and Occupancy Standards By-law".

Greater Sudbury enacted By-law 2011-277, cited as the "Maintenance and Occupancy Standards By-law". This By-law prescribes standards for the maintenance and occupancy of properties within the City and enacted to ensure the safety of residents and the upkeep of properties to prevent the degradation of the community and neighborhoods. In receipt of a request for an appeal and failing an ability to resolve the matter, the appeal is now being brought before Committee for review and decision.

Financial Implications

There no financial implications associated with this report.

Recommendations

That the Property Standards Order to Remedy, ACR Case 763501 issued to the property owners of 2501 Blyth Road, City of Greater Sudbury, be upheld.

Background

Property Standards Order to Remedy (herein referred to as "the Order") was issued pursuant to the Building Code Act, S.O. 1992, Chapter 23 as amended, (herein referred to as "the Act").

The Council of the City of Greater Sudbury enacted By-law 2011-277, cited as the "Maintenance and Occupancy Standards By-law" (herein referred to as "the By-law"). This By-law has been passed under the authority of section 15 of the Act and prescribes standards for the maintenance and occupancy of property within the City, and has been enacted to ensure the safety of residents and the upkeep of properties to prevent the degradation of the community and neighborhoods. This By-law includes provisions relating to property conditions, and maintenance of the property in conformity with the standards required within this By-law.

The enforcement and appeal provisions of this By-law are found in the Building Code Act. It provides for inspection powers of the officer, the issuance of an Order, the establishment of a Property Standards Committee, and the procedures for an appeal of the Order. Specific time frames and methods of notification are established in the Act and the powers of the Property Standards Committee are also set out in the Act.

Facts and Evidence Supporting the Orders - Presented by Officer Tina Whitteker **See Appendix A**

Attached to this report for the Committee's review and in support of the recommendation are the following;

1. Appendix A
2. Photographs taken by Officer Whitteker: July 18, 2017 and November 6, 2017.
3. Photographs and videos taken by owner of adjacent property 2511 Blyth Rd.: photographs taken August 22, 2017 and videos of drainage recorded on August 22, 2017 and October 25, 2017
4. Copy of Property Standards Orders for Expert Examination issued November 6, 2017, to property owners of 2501 Blyth Rd., regarding case file #763501.
5. CityMap Geocortex View printout listing property owners, with insertions for ease of illustration
6. Appeal letter from property owners of 2501 Blyth Rd.
7. CGS appeal confirmation letter.
8. CGS notice of hearing letter.

Conclusion

Section 15.3(3.1) of the Building Code Act sets out the powers of the committee on an appeal of an Order. It provides to the committee the same powers and functions of the officer who made the order, and can confirm, modify or rescind the Order, and can also extend the time for complying with the order, if in the committee's opinion doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement.

This By-law was enacted to ensure the safety of residents and the upkeep of properties to prevent the degradation of the community and neighborhoods. Property owners shall maintain the property in conformity with the standards required in this By-law.

It is the recommendation in this report to uphold the Order to Remedy whereby the owners shall contain lot drainage within the limits of their premises and ensure surface water drainage is not ponding and not being discharged on an adjacent property, and complies with the maintenance and occupancy standards as set out in the CGS By-law, 2011-277 and Order to Remedy issued.

Appendix A
Property Standards Appeal Committee Report
2501 Blyth Road, Sudbury ON- ACR 763501
Prepared by Tina Whitteker

In June 2017, after receiving a complaint for roof downspouts and surface water draining onto a neighbouring property from 2501 Blyth Road, Sudbury, Officer Whitteker attempted to resolve the concerns by communicating with the property owners. However, in October 2017, the complainant notified Officer Whitteker that the draining and ponding issues were reoccurring.

On November 06, 2017, at 1525hrs Officer Whitteker attended the subject property at 2501 Blyth Road for an inspection regarding a drainage complaint in the rear yard. Officer Whitteker observed water ponding and draining into the neighbouring property.

Subsequently, Officer Whitteker issued an Order to Remedy to the property owners of 2501 Blyth Road requiring adequate surface water drainage and to ensure no water discharge onto an adjacent property.

On November 21, 2017 Officer Whitteker was contacted by Canada Paving, a contractor hired by the property owner to correct the drainage issue at 2501 Blyth Rd, requesting an extension to the timeline due to weather and soil conditions. An extension was granted until June 01, 2018 to complete the repairs outlined in the Order.

On November 29, 2017, a Letter of Appeal was received by the City as the property owner is now not willing to comply with the Order.

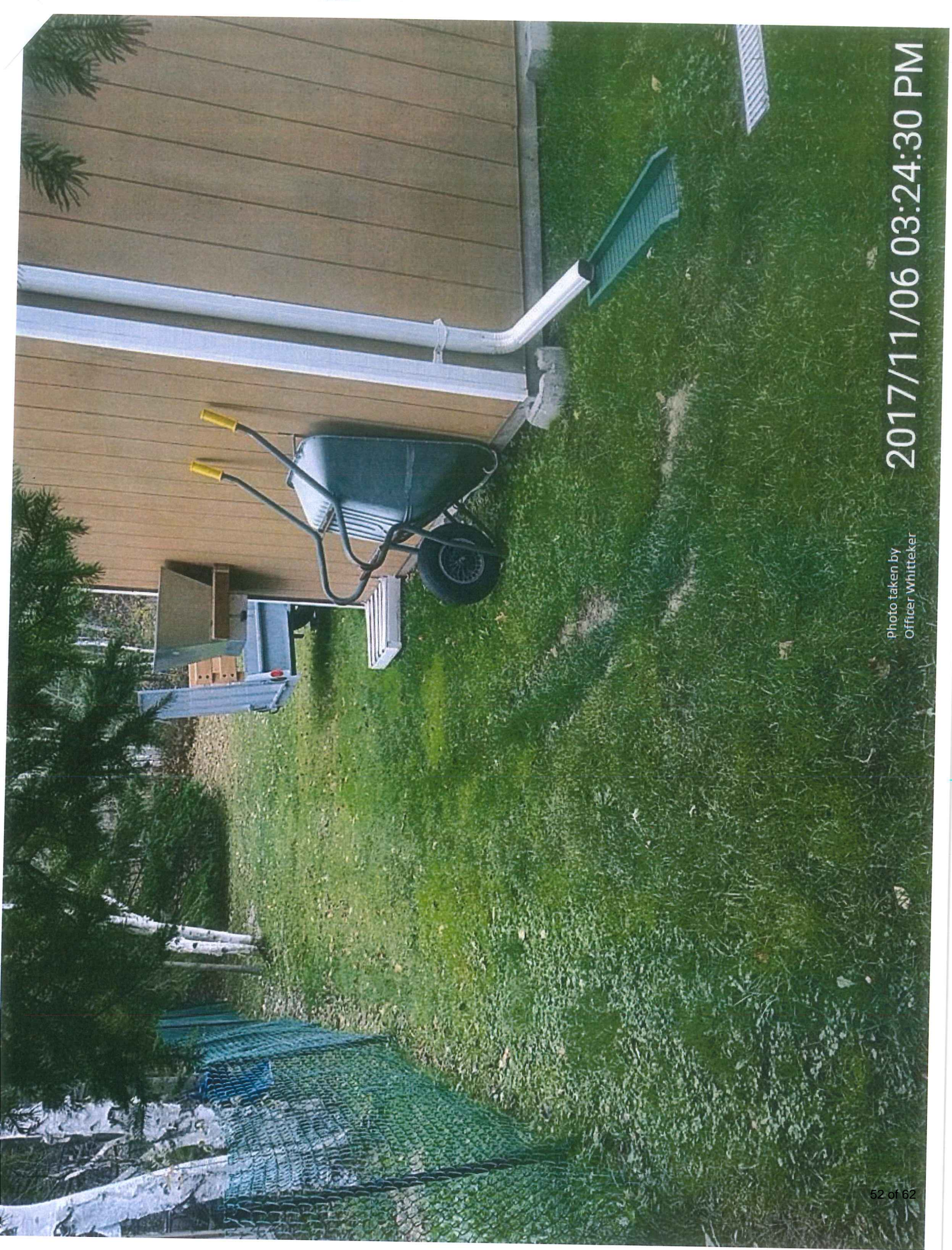


photo taken by
Officer Whitteker

2017/11/06 03:24:30 PM



Photo taken by
Officer Whittaker

2017/11/06 03:23:50 PM



Photo taken by
Officer Whitteker

2017/11/06 03:26:52 PM



Photo taken by
Officer Whitteker

2017/11/06 03:27:21 PM







PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCC A
200 RUE BRADY
SUDBURY ON P3A 5P3

ORDER TO REMEDY
NON-CONFORMITY WITH STANDARDS
FOR MAINTENANCE AND OCCUPANCY OF
ALL PROPERTY
Issued pursuant to section 15.2(2) of
The Building Code Act, S.O. 1992, chapter 23, as amended.

		Case # 763501
Date of Inspection: November 6, 2017		By-Law No.: 2011-277
Municipal address or legal description of property <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unoccupied		
2501 BLYTH ROAD, SUDBURY, ON		
Name of owners and mailing address		
<div></div>		
DESCRIPTION OF NON-CONFORMITY	LOCATION	BY-LAW Reference
All yards shall be provided and maintained with adequate surface water drainage including suitable provisions for its disposal; b. so as to prevent ponding ..	Rear yard	s. 2.06 1(b)
No roof, .. or other surface drainage, ..shall be discharged a. on an ... adjacent property	Rear yard	s. 2.06 (2)a.
Lot drainage shall be contained within the limits of the premises from which it originated until absorbed by the soil or drained to an approved swale or ditch	Rear yard	s. 2.06 (3)
REQUIRED ACTION		
Ensure your lot drainage is contained within the limits of your premises and the swale or ditch which has been created does function properly, effectively and efficiently, to ensure surface water drainage is not ponding and not being discharged on an adjacent property.		
There must be compliance with the terms and conditions of this order before this date: <u>November 28, 2017</u> .		

TAKE NOTICE THAT if such repair or clearance is not done within the time specified in this order, the Municipality may carry out the repair or clearance at the expense of the owner. Clause 15.2 (2) (c).

APPEAL TO PROPERTY STANDARDS COMMITTEE - An owner or occupant upon whom this order has been served, if not satisfied with the terms or conditions of the order, may appeal to the Property Standards Committee by sending notice of appeal by registered mail to the Secretary of the Committee on or before November 27, 2017 and, in the event that the order is not appealed, it shall be deemed to be confirmed. Subsection 15.3 (2).

Tina Whittaker
Property Standards Officer
674-4455 ext. 4432

Date Order Served: November 6, 2017

DISTRIBUTION OF ORDER TO REMEDY* - The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property. Subsection 15.2(3).

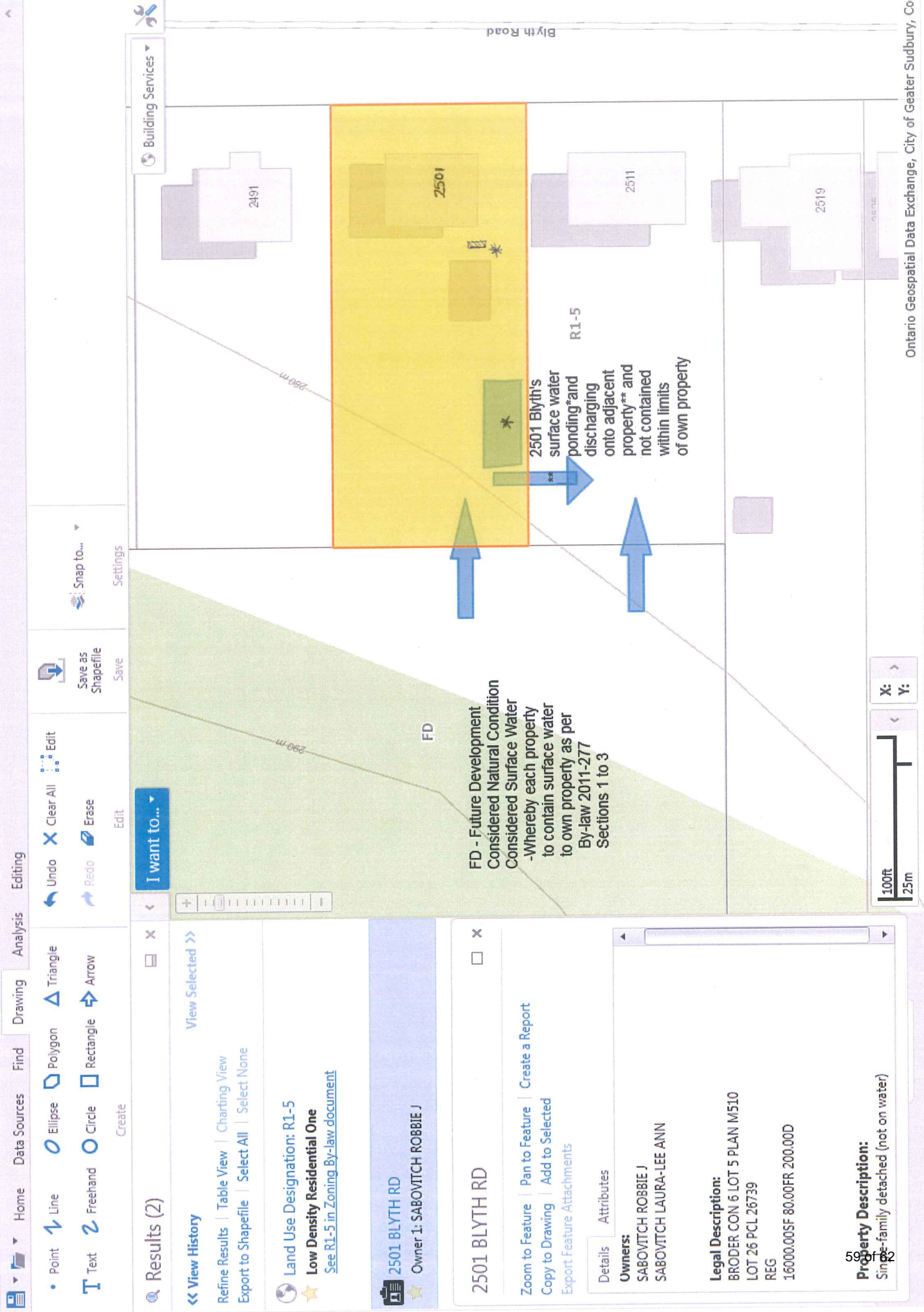
REGISTRATION OF ORDER - Where a copy of this order is registered in the proper land registry office, any person acquiring any interest in the land, subsequent to the registration of the order, shall be deemed to have been served with the order on the day on which the order was served. Subsection 15.2 (4).

OFFENCE - A person is guilty of an offence if the person fails to comply with an order, direction or other requirement made under the Building Code Act, 1992. A person who is convicted of an offence is liable to a fine of not more than \$50, 000 for a first offence and to a fine of not more than \$100,000 for a subsequent offence. Subsections 36 (1) (b) and 36 (3).

Personal information contained on this form, collected pursuant to a by-law passed under the Building Code Act, 1992 will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the procedures under that Act.

IN ADDITION TO THE CLEARING OF YARDS BY-LAW #2009-101, AS PER THE USER FEES BY-LAW 2017-24, FEES APPLIED TO INSPECTIONS RESULTING IN NON-COMPLIANCE OF A NOTICE: BY-LAW 2017-24, establishes fees and charges to be applied to every By-Law Officer inspection resulting in non-compliance of a Notice that is in default (past the compliance date) and during Officer attendance when a Notice is being remedied.

Original - CONTRAVENOR*	Copy - OFFICE	Copy - PROPERTY STANDARDS OFFICER	Copy - BUILDING CONTROLS	Copy- FIELD
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19 November 2017



Secretary of the Property Standards Committee
200 Brady Street

Re: Case # 763501 Appeal to Orders issued 6 November 2017

To the Secretary,

As outlined in the orders I received 6 November 2017, I am writing to appeal the orders issued. Since the orders were delivered, weather and ground conditions have been prohibitive. While I *have* started work to meet the conditions of the orders, it is not physically possible for me to complete the work by the deadline stipulated by the reasons mentioned. I am also now physically sick with a lingering cold from exposure to these conditions. I have engaged the contracting services of Canada Paving to complete the work, but even they have stated that it is not possible to complete the work in the time allotted. I would respectfully request that a more reasonable date be issued. This would imply sometime early summer of 2018 – once ground conditions have dried post spring thaw.

I would also like to take this opportunity to question the necessity of these orders in the first place. The source of the ground water causing the problem cuts across the back corner of my rear yard onto 2511's property from the large ridge that runs across the back of all the lots on our side of the street. This property is owned by [REDACTED]. Why does this entity bear no responsibility in this problem? I also don't believe it is fair that the current owner at 2511 can change the elevation of [REDACTED] rear yard, disrupt/block an existing drainage system that has been in place for the better part of 50 years because [REDACTED] doesn't want to maintain it and then call the city to complain about drainage problems.

I have been trying to resolve these drainage issues for years for my own sake. I consulted with City Engineering staff in August of 2015 to see what could be done. They affirmed the plans I had proposed. On November 14, 2015 a City Bylaw Officer attended my residence to investigate this same complaint. Upon going through the rear yard, the Officer indicated that: There was nothing wrong with my property's grading/ditching, that the source of the problem was [REDACTED]s property. The matter was **CLOSED**.

Early this year, I was contacted by a different Officer (by phone) in regards to ongoing disputes between myself and 2511. Part of the discussion reverted to the drainage issue. The Officer suggested that I do a few things to further facilitate drainage and thus some 'good will' towards my neighbor. The request was modest and relatively easy to do, so I agreed to do it *without* being issued orders. This Officer attended my residence at the end of July 2017 and informed my [REDACTED] that '*everything was good*' and the matter was again **CLOSED**. Now; out of the blue, the November 6th orders show up at my door. Completely unnecessary, since I have cooperated with and have worked with the city on this issue every step of the way.

I am quite willing to continue to work with the city on any reasonable solution to this problem. All I ask is that it be done fairly, responsibly and thought out. I don't think it is fair that I need to re-visit this problem every time a new neighbor moves in, or a new Bylaw Officer is assigned to the area. I would gladly speak, or meet with anyone who would like more information or clarification on the matter at hand.

Thank-you for your consideration



City of Greater Sudbury Charter

WHEREAS Municipalities are governed by the Ontario Municipal Act, 2001;

AND WHEREAS the City of Greater Sudbury has established Vision, Mission and Values that give direction to staff and City Councillors;

AND WHEREAS City Council and its associated boards are guided by a Code of Ethics, as outlined in Appendix B of the City of Greater Sudbury's Procedure Bylaw, most recently updated in 2011;

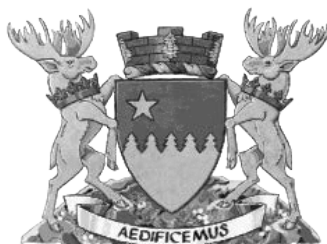
AND WHEREAS the City of Greater Sudbury official motto is "Come, Let Us Build Together," and was chosen to celebrate our city's diversity and inspire collective effort and inclusion;

THEREFORE BE IT RESOLVED THAT Council for the City of Greater Sudbury approves, adopts and signs the following City of Greater Sudbury Charter to complement these guiding principles:

As Members of Council, we hereby acknowledge the privilege to be elected to the City of Greater Sudbury Council for the 2014-2018 term of office. During this time, we pledge to always represent the citizens and to work together always in the interest of the City of Greater Sudbury.

Accordingly, we commit to:

- Perform our roles, as defined in the Ontario Municipal Act (2001), the City's bylaws and City policies;
- Act with transparency, openness, accountability and dedication to our citizens, consistent with the City's Vision, Mission and Values and the City official motto;
- Follow the Code of Ethical Conduct for Members of Council, and all City policies that apply to Members of Council;
- Act today in the interest of tomorrow, by being responsible stewards of the City, including its finances, assets, services, public places, and the natural environment;
- Manage the resources in our trust efficiently, prudently, responsibly and to the best of our ability;
- Build a climate of trust, openness and transparency that sets a standard for all the City's goals and objectives;
- Always act with respect for all Council and for all persons who come before us;
- Ensure citizen engagement is encouraged and promoted;
- Advocate for economic development, encouraging innovation, productivity and job creation;
- Inspire cultural growth by promoting sports, film, the arts, music, theatre and architectural excellence;
- Respect our historical and natural heritage by protecting and preserving important buildings, landmarks, landscapes, lakes and water bodies;
- Promote unity through diversity as a characteristic of Greater Sudbury citizenship;
- Become civic and regional leaders by encouraging the sharing of ideas, knowledge and experience;
- Work towards achieving the best possible quality of life and standard of living for all Greater Sudbury residents;



Charte de la Ville du Grand Sudbury

ATTENDU QUE les municipalités sont régies par la Loi de 2001 sur les municipalités (Ontario);

ATTENDU QUE la Ville du Grand Sudbury a élaboré une vision, une mission et des valeurs qui guident le personnel et les conseillers municipaux;

ATTENDU QUE le Conseil municipal et ses conseils sont guidés par un code d'éthique, comme l'indique l'annexe B du Règlement de procédure de la Ville du Grand Sudbury dont la dernière version date de 2011;

ATTENDU QUE la devise officielle de la Ville du Grand Sudbury, « Ensemble, bâtissons notre avenir », a été choisie afin de célébrer la diversité de notre municipalité ainsi que d'inspirer un effort collectif et l'inclusion;

QU'IL SOIT RÉSOLU QUE le Conseil de la Ville du Grand Sudbury approuve et adopte la charte suivante de la Ville du Grand Sudbury, qui sert de complément à ces principes directeurs, et qu'il y appose sa signature:

À titre de membres du Conseil, nous reconnaissons par la présente le privilège d'être élus au Conseil du Grand Sudbury pour le mandat de 2014-2018. Durant cette période, nous promettons de toujours représenter les citoyens et de travailler ensemble, sans cesse dans l'intérêt de la Ville du Grand Sudbury.

Par conséquent, nous nous engageons à :

- assumer nos rôles tels qu'ils sont définis dans la Loi de 2001 sur les municipalités, les règlements et les politiques de la Ville;
- faire preuve de transparence, d'ouverture, de responsabilité et de dévouement envers les citoyens, conformément à la vision, à la mission et aux valeurs ainsi qu'à la devise officielle de la municipalité;
- suivre le Code d'éthique des membres du Conseil et toutes les politiques de la municipalité qui s'appliquent à eux;
- agir aujourd'hui pour demain en étant des intendants responsables de la municipalité, y compris de ses finances, biens, services, endroits publics et du milieu naturel;
- gérer les ressources qui nous sont confiées de façon efficiente, prudente, responsable et de notre mieux;
- créer un climat de confiance, d'ouverture et de transparence qui établit une norme pour tous les objectifs de la municipalité;
- agir sans cesse en respectant tous les membres du Conseil et les gens se présentant devant eux;
- veiller à ce qu'on encourage et favorise l'engagement des citoyens;
- plaider pour le développement économique, à encourager l'innovation, la productivité et la création d'emplois;
- être une source d'inspiration pour la croissance culturelle en faisant la promotion de l'excellence dans les domaines du sport, du cinéma, des arts, de la musique, du théâtre et de l'architecture;
- respecter notre patrimoine historique et naturel en protégeant et en préservant les édifices, les lieux d'intérêt, les paysages, les lacs et les plans d'eau d'importance;
- favoriser l'unité par la diversité en tant que caractéristique de la citoyenneté au Grand Sudbury;
- devenir des chefs de file municipaux et régionaux en favorisant les échanges d'idées, de connaissances et concernant l'expérience;
- viser l'atteinte de la meilleure qualité et du meilleur niveau de vie possible pour tous les résidents du Grand Sudbury.