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| Location: | Committee Room C-12, Tom Davies Square |
| Commencement: | 4:30 PM |
| Adjournment: | 5:38 PM |

Minutes

For the Property Standards Appeal Committee Meeting held Wednesday, November 16, 2011

COUNCILLOR DAVE KILGOUR, IN THE CHAIR

Present

Councillors Dutrisac, Rivest, Belli

City Officials

Guido Mazza, Director of Building Services/Chief Building Official; Darlene Barber, Manager of Compliance and Enforcement Services; Greg Bergeron, By-law Enforcement Officer; Brigitte Sobush, Deputy City Clerk; Franca Bortolussi, Council Secretary

News Media

Northern Life; Sudbury Star

Declarations of Pecuniary Interest

None declared.

Public Hearings

- 1 . Report dated November 8, 2011 was received from the General Manager of Growth & Development regarding Appeal of Order to Remedy – 12 Main Street, Chelmsford.

Maurice Armstrong, the appellant, of 1011077 Ontario Inc., was present.

Darlene Barker, Manager of Compliance and Enforcement Services, provided of background on compliance to property standards and the appeal process.

Greg Bergeron, By-law Enforcement Officer, advised that a request for a property standards inspection of the subject premises and follow up enforcement of the by-law to address outstanding issues of water leaks, the plaster in the kitchen ceiling, parking blocking the entrance, bathtub taps, and "other secondary repair issues" was received on September 6, 2011. On September 8, 2011, he attended the premises and conducted an inspection. He listed the items of non-conformity with the By-law and explained the photographs taken on September 8, 2011. On September 9, 2011, an Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy was sent by registered mail to the owner of the property requiring compliance before September 30, 2011 to which an appeal was filed. He explained that, when he re-inspected the premises on October 3, 2011, three of the items were complied with and four were still deficient. Photographs taken on October 8, 2011 were presented. On October 20, 2011, he received a request from the tenant to conduct an inspection of water leaking into the unit from the ceiling. Photographs taken on that day were presented.

Maurice Armstrong indicated he was disappointed that he was not told this would be a public hearing and that the information of the hearing was in the newspaper. He also indicated that the company name on the Order is incorrect. He advised the tenant has been there for fifteen years and was a tenant when he purchased the property. He indicated there have been issues with this tenant and listed the number of police reports over the years as well as the dealings with the Fire Department, Health Unit, Legal Aid and the social worker. Complaints from other tenants have also been received. He stated that the disrepair of the flooring in the kitchen was caused mostly by the tenant moving the fridge and chairs. Mr. Armstrong advised of a letter received from a plumber stating he would not enter the apartment with the tenant present which makes it difficult for him to arrange for repairs. He indicated that the potholes, which have been repaired, were caused by a tenant removing the down spout. He advised he will be closing the apartment on February 29, 2012 and converting it into office/storage space making some of the deficiencies non-issues. With respect to the facade, he indicated it will be difficult to repair as there is only eighteen inches between the subject building and the building next door. During his presentation, he distributed photographs showing the state of the apartment and the building.

The following recommendation was presented:

Dutrisac/Rivest: THAT Items 5 and 6 of the Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy #11-369743 issued to 1011077 Ontario Inc., c/o Maurice Armstrong, owner of 12 Main Street West, Chelmsford (City of Greater Sudbury), be upheld and that the remaining items be taken care of when the change of use of the apartment to a commercial use is done in the Spring of 2012. Item 6 is to be completed by November 30, 2011 and Item 5 is to be completed sometime in the Spring of 2012.

Friendly Amendment

The Mover requested the following friendly amendment: was included at the end of the motion: '1011077 Ontario Inc., c/o Maurice Armstrong' being shown as '1011076 Ontario Inc., o/a Armstrong Holdings'.

Main Motion (as amended)

2011-01 Dutrisac/Rivest: THAT Items 5 and 6 of the Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy #11-369743 issued to 1011076 Ontario Inc., o/a Armstrong Holdings, owner of 12 Main Street West, Chelmsford (City of Greater Sudbury), be upheld and that the remaining items be taken care of when the change of use of the apartment to a commercial use is done in the Spring of 2012. Item 6 is to be completed by November 30, 2011 and Item 5 is to be completed sometime in the Spring of 2012.

CARRIED

ADJOURNMENT

2011-02 Rivest/Belli: THAT this meeting does now adjourn. Time: 5:38 p.m.

CARRIED

Councillor Dave Kilgour, Chair

Brigitte Sobush, Deputy City Clerk