

A G E N D A
PROPERTY STANDARDS COMMITTEE

MS TEAMS/CITY HALL
COMMITTEE ROOM #415

10:00 A.M.

AUGUST 17, 2023

DISCLOSURES OF INTEREST

APPOINTMENT OF CHAIR

Resolution to appoint a Chair.

HEARING OF APPEALS

PSC-01-2023 - 535-539 Talbot Street - Unit #8 - Oban Properties Inc.

Notice of Hearing. **Page 2**

Appeal from Oban Properties Inc. **Page 3**

Order PSO-23-030 dated July 7, 2023. **Pages 4-5**

PSC-02-2023 - 535-539 Talbot Street - Unit #5 - Oban Properties Inc.

Notice of Hearing. **Page 6**

Appeal from Oban Properties Inc. **Page 7**

Order PSO-23-029 dated July 7, 2023. **Pages 8-9**

UNFINISHED BUSINESS

NEW BUSINESS

ADJOURNMENT

August 2, 2023

Oban Properties Inc.
173 Saddy Avenue
London, ON
N5V 4N1

RE: NOTICE OF HEARING

Appeal of Property Standards Order PSO-23-030 (535-539 Talbot Street)

TAKE NOTICE that the Property Standards Committee will hold a hearing on the **17th day of August, 2023** at 10:00 a.m. in Committee Room #415, City Hall, 545 Talbot Street, St. Thomas and by Microsoft Teams.

The purpose of this hearing is to hear the appeal of Oban Properties Inc., against an Order of the Property Standards Officer dated July 7, 2023, regarding the property municipally known as **535-539 Talbot Street unit #8**, St. Thomas, ON – PLAN 37 PT LOT 17 N/S TALBOT W/S MONDAMIN issued under the authority of By-law 80-2019, as amended.

Your attendance at this hearing is requested. However, the Committee may proceed in your absence.

Please contact myself at the above information to confirm your attendance.

Sincerely,



Matt Smale
Legislative Services Coordinator

19/Jul/2023

Notice of Appeal

Regarding Order of the Property Standards Office
Orders No: PSO-23-029 & PSO-23-030
Order Date: 07/Jul/2023
Municipal Address: 535-539 Talbot St. Thomas, ON N5P 1C3
Roll #: 342101005014800

City of St. Thomas

JUL 21 2023

City Clerks Dept.

We are appealing the above-mentioned order as it endangers the community and presents an undue hardship. Our building has suffered incredible vandalism over the last 12 months, including repeated destruction and theft of copper pipes causing widespread damage to property when the water is on (other metal items are also stolen / vandalized – the A/Cunits have all been stolen off the roof).

In relation to Unit 5's order (PSO-23-029), this issue is mute as the tenant is moving out this week (we will forward written confirmation).

The vandals know that we must repair the water system, when the pipes are repaired and/or re-installed, the vandals will break in, damage the system and the process repeats itself. We are in a catch-22, we have zero doubt that when the water is turned back on, there will be a flood within two days, causing further economic hardship with no end in sight.

We are at our wit's end and are trying to sell the property to a group that will restore and renovate the entire building, improving the quality of life for the community. Sadly, these water issues and frequent vandalism are driving them away, and we risk losing the deal and might have to force the building into a power of sale. The police are trying to support, however the situation currently surrounding the neighbourhood must be overwhelming.

The most recent water related vandalism events occurred Friday, 23/Jun/2023 (two separate events one in the morning and one in the evening). The vandalism caused considerable damage to a commercial tenant's unit as well as temporarily putting the fire monitoring system offline.

The vandalism is under investigation by the St. Thomas Police Service (incident report ST23011193). The reporting constable advised us to keep the water off while the investigation was underway. We were told to provide potable water as required. This started immediately and is continuing to this date.

We would like to discuss further and find alternative solutions that help remedy the situation, as it is currently untenable.

Thank you,

Oban Properties Inc.

obanpropertiesinc@outlook.com

ORDER
of the
PROPERTY STANDARDS OFFICER

ISSUED PURSUANT TO SUBSECTION 15.2 (2) OF THE BUILDING CODE ACT, S.O. 1992, c.23

Order No.: PSO-23-030

Order Date: 07 July 2023

ORDER APPLIES TO:

Municipal Address: **535-539 Talbot Street Unit #8, St. Thomas, ON N5R 3A**
Legal Description: **PLAN 37 PT LOT 17 N/S TALBOT W/S MONDAMIN**
Roll # **342101005014800**

ORDER ISSUED TO:

Oban Properties Inc.
173 Saddy Avenue
London, ON
N5V 4N1

BE ADVISED that the property described above is owned by you, or in which you have an interest, and has been inspected by a Property Standards Officer on or about **06 July 2023** and has been found to be not in compliance with the standards set out in the City's Property Standards By-law No. 80-2019, as amended.

IT IS HEREBY ORDERED, pursuant to Section 15.2 (2) of the Building Code Act, S.O. 1992, c.23, as amended, that the violations set out in the attached "Schedule A" be remedied and the property brought into compliance with the prescribed standards in the Property Standards By-law 80-2019 on or before **27 July 2023**.

Where it has been determined that the repairs or clearance as set out in the "**Schedule A**" have not been carried out in accordance with this **ORDER** as confirmed or modified, in addition to any possible court action, The Corporation of the City of St. Thomas may carry out the repairs or clearance at the owner's expense. The Corporation of the City of St. Thomas shall have a lien on the land for the amount spent on the repairs, clearance or other fees as set out in Property Standards By-law 80-2019 Fees. The amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*. The amount may be added to the tax roll of the property.

You are hereby advised that this **ORDER** may be appealed by sending a Notice of Appeal by registered mail to the Secretary of the Property Standards Committee within fourteen (14) days after the service of the **ORDER**. The address to the Committee is: The City of St. Thomas, City Hall, P.O. Box 520, St. Thomas, Ontario, N5P 3V7. The Notice of Appeal must be accompanied by a non-refundable appeal fee of \$150.00 payable to the City of St. Thomas

Final date to file appeal: 26 July 2023

In the event that no appeal is received within the above prescribed period, the **ORDER** shall be deemed to be confirmed and shall be final and binding. You are expected to comply with the terms and condition of this **ORDER** to avoid any possible enforcement actions being taken.

Where a permit is required to carry out a repair required to comply with this **ORDER**, it is the responsibility of the owner to obtain any such permits.



ALANNA SHAW
PROPERTY STANDARDS OFFICER
PLANNING & BUILDING SERVICES DEPARTMENT
alshaw@stthomas.ca
t. (519) 631.1680 EXT. 4220 f. (519) 633.6581
9 Mondamin Street
St. Thomas, Ontario, N5P 2T9

“SCHEDULE A” Page 1 of 1

Municipal Address: **535-539 Talbot Street Unit #8, St. Thomas, ON N5R 3A**
 Legal Description: **PLAN 37 PT LOT 17 N/S TALBOT W/S MONDAMIN**
 Roll #: **342101005014800**

The following violation(s) of the City of St. Thomas Property Standards By-law No. 80-2019 (PSB), the Building Code Act, 1992(BCA) and/or the Ontario Building Code, O.Reg. 332/12 (OBC) were observed at the above noted address:

ITEM	Description and Location	
1.	There is no hot or cold water coming from any plumbing fixtures in Unit #8	
	REFERENCE	
	Section 4 – Building Standards	4.7.1 An Owner shall provide an adequate supply of potable water to every use or occupancy which requires a water supply from a public or private water supply approved by the local authority designated under the Clean Water Act, S.O. 2006, Chapter 22, as amended
		4.7.3 Where a piped water supply is available, piping for hot and cold water shall be connected to every kitchen sink, lavatory, bathtub, shower, slop sink and laundry area and piping for cold water shall be run to every water closet and hose bib .
	REQUIRED ACTION	
<p>Portable water is to be supplied to unit #8. Hot water and cold water shall be provided to every kitchen sink, lavatory, bathtub, shower and cold water shall be provided to every water closet in unit #8.</p> <p>All work shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose and carried out in accordance with the industry specifications and requirements. <i>Please contact this office for inspection upon completion.</i></p>		

August 2, 2023

Oban Properties Inc.
173 Saddy Avenue
London, ON
N5V 4N1

RE: NOTICE OF HEARING

Appeal of Property Standards Order PSO-23-029 (535-539 Talbot Street)

TAKE NOTICE that the Property Standards Committee will hold a hearing on the **17th day of August, 2023** at 10:00 a.m. in Committee Room #415, City Hall, 545 Talbot Street, St. Thomas and by Microsoft Teams.

The purpose of this hearing is to hear the appeal of Oban Properties Inc., against an Order of the Property Standards Officer dated July 7, 2023, regarding the property municipally known as **535-539 Talbot Street unit #5**, St. Thomas, ON – PLAN 37 PT LOT 17 N/S TALBOT W/S MONDAMIN issued under the authority of By-law 80-2019, as amended.

Your attendance at this hearing is requested. However, the Committee may proceed in your absence.

Please contact myself at the above information to confirm your attendance.

Sincerely,



Matt Smale
Legislative Services Coordinator

19/Jul/2023

Notice of Appeal

Regarding Order of the Property Standards Office
Orders No: PSO-23-029 & PSO-23-030
Order Date: 07/Jul/2023
Municipal Address: 535-539 Talbot St. Thomas, ON N5P 1C3
Roll #: 342101005014800

City of St. Thomas

JUL 21 2023

City Clerks Dept.

We are appealing the above-mentioned order as it endangers the community and presents an undue hardship. Our building has suffered incredible vandalism over the last 12 months, including repeated destruction and theft of copper pipes causing widespread damage to property when the water is on (other metal items are also stolen / vandalized – the A/Cunits have all been stolen off the roof).

In relation to Unit 5's order (PSO-23-029), this issue is mute as the tenant is moving out this week (we will forward written confirmation).

The vandals know that we must repair the water system, when the pipes are repaired and/or re-installed, the vandals will break in, damage the system and the process repeats itself. We are in a catch-22, we have zero doubt that when the water is turned back on, there will be a flood within two days, causing further economic hardship with no end in sight.

We are at our wit's end and are trying to sell the property to a group that will restore and renovate the entire building, improving the quality of life for the community. Sadly, these water issues and frequent vandalism are driving them away, and we risk losing the deal and might have to force the building into a power of sale. The police are trying to support, however the situation currently surrounding the neighbourhood must be overwhelming.

The most recent water related vandalism events occurred Friday, 23/Jun/2023 (two separate events one in the morning and one in the evening). The vandalism caused considerable damage to a commercial tenant's unit as well as temporarily putting the fire monitoring system offline.

The vandalism is under investigation by the St. Thomas Police Service (incident report ST23011193). The reporting constable advised us to keep the water off while the investigation was underway. We were told to provide potable water as required. This started immediately and is continuing to this date.

We would like to discuss further and find alternative solutions that help remedy the situation, as it is currently untenable.

Thank you,

Oban Properties Inc.

obanpropertiesinc@outlook.com

ORDER
of the
PROPERTY STANDARDS OFFICER

ISSUED PURSUANT TO SUBSECTION 15.2 (2) OF THE BUILDING CODE ACT, S.O. 1992, c.23

Order No.: PSO-23-029

Order Date: 07 July 2023

ORDER APPLIES TO:

Municipal Address: **535-539 Talbot Street Unit #5, St. Thomas, ON N5R 3A**
Legal Description: **PLAN 37 PT LOT 17 N/S TALBOT W/S MONDAMIN**
Roll # **342101005014800**

ORDER ISSUED TO:

Oban Properties Inc.
173 Saddy Avenue
London, ON
N5V 4N1

BE ADVISED that the property described above is owned by you, or in which you have an interest, and has been inspected by a Property Standards Officer on or about **06 July 2023** and has been found to be not in compliance with the standards set out in the City's Property Standards By-law No. 80-2019, as amended.

IT IS HEREBY ORDERED, pursuant to Section 15.2 (2) of the Building Code Act, S.O. 1992, c.23, as amended, that the violations set out in the attached "Schedule A" be remedied and the property brought into compliance with the prescribed standards in the Property Standards By-law 80-2019 on or before **27 July 2023**.

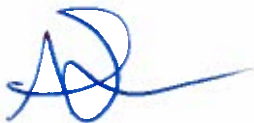
Where it has been determined that the repairs or clearance as set out in the "**Schedule A**" have not been carried out in accordance with this **ORDER** as confirmed or modified, in addition to any possible court action, The Corporation of the City of St. Thomas may carry out the repairs or clearance at the owner's expense. The Corporation of the City of St. Thomas shall have a lien on the land for the amount spent on the repairs, clearance or other fees as set out in Property Standards By-law 80-2019 Fees. The amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*. The amount may be added to the tax roll of the property.

You are hereby advised that this **ORDER** may be appealed by sending a Notice of Appeal by registered mail to the Secretary of the Property Standards Committee within fourteen (14) days after the service of the **ORDER**. The address to the Committee is: The City of St. Thomas, City Hall, P.O. Box 520, St. Thomas, Ontario, N5P 3V7. The Notice of Appeal must be accompanied by a non-refundable appeal fee of \$150.00 payable to the City of St. Thomas

Final date to file appeal: 26 July 2023

In the event that no appeal is received within the above prescribed period, the **ORDER** shall be deemed to be confirmed and shall be final and binding. You are expected to comply with the terms and condition of this **ORDER** to avoid any possible enforcement actions being taken.

Where a permit is required to carry out a repair required to comply with this **ORDER**, it is the responsibility of the owner to obtain any such permits.



ALANNA SHAW
PROPERTY STANDARDS OFFICER
PLANNING & BUILDING SERVICES DEPARTMENT
alshaw@stthomas.ca
t. (519) 631.1680 EXT. 4220 f. (519) 633.6581
9 Mondamin Street
St. Thomas, Ontario, N5P 2T9

“SCHEDULE A” Page 1 of 1

Municipal Address: **535-539 Talbot Street Unit #5, St. Thomas, ON N5R 3A**
 Legal Description: **PLAN 37 PT LOT 17 N/S TALBOT W/S MONDAMIN**
 Roll #: **342101005014800**

The following violation(s) of the City of St. Thomas Property Standards By-law No. 80-2019 (PSB), the Building Code Act, 1992(BCA) and/or the Ontario Building Code, O.Reg. 332/12 (OBC) were observed at the above noted address:

ITEM	Description and Location	
1.	There is no hot or cold water coming from any plumbing fixtures in Unit #5	
	REFERENCE	
	Section 4 – Building Standards	4.7.1 An Owner shall provide an adequate supply of potable water to every use or occupancy which requires a water supply from a public or private water supply approved by the local authority designated under the Clean Water Act, S.O. 2006, Chapter 22, as amended
		4.7.3 Where a piped water supply is available, piping for hot and cold water shall be connected to every kitchen sink, lavatory, bathtub, shower, slop sink and laundry area and piping for cold water shall be run to every water closet and hose bib .
	REQUIRED ACTION	
Portable water is to be supplied to unit #5. Hot water and cold water shall be provided to every kitchen sink, lavatory, bathtub, shower and cold water shall be provided to every water closet in unit #5. All work shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose and carried out in accordance with the industry specifications and requirements. <i>Please contact this office for inspection upon completion.</i>		