

TOWN OF FORT FRANCES

Property Standards Appeal Committee

AGENDA - December 7, 2015 5:00 PM

MEETING - Civic Centre - Committee Room

Page

1. Call to Order
2. Declarations, Municipal Conflict of Interest Act
3. Deferrals/Withdrawals
4. Identification of Parties
5. Application for Appeals
 - 5.1 File 2015-01 - 1037 Third Street East
6. Meeting Close


2 - 24

NOTICE OF APPEAL

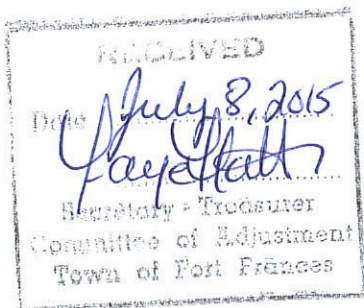
Take notice that Alfred Roisin appeals the Property Standards Order dated June 17, 2015 and served July 03, 2015 by registered mail, on the following grounds:

- 1) the Order lacks sufficient particularity to properly determine if there has been a violation;
- 2) the Order lacks sufficient particularity for the appellant to know what has to be done to remedy the defect if there is a defect;
- 3) the Order contains a photograph of a down spout that was installed in a substandard manner by The Town of Fort Frances pursuant to an earlier Order.

Dated at Fort Frances, Ontario this 08 day of July, 2015



ALFRED ROISIN



Synopsis of Property Standards Process for 1037 Third Street East

On May 25, 2015 at 1055AM I received a phone call from Mr. Barry Bilan who is a tenant at 1037 Third Street East, Apartment 1 in regards to overgrown grass and leaking eavestroughs.

An inspection of the property took place on May 26, 2015 by By-Law Enforcement and deficiencies were observed and photographed. The deficiencies that were observed are as follows:

- 1) Overgrown Grass throughout the entire property.
- 2) A cap on the end of the eavestrough that is attached to the West Side of the building was missing. The eavestrough attached to the East Side of the building was not connected in approximately the middle.

A Notice of Violation was prepared and mailed via regular mail on May 26, 2015 to:

Mr. Alfred Roisin
RR#1 RMB 263
Fort Frances, ON
P9A 3M2

This notice provided Mr. Roisin with a schedule advising him of what repairs were to be made as well as a deadline of Friday June 12, 2015 for the necessary work to be completed. This package also contained copies of the photos taken from the inspection.

A re-inspection of the property occurred on June 17, 2015 and By-Law Enforcement observed that the grass had been cut and appeared to be maintained. However, the work that was required for the eavestroughs was not completed. New photos of this were taken to be added to the file.

An Order to Comply was prepared and mailed via regular mail and registered mail on June 18, 2015 to:

Mr. Alfred Roisin
RR#1 RMB 263
Fort Frances, ON
P9A 3M2

The order advised Mr. Roisin of all of the necessary requirements under Section 15.2 (1) a copy is attached and highlighted for your reference.

On July 8, 2015 Municipal Planner F. Flatt requested my assistance with a customer that she had in her office. I attended and spoke to her and Mr. Roisin about his appeal to the Committee of Adjustment. Mrs. Flatt and I accepted Mr. Roisin's letter for appeal even though it did not comply with Section 15.3 (1), which is attached and highlighted for your reference.

In conclusion, as of today the eavestrough remains a deficiency and requires to be repaired.

A handwritten signature in black ink, appearing to read 'Patrick Briere', with a long horizontal flourish extending to the right.

Patrick Briere, C.P.S.O.
Certified Property Standards Officer
By-Law Enforcement Officer
Town of Fort Frances
pbriere@fort-frances.com
(807) 274-5323 ext. 255.



Date: 2015/07/08

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number	79134096527
Product Name	Registered Mail/Courrier recommandé
Reference Number 1	Not Applicable
Reference Number 2	Not Applicable
Delivery Date (yyyy/mm/dd)	2015/07/03
Signatory Name	alfred roisen

Signature image is not currently available. For assistance
please contact Customer Service at 1 888 550 6333.

Signature

Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-8822)

This copy confirms to the delivery date and signature of the individual who accepted and signed for the item in question. This information has been extracted from the Canadapost data warehouse

Administration & Finance Division
Civic Centre

Operations & Facilities Division
Fifth Street & Wright Avenue
Phone: 807-274-9893
Fax: 807-274-7360

Civic Centre
320 Portage Avenue
Phone: 807-274-5323
Fax: 807-274-8479
email: town@fort-frances.com



Planning & Development Division
Civic Centre

Community Services Division
740 Scott Street P9A 1H8
Phone: 807-274-4561

Mailing Address:
320 Portage Avenue
Fort Frances, Ontario
P9A 3P9

www.fort-frances.com

Registered mail

June 17, 2015

**Property Standards
ORDER**
**Issued pursuant to Section 15.2 (2) of
The Building Code Act, S.O. 1992, chapter 23, as amended.**

To: Alfred Roisin

RE: 1037 Third Street East, Fort Frances, ON P9A 2L5
LOT & PLAN: PSM 50 LOT 157 PCL 157-4

A Property Standards Officer has inspected the above-mentioned property on June 17, 2015.

The inspection of the above-mentioned property has revealed that the property does not conform to the standards prescribed within The Town of Fort Frances Maintenance and Occupancy Standards By-Law # 14/09.

IT IS ORDERED THAT the repairs necessary to correct the defects set out in Schedule "A" be carried out and the property be brought into a condition of compliance with the prescribed standards on or before **FRIDAY JULY 10, 2015.**

YOU ARE HEREBY ADVISED THAT if you are not satisfied with the terms or conditions of this Order you may appeal to the Property Standards Committee by sending a Notice of Appeal by registered mail within 14 days of receipt of this Order to:

Mrs. Faye Flatt
Municipal Planner
320 Portage Avenue
Fort Frances, ON
P9A 3P9

Schedule 'A'

Date: June 17, 2015

To: Mr. Alfred Roisin

RE: 1037 Third Street East, Fort Frances, ON.

The item(s) listed herein are in violation of The Town of Fort Frances Maintenance and Occupancy Standards By-Law # 14/09.

ITEM	LOCATION	DEFECT	SECTION
1	Building.	Eavestroughs	3.03 & 4.09
REQUIRED REPAIR			
If eavestroughs are installed they are to be cleaned, repaired and maintained on a regular basis. Currently there are violations with eavestroughing on both sides of building that need to be corrected.			

FOR YOUR INFORMATION

This list is a list of deficiencies that were observed on the inspection of the property and may not include all deficiencies that are there. More deficiencies may be brought to the By-Law Departments attention as they complete inspections.

All repairs and maintenance of the above-mentioned property shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.

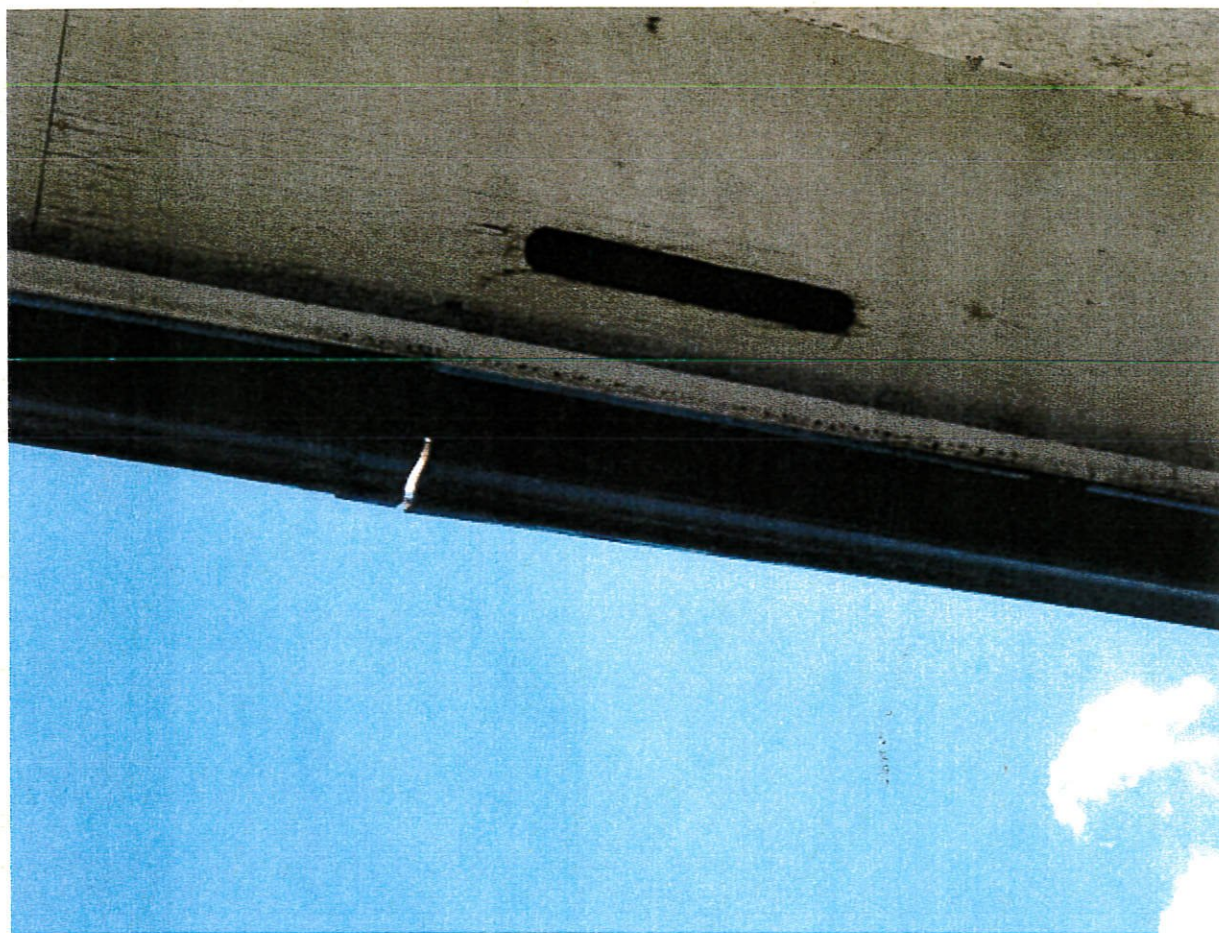
Where a permit is required to undertake any repairs to conform to the standards as prescribed in this Order, it is the responsibility of the Property Owner to obtain any such permit.



Patrick Briere
<patrickbriere@hotmail.com>

06/17/2015 03:09 PM

To Patrick Briere <pbriere@fort-frances.com>
cc
bcc
Subject





Patrick Briere

Administration & Finance Division
Civic Centre

Operations & Facilities Division
Fifth Street & Wright Avenue
Phone: 807-274-9893
Fax: 807-274-7360

Civic Centre
320 Portage Avenue
Phone: 807-274-5323
Fax: 807-274-8479
email: town@fort-frances.com



Planning & Development Division
Civic Centre

Community Services Division
740 Scott Street P9A 1H8
Phone: 807-274-4561

Mailing Address:
320 Portage Avenue
Fort Frances, Ontario
P9A 3P9

www.fort-frances.com

Regular mail

June 17, 2015

Property Standards

ORDER

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

To: Alfred Roisin

RE: 1037 Third Street East, Fort Frances, ON P9A 2L5
LOT & PLAN: PSM 50 LOT 157 PCL 157-4

A Property Standards Officer has inspected the above-mentioned property on June 17, 2015.

The inspection of the above-mentioned property has revealed that the property does not conform to the standards prescribed within The Town of Fort Frances Maintenance and Occupancy Standards By-Law # 14/09.

IT IS ORDERED THAT the repairs necessary to correct the defects set out in Schedule "A" be carried out and the property be brought into a condition of compliance with the prescribed standards on or before **FRIDAY JULY 10, 2015.**

YOU ARE HEREBY ADVISED THAT if you are not satisfied with the terms or conditions of this Order you may appeal to the Property Standards Committee by sending a Notice of Appeal by registered mail within 14 days of receipt of this Order to:

Mrs. Faye Flatt
Municipal Planner
320 Portage Avenue
Fort Frances, ON
P9A 3P9

THE TOWN OF FORT FRANCES

In the event that no appeal is taken, within the above-prescribed period, the Order shall be deemed to be confirmed and shall be final and binding upon you, requiring you to comply with its Terms within the time and in the manner specified in the Order.

Where it has been determined that the necessary repairs or demolition has not been completed in accordance with this Order as confirmed or modified, in addition to any possible court action, The Town of Fort Frances may cause the property to be repaired or demolished and the costs of such action may be billed directly to you or collected in a tax like manner.



Patrick Briere, CPSO
By-Law Enforcement Officer
Certified Property Standards Officer
Town of Fort Frances
(807) 274-5323 ext. 255
pbriere@fort-frances.com

Schedule 'A'

Date: June 17, 2015

To: Mr. Alfred Roisin

RE: *1037 Third Street East, Fort Frances, ON.*

The item(s) listed herein are in violation of The Town of Fort Frances Maintenance and Occupancy Standards By-Law # 14/09.

ITEM	LOCATION	DEFECT	SECTION
1	Building.	Eavestroughs	3.03 & 4.09
REQUIRED REPAIR			
If eavestroughs are installed they are to be cleaned, repaired and maintained on a regular basis. Currently there are violations with eavestroughing on both sides of building that need to be corrected.			

FOR YOUR INFORMATION

This list is a list of deficiencies that were observed on the inspection of the property and may not include all deficiencies that are there. More deficiencies may be brought to the By-Law Departments attention as they complete inspections.

All repairs and maintenance of the above-mentioned property shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.

Where a permit is required to undertake any repairs to conform to the standards as prescribed in this Order, it is the responsibility of the Property Owner to obtain any such permit.

Administration & Finance Division
Civic Centre

Operations & Facilities Division
Fifth Street & Wright Avenue
Phone: 807-274-9893
Fax: 807-274-7360

Civic Centre
320 Portage Avenue
Phone: 807-274-5323
Fax: 807-274-8479
email: town@fort-frances.com

THE TOWN OF FORT FRANCES



FORT FRANCES, ONTARIO
CANADA

Planning & Development Division
Civic Centre

Community Services Division
740 Scott Street P9A 1H8
Phone: 807-274-4561

Mailing Address:
320 Portage Avenue
Fort Frances, Ontario
P9A 3P9

www.fort-frances.com

NOTICE OF VIOLATION

Alfred Roisin
RR#1 RMB 263
Fort Frances, ON
P9A 3M2

May 26, 2015

Dear: Mr. Roisin:

RE: 1037 Third Street East, Fort Frances, ON.

Please be advised that on May 26, 2015 an inspection of the above-mentioned property, revealed certain violations of The Town of Fort Frances Maintenance and Occupancy Standards By-Law # 14/09.

Schedule "A" attached hereto, sets out the work required to remedy such violation and to bring the property into compliance with By-Law # 14/09.

Be advised that By-Law # 14/09 gives The Town of Fort Frances the authority to issue an **ORDER TO COMPLY** pursuant to Section 15.2 (2), Ontario Building Code Act, S.O. 1992, c.23.

It is desired that you will comply with this informal notice that the aforementioned procedural step will not be necessary.

A re-inspection of this property will take place on or about **FRIDAY JUNE 12, 2015.**

Should you require further information in regards to this matter our office can be contacted at 274-5323 ext. 255.

Yours truly,

Patrick Briere
By-Law Enforcement Officer
Certified Property Standards Officer
pbriere@fort-frances.com

Schedule 'A'

Date: May 26, 2015

To: Mr. Alfred Roisin

RE: 1037 Third Street East, Fort Frances, ON.

The item(s) listed herein are in violation of The Town of Fort Frances Maintenance and Occupancy Standards By-Law # 14/09.

ITEM	LOCATION	DEFECT	SECTION
1	Entire Property	Overgrown Grass	3.03 (3)
REQUIRED REPAIR			
Grass on entire property needs to be cut and maintained on a regular basis. This includes the boulevard fronting your property on Third St. E. and Minnie Avenue. Weed eating also needs to be completed to ensure grass around telephone poles, trees and building is not overgrown.			

ITEM	LOCATION	DEFECT	SECTION
2	Building.	Eavestroughs	3.03 & 4.09
REQUIRED REPAIR			
Eavestroughs need to be cleaned, repaired and maintained.			

FOR YOUR INFORMATION

This list is a list of deficiencies that were observed on the inspection of the property and may not include all deficiencies that are there. More deficiencies may be brought to the By-Law Departments attention as they complete inspections.

All repairs and maintenance of the above-mentioned property shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.

Where a permit is required to undertake any repairs to conform to the standards as prescribed in this Order, it is the responsibility of the Property Owner to obtain any such permit.



Patrick Briere
<patrickbriere@hotmail.com>

05/26/2015 11:03 AM

To Patrick Briere <pbriere@fort-frances.com>
cc
bcc
Subject











Patrick Briere



Patrick Briere
<patrickbriere@hotmail.com>

05/26/2015 11:04 AM

To Patrick Briere <pbriere@fort-frances.com>
cc
bcc
Subject







Patrick Briere

Michael 10/10/2019

PART III

GENERAL STANDARDS FOR ALL PROPERTY

3.01 All buildings shall be maintained in appearance by such measures as painting, repairing, cleaning and covering.

3.02 All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction, renovation, alteration or repairs shall be in compliance with the *Ontario Building Code*, *Ontario Fire Code* and the *Fire Prevention and Protection Act* where applicable.

YARDS

3.03 Every yard, including vacant lots shall be kept clean and free from:

(1) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;

(2) wrecked, dismantled, discarded, dilapidated or abandoned; machinery, vehicles, trailers or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property;

(3) long grass, brush, undergrowth and noxious weeds as defined by the *Weed Control Act*;
a. *All grassed and lawned areas shall be maintained to a maximum height of 100 mm(4in)*

(4) dilapidated, collapsed or partially constructed structures which are not

trades concerned. All new construction, renovation, alteration or repairs shall be in compliance with the *Ontario Building Code*, *Ontario Fire Code* and the *Fire Prevention and Protection Act* where applicable.

PEST PREVENTION

4.06 Dwellings shall be kept free of injurious insects, termites, rodents, vermin or other pests at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the *Pesticides Act*.

4.07 Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

STRUCTURAL SOUNDNESS

4.08 Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety as required by the *Ontario Building Code*.

4.09 Walls, roofs, and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

4.10 Structural components that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

FOUNDATIONS

4.11 Foundation walls of a dwelling shall be maintained so as to prevent the entrance of injurious insects, termites, rodents, vermin, other pests and excessive moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, where necessary, at the footings, grouting masonry cracks, dampproofing and waterproofing walls, joints, and floors.

4.12 Every dwelling, except for slab on grade construction, shall be supported by foundation walls or piers which extend below the frost line, or to solid rock.

EXTERIOR WALLS

4.13 Exterior surfaces of a dwelling shall be of materials which provide adequate protection from inclement weather, free of cracks, holes or excessively worn