



TO: Planning Advisory Committee

FROM: Emily Wainwright, Dangerous & Unsightly Premises Administrator

DATE: April 2, 2024

RE: 38 Cornwall Street (PID: 25016379)

Registered Owner: Paul Chung
13 Avenue Lakebreeze
Pointe-Claire, Quebec
H9S 5H8

Issue:

The lack of maintenance over the years has left the building in a state of serious disrepair to the point where the building has now partially collapsed. As articulated in the inspection reports by the Dangerous and Unsightly Premises Administrator, there are various structural, safety, and health concerns with the building.

History:

July 14, 2022	The Dangerous and Unsightly Premises Administrator received a complaint regarding the condition of the building and the property being an attractant to illegal dumping.
July 21, 2022	The first notice was sent to the owner, notifying them that a complaint was received and asking their intentions with the property.
August 4, 2022	The Administrator received communication from the owner that the plan for the property was to demolish the shed, clear the trees, and build a 4-unit, with construction starting in the summer of 2023.
April 27, 2023	Follow-up inspection. No progress has been made and no demolition permit has been received.
March 11, 2024	Follow-up inspection. No progress has been made and no demolition permit has been received. Posted notice of April 2, 2024, PAC meeting regarding the consideration for demolition of the building.





March 12, 2024 Received communication from owner that they are unable to attend the meeting, in-person or virtually.

Intentions of the Owner:

On March 12, 2024, the owner reached out to the Administrator to inform them of their intentions with the property as they are unable to attend the April 2, 2024, meeting in-person or otherwise. The initial plan was to demolish the building and start construction in the summer of 2023 on a 4-unit, but due to high interest rates this had been postponed. The intention is now for the owner to demolish the building by August 31, 2024.

The link to the online form for a demolition permit was sent to the owner on March 12th. At the time of this meeting, no demolition permit had been received.

Inspection Report:

The most recent inspection of 38 Cornwall Street was completed by the Dangerous and Unightly Premises Administrator on March 11, 2024. The following was noted and photographed:

- The building appears to be vacant;
- The property is heavily wooded and not maintained;
- The open building may attract transient activity to the property;
- The building appears to be full of items/materials;
- There is no power or heat to the building;
- The building is not secured;
- The building shows signs of significant rot and decay;
- The building shows signs of significant structural fatigue, failure, and partial collapse.

Relevant Municipal Government Act Interpretations

Section 3(r) “dangerous or unsightly” means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing

- (i) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
- (ii) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,
- (iia) an accumulation or collection of materials or refuse that is stockpiled,



hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or

- (iii) any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies
- (iv) that is in a ruinous or dilapidated condition,
- (v) the condition of which seriously depreciates the value of land or buildings in the vicinity,
- (vi) that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,
- (vii) that is an allurement to children who may play there to their danger,
- (viii) constituting a hazard to the health or safety of the public,
- (ix) that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,
- (x) that is a fire hazard to itself or to surrounding lands or buildings,

Discussion:

As indicated in the property history above, an inspection was completed on January 2, 2024. The administrator noticed significant structural fatigue, failure, and partial collapse. The contents of the building may also be an allurement to transient activity, putting the public at risk. It was also noted that the proximity of the dead brush, dilapidated building and the neighboring property is cause for concern if any catch on fire.

Given the state of the subject building detailed above and neglect by the property owner, it is appropriate to consider removing this risk by ordering demolition.

The property owner and/or their representative have been invited to the PAC meeting to discuss the state of the property. Staff have provided three options for the PAC to consider, however, the PAC will be asked to make a decision at a subsequent meeting.



Approximate
location of the
structure.



March 11, 2024 – 4:15pm:







Options:

At a later date, given the information available at this time, staff will be recommending **Option 1.**

- 1) That the Planning Advisory Committee orders that the building at 38 Cornwall Street (PID: 25016379) be demolished, the contents removed and sorted in a safe manner, and back fill the hole by August 31, 2024, with all work to be done by the property owner. Failure by the property owner to do the work will result in the Town completing the work and sending all contents of the building to an appropriate solid waste facility, with all costs charged to the property owner's tax account.
- 2) That the Planning Advisory Committee order staff to hire a structural engineer to access the condition of the building, and submit the report back to the PAC, with all costs charged to the property owner's tax account.
- 3) That the Planning Advisory Committee order staff to continue to monitor the property and bring any new issues that arise back to the committee.

