

Appeal Hearing – February 28, 2022

RE: Property Standard Order dated November 25, 2021

Location: 35 Trudelle Street, Toronto

Folder# 21 235101 PRS 001V

Owner: 2501572 Ontario Inc

Attention: Brad Bartlett, Committee Secretary – psc@toronto.ca

Date: February 7, 2022

Representing the Owner at the hearing will be the following:

- 1) Derek Labell – vice president of Owner – dlabell@goldenequity.ca
- 2) Valentin Gaina – project manager – ESTO M3 Management Group Inc. – valentin.gaina@estom3.ca

1) Introduction

After having received notice of the hearing, we hereby submitting our materials in support of why the owner requires an extension of the delay to comply with the order.

This work was already scheduled in capital project for 2022 and intended to hire a structural engineer early in the year to review and recommend what is required. Upon receiving the order, however, the owner advanced the project and engaged the services of the engineer at the beginning of last month.

Hayat Engineering Inc. was engaged to review condition of the balcony slabs and railing at all of 25, 35, and 45 Trudelle, and to prepare an assessment report with recommendations and high-level budget.

Hayat issued its report on January 20, 2022, for approval and next steps. Based on this report, Hayat will be preparing tender drawings and specifications for the work which was defined in their report including any permit drawings necessary to finalise this work.

2) Balcony Slabs at 25,35, 45 Trudelle – Report Findings

Hayat inspected the buildings' balconies on December 23, 2021, at 25, 35 and 45 Trudelle balconies, and highlighted the followings:

- Slab edges at most balconies exhibited minor or major concrete spalls or delamination, including major concrete spalling around the concrete embedded weld plates for the guardrails.

- Certain areas of the balcony slabs edges exhibited major full depth cracking through the entire front or side edges.
- Topside delamination and small surface cracks
- Guard rails have mild to heavy surface corrosion at several locations
- No waterproofing membrane exists in any of the balconies, which is one of the main contributing factors to their current condition

High level budget for all 3 buildings has been estimated by Hayat and the project manager to be \$1,002,100 plus allowance for soft cost estimated at \$80,000+HST for a total of **\$1,082,100+HST**

3) Proposed Next Steps and Projected Schedule

At the project manager's recommendation, the owner will approve Hayat's report, and authorize Hayat to proceed with tender drawings and to apply for the necessary construction permits. Once specifications and drawings are prepared, they will be tender to multiple general contractors

Our proposed project schedule, based upon our experience with previous similar projects, and after taking into consideration delays in the supply chain materials being caused by the pandemic, is as follows:

- 1) Tender drawings and specifications – January 31, 2022
- 2) General contractor RFP - February 2, 2022
- 3) Award of contract – March 1, 2022
- 4) Application for construction permit – March 1, 2022
- 5) Obtaining of construction permit – April 15, 2022
- 6) Start of construction – May 1, 2022
- 7) Completion of construction – October 31, 2022

Hayat has indicated that neither the balconies nor the railings pose any safety threat prior to the above projected completion date.

Work order mentioned additional work which needed to be rectified at 35 Trudelle as follow:

- 1) Paint is peeling on exterior doors – we already painted exterior doors in December 2021.
- 2) Curb stops are deteriorated and disrepair – this work will be completed in same time with Balcony and rail repairs in summer as concrete work needed to be done when we have higher temperatures.

4) Conclusion

Based on Hayat's report, given the extent of the work, and considering that this work can only be performed when daily temperature (including the overnight temperature) are consistently above +10 degrees Celsius, we request that the Hearing Committee extend the delay to comply with the Property Standards order to a date that is no earlier than October 31, 2022.

Thank you.

Valentin Gaina – Director of Project Management

ESTO M3 Management Group

A handwritten signature in black ink, appearing to read "Valentin Gaina".

Attachments

- A) Property Standards Order**
- B) Confirmation of Notice of Appeal**
- C) Hayat Engineering Report**



Hayat Engineering Inc.

January 10, 2022

Our Ref: HE236-12A

Mr. Derek Labell
2501572 Ontario Inc.
1800 McGill College Ave., Suite 1010
Montreal, Quebec H3A 3J6

Re: Review of Balcony Slabs at 25, 35 and 45 Trudelle Street, Toronto, ON

Dear Mr. Labell

As per your authorization, Hayat Engineering Inc. (Hayat) has reviewed the condition of the balcony slabs and guardrails at 25, 35 and 45 Trudelle Street, Toronto, ON. The scope of work for the assessment included a sounding survey at the balcony floor slabs in the apartment units of all three building. The purpose of the survey was to identify areas of concrete spalls and delaminations at the floor slabs and assess the condition of the balcony guardrails. The survey was conducted on December 23, 2021, at which time, Hayat was accompanied by the building superintendent.

The buildings at 23-45 Trudelle Street are 6-storey high each and include 16 single and 5 double balcony drops at all three buildings. The balcony slabs at all three buildings are typically built with Hambro steel joists and wire mesh reinforced concrete. The balconies are an extension of the building main floor slabs. There is a cantilevered canopy at the roof level above each balcony drop which is also built of similar Hambro steel joist and wire mesh reinforced concrete construction. The balcony guardrail system includes solid steel panels and pickets attached to top and bottom horizontal bars, that are in turn attached the steel posts at regular intervals. The posts are attached to concrete embedded weld plates at the balcony slab front edge and sides. The topside of the balcony slabs is exposed and does not include any waterproofing system.

The survey was carried at all exposed surfaces of the balcony slabs including top surface, soffit and slab edges. Canopy slabs were reviewed mainly from the underside as the top is covered with the roof membrane. The balconies were accessed through the unit interiors for this assessment.

Our assessment of the balcony slabs indicated there are numerous areas of the concrete spalls and delaminations throughout the buildings. The slab edges at most of the balconies exhibited minor or major concrete spalls or delaminations at all three buildings. Major concrete spalling was generally observed around the concrete embedded weld plates for the guardrail posts where big pieces of concrete have separated from the balcony surface and have either fallen off the balconies or can fall off anytime. Certain areas of the balcony slabs edges exhibited major full depth cracking through the entire front or side edges. There were several areas where minor to major topside delamination were observed. There was limited soffit delamination observed at all three buildings and most of the damage was observed at the slabs' edges and top surface. Some of the balconies were observed to be previously repaired however the repairs have been done as a surface patch only which can separate anytime.

The delaminated areas of the balcony slabs present a major risk to the structural integrity of the balcony slabs. Furthermore, loose pieces of concrete from delaminated areas can potentially fall off the slabs and hit someone below, creating a major tenant's safety and owner's liability issue. The balcony slabs need to be repaired as early as possible to restore them to a structurally sound condition and eliminate safety issues.

Our observations of the balcony slabs indicate that the front edge of the balcony slabs has mainly deteriorated to some degree on most of the balconies. There are also localized areas of major topside concrete delaminations. Given the extent of the damage, the slab front edges cannot be repaired locally and would require full edge repair to restore the balconies to a structurally safe condition. The other areas like side edges of the balcony slabs, topside and soffit can be locally repaired.

The guardrails were noted with mild to heavy surface corrosion at several locations throughout the buildings. The guardrails will need to be removed to undertake concrete repairs so replacing them with new guardrails is recommended.

The guardrails are original and would require extensive work to restore them to a good condition after concrete repairs therefore it would be better to replace them with new railings. This would also save from duplication of costs for mobilization/demobilization and concrete repairs at balcony slabs edges associated with future guardrails replacement which are already considered to be beyond normal service life.

There is currently no waterproofing membrane installed at of the balcony slabs which is the reason the slabs are in the current shape of distress. The exposed surface of balcony slabs absorbs and holds moisture which can cause rapid concrete deterioration due to moisture freeze thaw cycles (resulting in concrete spalls) as well as corrosion of the embedded reinforcement within the slabs (resulting in concrete delaminations). We observed signs of heavy water penetration through the balcony slabs at numerous locations. Application of a waterproofing membrane is critical to protect the slabs from further deterioration and long-term protection of the repaired areas.

There is although a roof membrane installed at the canopy slabs however signs of water penetration were noted at the underside of canopy slabs. The roof membrane at 25 and 35 Trudelle was reportedly replaced so the signs of water leakage may be from the previous leaks. There are potentially areas of spalling concrete and delaminations within the canopy slabs due to previous or current water leakage issues therefore removal of the existing membrane and replacement with a system similar to balcony slabs can be undertaken to protect the slabs from moisture penetration deterioration. Any necessary concrete repairs, identified after roof membrane removal, can be conducted along with the balcony slabs repairs.

The results of the assessment with a summary of the estimated quantities and capital budget estimates are presented with this report. The actual cost will depend on the quotes obtained from the contractors and actual amount of concrete work done which can vary during the construction due to condition of the embedded reinforcement.

Budget Cost Estimates

The following budget cost estimates are based on the above review of the subject balconies and the approximate quantities derived from this investigation. In most cases the full extent of the work will not be known until the work is completed. We have included a percentage allowance for indirect soft costs including some allowance for contingency, should the quantities be greater than estimated.

The quantities and budgets should be sufficient for planning and discussion purposes but are not intended to be a quotation or to warrant the total cost of the work. Costs are based on current market values for the work being considered.

Additional indirect costs may be associated with the work, such as; Engineering, Permits and Fees, HST, Contingency Allowance for additional quantities and unknown conditions etc., the combination of which could add another 20 – 25 % to the following costs and has been added to the following estimates.

BUDGET COST ESTIMATES
25, 35 and 45 Trudelle Street, Toronto, Ontario
January 10, 2022
Balcony Slabs Repairs

Item	Description	Estimated Quantity	Unit Rate	Estimated Cost
1.0	Balcony Slabs Waterproofing Install pedestrian traffic topping at all balcony floor slabs' top surface and sides. Remove roof membrane from canopy slabs and install waterproofing membrane after concrete repairs.	12,390 sq. ft.	\$10/sq. ft.	\$123,900
2.0	Concrete Repairs <ul style="list-style-type: none"> - Balcony slabs top surface concrete repairs - Balcony soffit and thru-slab concrete repairs - Balcony slabs entire front edge replacement - Balcony slabs localized side edge replacement 	950 sq. ft. 2,645 sq. ft. 1,635 lin. ft. 420 lin. ft.	\$35 /sq. ft. \$65 /sq. ft. \$85 /ft. \$85 /ft.	\$33,250 \$171,925 \$138,975 \$35,700
3.0	Railing Replacement Replace guardrails and dividers at all balconies	2,685 lin. ft	\$100 /ft.	\$268,500
4.0	Paint Underside of Balcony Slabs Paint underside of all balcony slabs/canopies after concrete repairs	9,810 sq. ft.	\$3 /sq. ft.	\$29,430
	subtotal			\$801,680.00
5.0	Miscellaneous allowances – contingency, engineering, permits, etc. 25%			\$200,420,00
6.0	Total Budget Estimate			\$1,002,100.00

We trust this meets your immediate requirements. Please contact the undersigned if you have any question or concern.

Hayat Engineering Inc.



Asif Ihsan, P. Eng.
Manager, Building Engineering Group
Hayat Engineering Inc.

Att: Photo Log



Photo No. 1: A typical balcony drop at the buildings



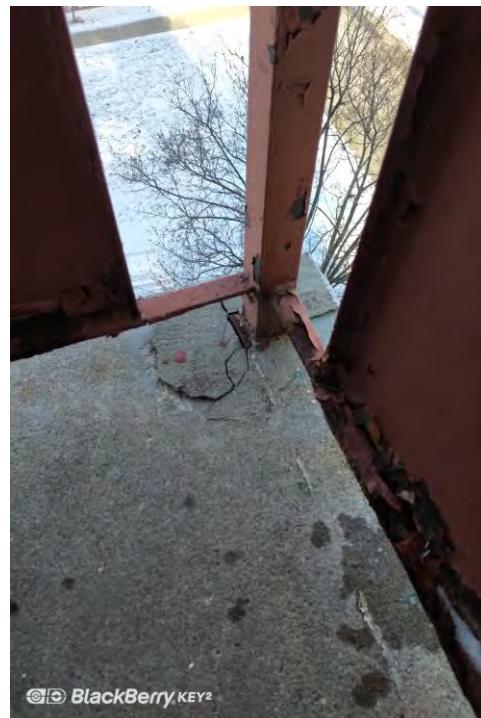
Photo No. 2: Typical concrete delaminations at balcony slabs edges



Photo No. 3: A heavily cracked slab edge

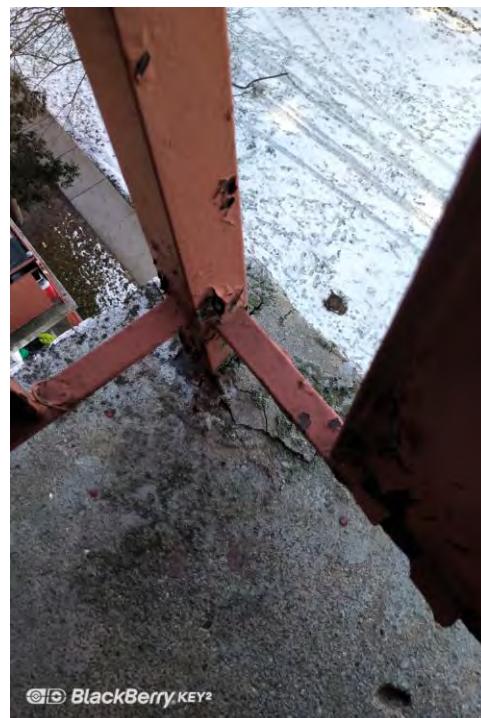


Photo No. 4: Extensive concrete delaminations at slab edges



© BlackBerry KEY2

Photo No. 5: Spalled concrete around guardrail post – typical condition at numerous locations



© BlackBerry KEY2

Photo No. 6: Another location showing spalling concrete around guardrail post



Photo No. 7: A large piece of spalled concrete separated from a guardrail post location



Photo No. 8: Another location with spalling concrete around guardrail post

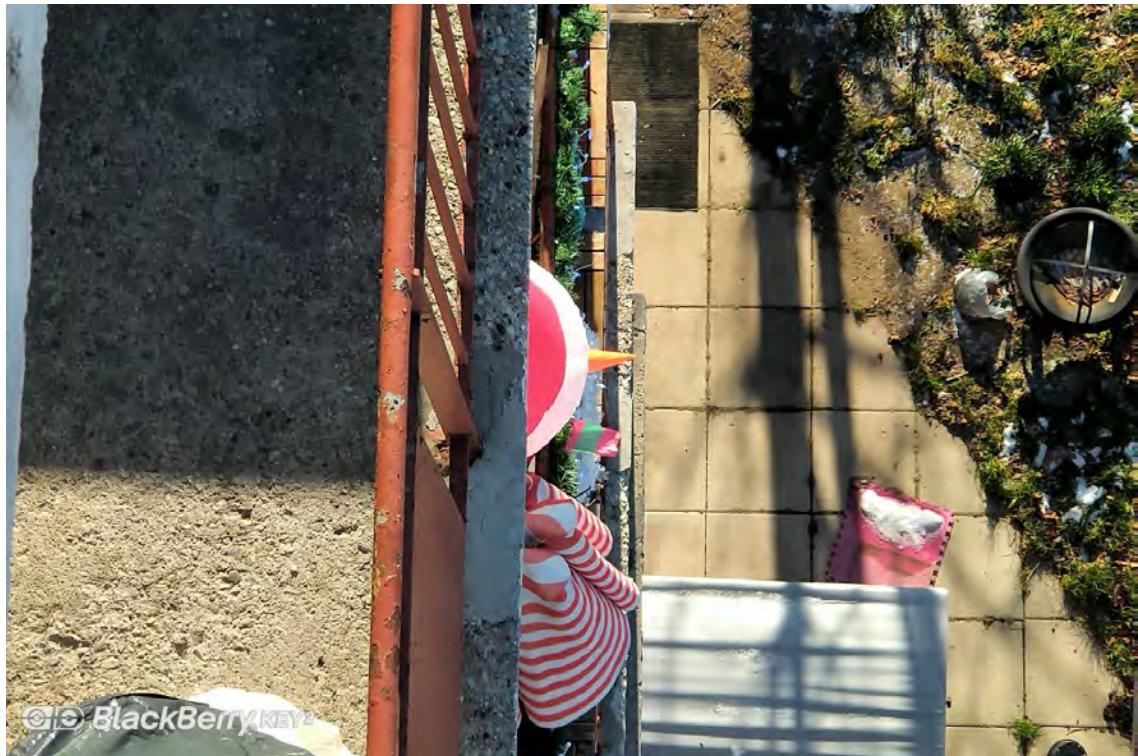


Photo No. 9: A previous repair patch at a balcony slab edge



Photo No. 10: A heavily cracked balcony slab front edge



Photo No. 11: A heavily cracked balcony slab side edge



Photo No. 12: A heavily cracked balcony slab side edge



Photo No. 13: Concrete delaminations at balcony slabs edges and soffit



Photo No. 14: Concrete delaminations at balcony slabs edges and soffit



Order issued to:

2501572 ONTARIO INC
 C/O GOLDEN EQUITY PROPERTIES
 1800 MCGILL COLLEGE AVE 1010
 MONTREAL, QC H3A 3J6
 CAN

PROPERTY STANDARDS ORDER

Issued pursuant to Subsection 15.2(2) of
the Building Code Act, S.O., 1992 Chapter 23, as amended.

Date issued: November 25, 2021
 Folder #: 21 235101 PRS 00 IV
 RN

Address to which Order Applies: 35 TRUDELLE ST EXTERIOR

Legal Description: PLAN M811 PT BLK D << STRUCTURE ADDRESS FOR 25-45 TRUDELLE ST
 Roll Number: 1901063010007000000

The above referenced property, which is owned by you or in which you have an interest, was inspected by a Bylaw Enforcement Officer on or about November 7, 2021. This inspection found conditions on the property which are contraventions of the standards prescribed by Toronto Municipal Code, Chapter 629, Property Standards.

You are hereby ordered to correct the contraventions listed below in order to bring this property into compliance with the prescribed standards by the dates identified for each contravention.

Item #	Bylaw Section	Location and Description	Required Action	Compliance Date
1	21.A.(3)	Rear of Building: Exterior door is not maintained in good repair. Namely: Paint is peeling on door exterior.	Repair and refinish door in a good workmanlike manner.	11-Dec-2021
2	23.F.(2)	Rear of Building: Exterior yard that is used for the parking or storage of vehicles or surfaced with a material impervious to water is not maintained in good repair, free from cracks, holes and ruts. Namely: Curb stop is deteriorated and in disrepair.	Namely: Repair and refinish in a good workmanlike manner.	11-Dec-2021
3	18.D.	Throughout Exterior: Equipment/attachment appurtenant to the building is not being maintained in good repair, namely, the (canopy, marquee, sign, awning, screen, grille, stairway, pipe, duct, standpipe, air conditioner, Etc). Namely: Balcony slabs and faces have peeling paint and are deteriorated.	Namely: Repair and refinish in a good workmanlike manner.	11-Dec-2021

Order issued by:

Name: Spencer Allen **Telephone:** _____ **Email:** Spencer.Allen@toronto.ca

Address: 1530 Markham Road, 3rd Floor

Contacting the Investigating Officer

If you wish to speak to the investigating officer directly, you may do so in accordance with the contact information provided at the top of this document. However, if you have difficulty reaching the officer for any reason, you may contact our *Investigation Support Unit* at 416-396-7228, Monday to Friday between the hours of 8:00 AM to 4:30 PM.

Appeal Procedure

An owner or occupant who has been served with an order made under subsection 15.2(2) and who is not satisfied with the terms and conditions of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail to:

Property Standards Committee, Scarborough Panel, City Clerk's Office
City Hall, 2nd Floor
100 Queen Street West
Toronto, ON M5H 2N2

on or before December 14 2021, stating your grounds for appeal. A \$288.75 non-refundable fee is required (make certified cheque or money order payable to Treasurer, City of Toronto).

In the event that no appeal is made within the above time frame, the Order shall be deemed to be confirmed and shall be final and binding upon you.

You are further advised that, all correspondence received and collected by the City of Toronto relating to an appeal is maintained for the purpose of creating a record that is available to the general public under section 27 of the Municipal Freedom of Information and Protection of Privacy Act.

Inspection Fees

Should compliance to this Order not be achieved as specified, inspection fees will be charged in accordance with Municipal Code Chapter 441 - Fees and Charges, Appendix C - Schedule 12. Chargeable inspections will be invoiced every 30 days. This fee is subject to an annual inflationary increase.

Remedial Action

Where it has been determined that the necessary repairs have not been completed in accordance with this Order, the City of Toronto may cause the property to be repaired, in addition to any possible court action. The costs of such action and any other applicable fee may be registered as a lien on the land and shall be deemed municipal property taxes. Additionally, the Clerk of the Municipality may add the costs to the collector's roll. Collection will occur in the same manner, with the same priority as municipal real property taxes.

Method of Repair

All repairs and maintenance of property required by the standards prescribed by the Code shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose. No person shall use, occupy, permit the use or occupancy of, rent, or offer to rent, any property that does not conform with the standards prescribed in this chapter.

Required Permits

Where a permit is required to undertake any repair required to conform with the standards as prescribed in this Order, it is the responsibility of the Owner to obtain any such permit. Please contact your local **Toronto Building Services office** by calling 311. In addition, information related to the requirements for a permit can also be found at http://www.toronto.ca/building/building_permits.htm.

Hiring Building Contractors/Trades People

An owner or operator shall demonstrate that they have retained or used the services of a certified tradesperson where required by law, for activities including but not limited to servicing heat, ventilation,



air conditioning and plumbing systems. Please ensure that any contractor you may hire has the required license(s). For further information you can contact Municipal Licensing and Standards, Licensing Services East York Civic Centre, 850 Coxwell Avenue, Third Floor, Toronto ON M4C 5R1 Licensing Services Call Centre: (416) 392-6700 or <https://app.toronto.ca/LicenceStatus/setup.do?action=init>

Note:

- Failure to comply is an offence which could result in a fine. [Building Code Act, 1993, s. 36]



Order issued to:

2501572 ONTARIO INC
C/O GOLDEN EQUITY PROPERTIES
1800 MCGILL COLLEGE AVE 1010
MONTREAL, QC H3A 3J6
CAN

PROPERTY STANDARDS ORDER

Issued pursuant to Subsection 15.2(2) of
the *Building Code Act, S.O., 1992 Chapter 23, as amended*

Date issued: November 25, 2021
Folder #: 21 235103 PRS 00 IV
RN

Address to which Order Applies: 45 TRUDELLE ST EXTERIOR

Legal Description: PLAN M811 PT BLK D << STRUCTURE ADDRESS FOR 25-45 TRUDELLE ST
Roll Number: 1901063010007000000

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You are hereby ordered to correct the contraventions listed below in order to bring this property into compliance with the prescribed standards by the dates identified for each contravention.

Item #	Bylaw Section	Location and Description	Required Action	Compliance Date
1	18.D.	Throughout Exterior: Equipment/attachment appurtenant to the building is not being maintained in good repair, namely, the (canopy, marquee, sign, awning, screen, grille, stairway, pipe, duct, standpipe, air conditioner. Etc). Namely: Paint and concrete deterioration on balcony slabs and faces.	Repair and refinish in a good workmanlike manner.	25-Dec-2021

Order issued by:

Name: Spencer Allen Telephone: Email: Spencer.Allen@toronto.ca

Address: 1530 Markham Road, 3rd Floor

Contacting the Investigating Officer

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Inspection Fees

Should compliance to this Order not be achieved as specified, inspection fees will be charged in accordance with Municipal Code Chapter 441 - Fees and Charges, Appendix C - Schedule 12. Chargeable inspections will be invoiced every 30 days. This fee is subject to an annual inflationary increase.

Remedial Action

Where it has been determined that the necessary repairs have not been completed in accordance with this Order, the City of Toronto may cause the property to be repaired, in addition to any possible court action. The costs of such action and any other applicable fee may be registered as a lien on the land and shall be deemed municipal property taxes. Additionally, the Clerk of the Municipality may add the costs to the collector's roll. Collection will occur in the same manner, with the same priority as municipal real property taxes.

Method of Repair

All repairs and maintenance of property required by the standards prescribed by the Code shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose. No person shall use, occupy, permit the use or occupancy of, rent, or offer to rent, any property that does not conform with the standards prescribed in this chapter.

Required Permits

Where a permit is required to undertake any repair required to conform with the standards as prescribed in this Order, it is the responsibility of the Owner to obtain any such permit. Please contact your local **Toronto Building Services office** by calling 311. In addition, information related to the requirements for a permit can also be found at http://www.toronto.ca/building/building_permits.htm.

Hiring Building Contractors/Trades People

An owner or operator shall demonstrate that they have retained or used the services of a certified tradesperson where required by law, for activities including but not limited to servicing heat, ventilation, air conditioning and plumbing systems. Please ensure that any contractor you may hire has the required license(s). For further information you can contact Municipal Licensing and Standards, Licensing Services East York Civic Centre, 850 Coxwell Avenue, Third Floor, Toronto ON M4C 5R1 Licensing Services Call Centre: (416) 392-6700 or <http://app.toronto.ca/LicenceStatus/seup.do?action-init>

Note:

- * Failure to comply is an offence which could result in a fine. [Building Code Act, 1992, s. 36]