



City of Thunder Bay Appeals Tribunal Meeting Minutes

Wednesday, July 23, 2025, 1:30 p.m.

McNaughton Room - 3rd Floor, City Hall

1. City of Thunder Bay Appeals Tribunal 02-2025 (Open Session)

Chair: Andreas Petersen

2. Members

Andrew Garro
Sarah Hamlin
Shaun Kennedy
Andreas Petersen

3. Officials

Dana Earle, Deputy City Clerk & Secretary to the Appeals Tribunal
Jeff Walters, Incoming Deputy City Clerk & Secretary to the Appeals Tribunal
Mike Grimaldi, Solicitor - City of Thunder Bay
Adam Carruthers, Supervisor- Municipal Enforcement Services
Jolene Wiwcharyk, Municipal Enforcement Services Officer
Katie Piché, Council & Committee Clerk

4. Guests

Brenda Melick, David Johnston (via MS Teams), Richard Clark (via MS Teams) -
Property Owners of 335 Rupert Street
Kie Shiroma, Property Owner of 339 Rupert Street (via MS Teams) and
Representatives Matthew Smiley (Ericksons LLP), Andrew Paddon (Ericksons
LLP) and Marcia Broughton (Realtor - via MS Teams)

5. Disclosures of Interest

There were no disclosures of interest declared.

6. Agenda

6.1 Appeal to the Property Standards Order for 512 Marks Street South

Correspondence received on June 10, 2025 from Jatinder Rattan relative to 512 Marks Street South.

Copy of City of Thunder Bay Property Standards Order issued on May 23, 2025 by Municipal Enforcement Officer Matt Mickleburgh.

This item was withdrawn from the agenda and will be presented at the next scheduled Appeals Tribunal Hearing.

6.2 Appeal to the Property Standards Order for 335 Rupert Street

Correspondence with attachment received on June 18, 2025 and July 14, 2025 from Brenda Melick, relative to 335 Rupert Street.

Copy of City of Thunder Bay Property Standards Order issued on June 12, 2025 by Municipal Enforcement Officer Jolene Wiwcharyk.

The purpose of Hearing #1 was to review the order on the property known municipally as 335 Rupert Street, Plan 568 Lot 19 REG, Thunder Bay, Ontario as adopted by By-law 095-2022, and the Building Code Act, S.O.1992, c.23 for the maintenance and occupancy of property in the City of Thunder Bay. All of the work was to be completed by August 30, 2025.

Brenda Melick was appealing the order and requesting an extension to the completion date originally set at August 30, 2025.

Opening Statement - Hearing #1

The City of Thunder Bay was represented by Supervisor - Municipal Enforcement Services Adam Carruthers and Municipal Enforcement Officer Jolene Wiwcharyk who provided an overview of the steps taken to date relative to the above noted property (335 Rupert Street) and provided photographs of the site under review. These pictures will be kept on file in

the Municipal Enforcement Services Division as well as the Office of the City Clerk.

Brenda Melick detailed the reasons for this appeal.

The Chair asked the Committee for their comments, feedback and if they had any questions or concerns relative to this order.

Brenda Melick and David Johnston responded to questions from the Committee.

Officer Jolene Wiwcharyk responded to questions from the Committee.

Decision - 335 Rupert Street

It was consensus of the Committee that the date of compliance for Item #1 of the Property Standards Order be extended. It states that a Structural Engineer's report is to be undertaken to determine the structural condition and adequacy of the retaining wall. The report is to include the details of the findings of the examination and details of any remedial work required. A copy of the report shall be provided to Municipal Enforcement Services.

It also states that the appellant is to repair the retaining wall and maintain the wall in a structurally sound condition and free from Unsafe Condition or Hazard. Should the deficiencies as listed in the Structural Engineer's Report be repaired, a Report shall be provided by the Structural Engineer at the completion of repairs as to the structural condition and adequacy of the retaining wall; Or, replace the retaining wall, obtaining any required permits and ensuring compliance with the Building Code Act, and any other relevant regulation standards.

These items are to be completed by October 31, 2025.

6.3 Appeal to the Property Standards Order for 339 Rupert Street

Correspondence received on June 18, 2025 and July 17, 2025 from Kie Shiroma (Estate of Noriko Shiroma) and from Ericksons LLP on behalf of the appellant, relative to 339 Rupert Street.

Copy of City of Thunder Bay Property Standards Order issued on June 12, 2025 by Municipal Enforcement Officer Jolene Wiwcharyk.

The purpose of Hearing #2 was to review the order on the property known municipally as 339 Rupert Street, Plan 568 Lot 18 REG, Thunder Bay, Ontario as adopted by By-law 095-2022, and the Building Code Act, S.O.1992, c.23 for the maintenance and occupancy of property in the City of Thunder Bay. All of the work was to be completed by August 30, 2025.

Kie Shiroma was appealing the order and requesting that the order be rescinded.

Opening Statement - 339 Rupert Street

The City of Thunder Bay was represented by Supervisor - Municipal Enforcement Services Adam Carruthers and Municipal Enforcement Officer Jolene Wiwcharyk who provided an overview of the steps taken to date relative to the above noted property (339 Rupert Street) and provided photographs of the site under review. These pictures will be kept on file in the Municipal Enforcement Services Division as well as the Office of the City Clerk.

Representative to the property owner Andrew Paddon detailed the reasons for this appeal.

The Chair asked the Committee for their comments, feedback and if they had any questions or concerns relative to this order.

Representative to the property owner Matthew Smiley responded to questions from the Committee.

Officer Jolene Wiwcharyk responded to questions from the Committee.

Solicitor Mike Grimaldi responded to questions.

Deputy City Clerk Dana Earle provided clarification relative to the authority of the Appeals Tribunal.

Supervisor Adam Carruthers responded to questions.

Decision - 339 Rupert Street

It was consensus of the Committee that the date of compliance of Item #1 of the Property Standards Order for 339 Rupert Street be extended. It states that a Structural Engineer's report is to be undertaken to determine the structural condition and adequacy of the retaining wall. The report is to include the details of the findings of the examination and details of any remedial work required. A copy of the report shall be provided to Municipal Enforcement Services.

It also states that the appellant is to repair the retaining wall and maintain the wall in a structurally sound condition and free from Unsafe Condition or Hazard. Should the deficiencies as listed in the Structural Engineer's Report be repaired, a Report shall be provided by the Structural Engineer at the completion of repairs as to the structural condition and adequacy of the retaining wall; Or, replace the retaining wall, obtaining any required permits and ensuring compliance with the Building Code Act, and any other relevant regulation standards.

The work is to be completed by October 31, 2025.

6.4 Appeal to the Property Standards Order for 235 Grenville Avenue

Correspondence received on June 27, 2025 from Joseph Duchesneau relative to 235 Grenville Avenue.

Copy of City of Thunder Bay Property Standards Order issued on June 12, 2025 by Municipal Enforcement Officer Jolene Wiwcharyk.

The purpose of Hearing #3 was to review the order on the property known municipally as 235 Grenville Avenue, NPEN 280 LOT 77, Thunder Bay, Ontario as adopted by By-law 095-2022, and the Building Code Act, S.O.1992, c.23 for the maintenance and occupancy of property in the City of Thunder Bay. All of the work was to be completed by August 30, 2025.

Opening Statement - 235 Grenville Avenue

The City of Thunder Bay was represented by Supervisor - Municipal Enforcement Services Adam Carruthers and Municipal Enforcement Officer Jolene Wiwcharyk who provided an overview of the steps taken to date relative to the above noted property (235 Grenville Avenue) and provided photographs of the site under review. These pictures will be kept

on file in the Municipal Enforcement Services Division as well as the Office of the City Clerk.

The property owner was not in attendance.

The Chair asked the Committee for their comments, feedback and if they had any questions or concerns relative to this order.

Officer Jolene Wiwcharyk and Supervisor Adam Carruthers responded to questions from the Committee.

Decision - 235 Grenville Avenue

It was consensus of the Committee that Items #1 through #7 of the Property Standards Order for 235 Grenville Avenue be confirmed.

It states the following:

Item 1, Section 6 - Exterior Property: The appellant is to ensure the property is kept free from garbage, waste, and any dilapidated or collapsed structures which may constitute an Unsafe Condition to any persons attending the property.

Item 2, Section 16 – Accessory Buildings: The appellant is to Repair/replace the roof and ensure exterior surfaces are weathertight and renew/repair surfaces when damaged and/or deteriorated.

Item 3, Section 22 – Exterior Walls, Surfaces, Cladding & Masonry: The appellant is to repair the exterior surfaces of the dwelling and maintain the exterior surfaces by painting, restoring and replacing any exterior protective covering when it becomes damaged or deteriorated, ensure exterior surfaces are free from missing, cracked, defective or deteriorated wood, metal siding or trim and ensure all exterior walls and surfaces are weathertight, free from holes, loose or unsecured objects and maintained in good repair.

Item 4, Section 23 – Doors, Windows, Cellars, Hatchways: The appellant is to repair or replace any broken/cracked or missing windows and add exterior door frames on the building. Maintain exterior windows and door framing in good working order, good repair and in a Safe Condition.

Item 5, Section 31 – Demolition of Structures: Should the appellant decide to demolish the Building instead of completing the repairs outlined in "Schedule A," of the Property Standards Order (Line-Item Deficiencies 2, 3, 4, 6, 7) the property shall be cleared of all rubbish and left in a graded and level condition. Demolition activities shall be controlled with appropriate measures to protect surrounding lands.

Item 6, Section 49 – Pest Control: The appellant is to repair any openings on the building that allow conditions for vermin to occupy and infest.

Item 7, Section 35 – Stairs/Handrails/Guards: The appellant is to repair/replace all exterior concrete stairs and maintain all outdoor stairs in good repair so as to be free of holes, cracks, and other defects which constitute Hazards.

All items are to be completed by August 30, 2025.

7. Adjournment

The meeting adjourned at 2:51 p.m.