



706B-75 Ann Street, London, ON, N6A 1R1
inquiries@75annresidents.org | 226-781-3801

March 5, 2020

Dear Mr Kokkoros,

I have recently had the opportunity to review Centurion Apartment Property (75 Ann) Inc's ("Centurion's") application for a building permit (#20004992), which has not yet been approved. Centurion is seeking the City of London's ("the City's") permission to add windows to the bedrooms at 75 Ann Street that are currently in violation of the City's Property Standards By-Law (s.4.8.8.). **I urge you to reject this application.**

Centurion bought 75 Ann Street in 2012, and has rented out illegal bedrooms for the entirety of its ownership. During this time, Centurion has likely collected millions of dollars in rent from tenants who were unaware that their rental units did (and do) not meet municipal or provincial natural light standards. Centurion has proposed resolving this issue by adding windows to previously windowless bedrooms into common areas, clerestory windows between adjacent bedrooms, and frosted glass doors to some bedrooms. I am writing to oppose this application, as I believe it is insufficient for the following reasons:

- It is not clear that London's Property Standards By-Law (s.4.8.8.) provides for internal windows. Per the Building Code Commission (BCC) ruling Centurion cites (ruling no. 14-03-1366) in its application, the location of an Ontario Building Code (OBC) compliant window need not be an exterior wall. It is not the case, however, that the City is bound by such an interpretation of its own by-law, and I would suggest that a reader applying common sense to s.4.8.8. would conclude that the "one or more windows" requirement refers to external windows.
- Even if internal windows are sufficient, it seems wrong and contrary to the spirit of the OBC and London's Property Standards By-Law to require access to natural light **through another resident's unit**. Centurion has made the financial decision to rent individual bedrooms, meaning that when it proposes "[w]indows to be provided into the common corridor with light coming through a clerestory window in the adjacent bedroom," the resident of said adjacent bedroom--the bedroom with an external window--has the ability to disrupt natural light to both bedrooms. What if one resident closes his or her blinds to take an afternoon nap and both bedrooms are darkened? What if a student leaves town for the weekend to visit her parents and leaves her blinds shut behind a locked door? These are real possibilities given the mix of strangers that share apartments at 75 Ann



Street. Centurion's proposed solution therefore does not represent genuine access to natural light. The BCC ruling cited above touches on this issue, but ultimately only covers light sourced from common areas. The proposal to use clerestory windows to provide light through adjacent bedrooms (which, again, are rented out as individual units) is not sufficient.

- The external windows in the adjacent bedrooms may not be sufficient in size to provide natural light for two bedrooms. A window providing natural light to one bedroom at 100 square feet need only be 5 square feet. If the window is doing double duty through clerestory windows and/or frosted glass, it may need to be larger to account for the additional area it is intended to cover. It is not clear that Centurion's application addresses this, or that relevant measurements have been taken.
- The use of clerestory windows through adjacent bedrooms is contrary in spirit to the BCC case Centurion cites in its application, where access to natural light was available through common areas (not through adjacent units), and where line of sight to the large exterior windows was direct. See **Appendix 1** below for an example of a floor plan at the address the BCC case referred to.
- Some of the bedrooms--specifically the "D" bedrooms in B, B2, B3, and E--are set back from all sources of natural light, such that the proposed solutions would at best provide residents with minimal natural light and significant artificial light. See **Appendix 2** for photographs that illustrate how these bedrooms are offset from the common living area where access to natural light is plentiful. **Clerestory windows and frosted glass doors do not solve the "D" bedroom problem.**

I urge you to reject Centurion's application as too little, too late. I propose an alternate solution: Centurion allows windowless rooms to empty out by attrition and by moving residents to "window" rooms as they become available. Centurion would then simply stop renting out those rooms. This will be a financial blow to Centurion, and it might consider extensive remodeling once the rooms become vacant. But that is the price of poor due diligence--a price that should not be borne by 75 Ann's residents.

As founder of the 75 Ann Street Residents' Association, I invite you to contact me for additional information and perhaps a tour of an affected unit before you make your final decision.

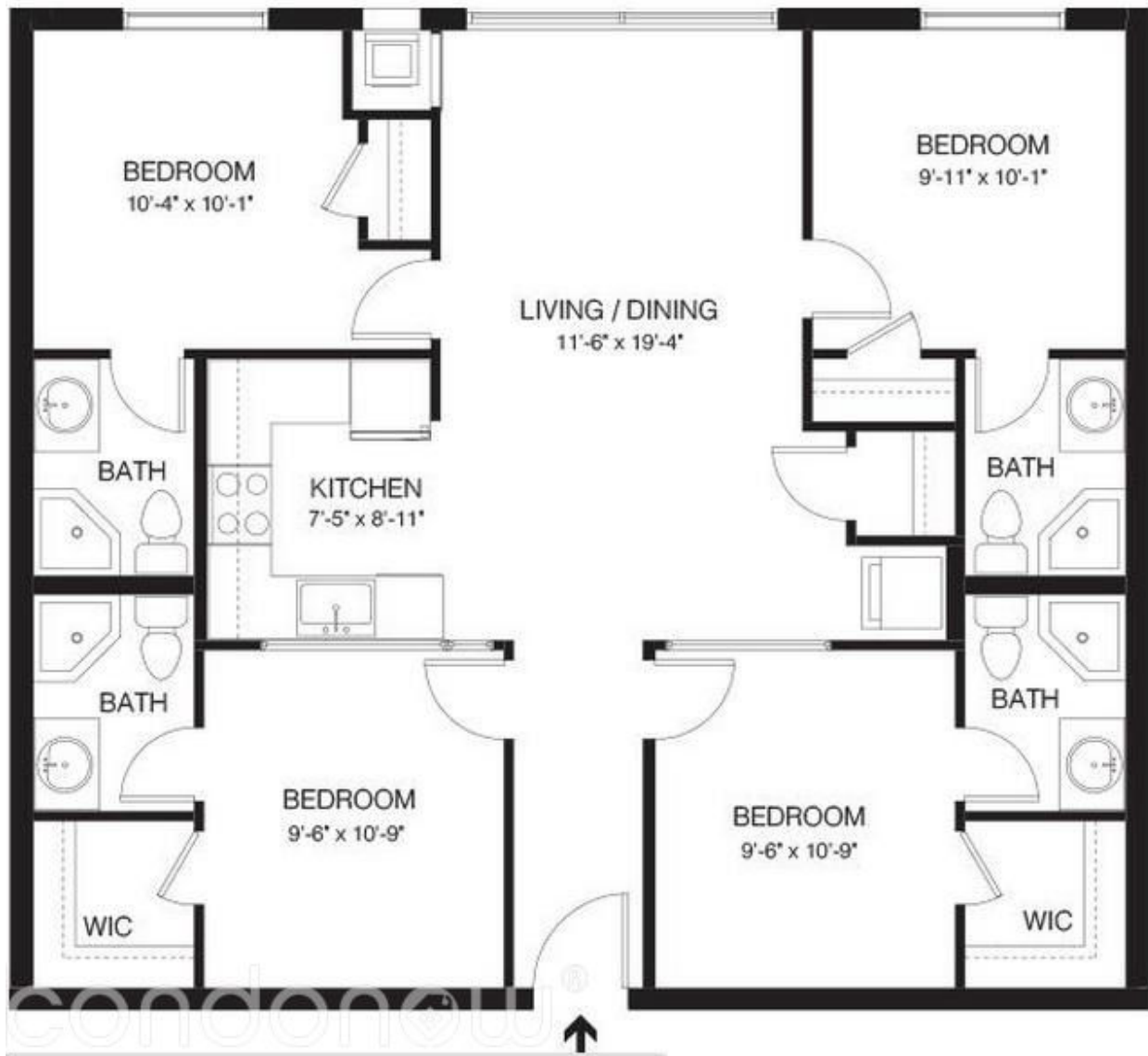
Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Roberts".

Jeremy Roberts

Founder | 75 Ann Street Residents' Association

Appendix 1: Solstice II Condos, 1291 Gordon Street, Guelph



Source: <https://condonow.com/Solstice-II/Floor-Plan-Price/Apex>

Appendix 2: “D” Bedroom at 75 Ann Street, London, Ontario



There is no direct line of sight from the “D” bedroom to the exterior source of natural light, the glass sliding doors that open to a balcony. Replacing this door with frosted glass does not solve Centurion’s natural light problem. The door on the right is a “C” bedroom.



An alternate angle demonstrates how far the “D” bedroom is set back. The door on the right is a closet, which backs onto the “D” bedroom. Everything to the right of and behind the photograph is surrounded by interior walls.