

Property Standards Appeal Committee Minutes
March 28, 2018 – 3:00 PM
Committee Room One
Whitby Municipal Building

Present: J. Beswick, Member
C. Blissett, Member
F. Mielewczyk, Member
G. Parker, Member
A. Stewart, Chair

Also Present: K. Narraway, Staff Liaison, Manager of By-law and Animal Services
T. Barnes, Municipal Law Enforcement Officer, By-law Services
H. Oerlemans, Council & Committee Coordinator
S. Dave, Legislative Coordinator (Recording Secretary)

Regrets: None noted

1. Call to Order

1.1 The meeting was called to order at 3:00 p.m.

Members of the public were present.

2. Appointment of Chair

2.1 The Committee was advised that the appointment for the Chair of the Property Standards Appeal Committee would take place at this time.

Kevin Narraway called for nominations for the position of Chair of the Property Standards Appeal Committee.

Frank Mielewczyk nominated Carlene Blissett for the position of Chair of the Property Standards Appeal Committee.

Carlene Blissett declined the nomination.

Carlene Blissett nominated Amanda Stewart for the position of Chair of the Property Standards Appeal Committee.

Amanda Stewart accepted the nomination.

There were no further nominations and the nominations were closed.

Recommendation:

Moved By Gerald Parker

That Amanda Stewart be appointed Chair of the Property Standards Appeal Committee for a term ending on November 30, 2018.

Carried

Amanda Stewart assumed the Chair.

3. Disclosures of Interest

3.1 There were no disclosures of interest.

4. Appeal Hearing

4.1 Property Standards Order Appeal
14 Woodhaven Crescent
Appeal # PSA 17-04, File # L12-WO, File/Order # 10-101889

K. Narraway, Manager of By-law and Animal Services, advised the Committee that the appellant was not in attendance due to unforeseen circumstances.

K. Narraway provided an overview of the Property Standards Order, which was issued on October 17, 2017. He advised that the appellant had requested an extension on the Order in order to complete work on the pool, which was still in disrepair.

K. Narraway requested that the Committee extend the Order to June 30, 2018.

Committee Decision - Resolution PSA 17-04

That the Property Standards Order # 10-101889 for the property municipally known as 14 Woodhaven Crescent be extended to June 30, 2018.

It was the consensus of the Committee to hear item 4.3 at this time.

4.2 Property Standards Order Appeal
14 Woodlawn Court
Appeal No. PSA 17-07, File No. L12-WO, File/Order # 17-106171

Tyler Barnes, Municipal Law Enforcement Officer, appeared before the

Committee to provide an overview of the Order. He provided a brief synopsis of his interactions with the appellant regarding the debris and assorted furniture in the backyard. He advised that as of March 2018, the debris remains on the property.

A discussion ensued between the appellant and the Committee regarding the backyard debris, and the strategies to remove it safely. The appellant advised that due to extenuating circumstances, he has not been able to clean up all of the debris in a timely manner. He requested that the Order be extended until May 31, 2018 so that he could enlist the help of family in order to remove the debris.

The Committee excused the appellant and T. Barnes from the room at 4:08 p.m. and reviewed the matter. The appellant and T. Barnes returned to the meeting at 4:14 p.m.

Committee Decision - Resolution PSA 17-07

That the Property Standards Order 17-106171 for the property municipally known as 14 Woodlawn Court be extended to May 31, 2018.

4.3 Property Standards Order Appeal 328 Powell Road

Appeal No. PSA 18-01, File # CON-10, File/Order # 17-103128

K. Narraway, Manager of By-law and Animal Services, addressed the Committee members and outlined the meeting process. He explained the Committee has all the powers of the Property Standards Officer and may confirm the Order, modify or rescind it, or extend the compliance date of the Order. He further advised that due to the absence of the By-law Officer responsible for the Order, he was requesting a deferral of this item to a later date.

K. Narraway provided an overview of the Property Standards Order, issued on January 11, 2018 to L. Chenier with respect to modifications made to the backyard resulting in interference with approved grading, causing adverse impacts on neighbouring properties. An appeal had been received from the appellant on February 23, 2018, prior to the compliance date of June 4, 2018.

L. Chenier and K. Chenier appeared before the Committee to provide an overview of a report provided by an Engineer regarding alterations made to her backyard and grading. The appellant advised that she had consulted with the Planning Department, conservation authorities, and neighbours prior to the installation of a remote control (RC) car track in her backyard. She also advised that water accumulation occurs yearly in her backyard and has been an issue since the time the appellant took

possession of the property. Ms. Chenier added that no backyard modifications have been made that would impact neighbouring properties.

M. Ruscica, witness for the appellant, confirmed that when the RC track has been put in place, no additional dirt had been added that would impact the grading on the property.

A discussion ensued between the appellants and the Committee regarding backyard modifications.

The Committee excused the appellants, witness, K. Narraway and T. Barnes from the room at 3:45 p.m. and reviewed the matter. The appellants, witness, K. Narraway, and T. Barnes returned to the meeting at 3:56 p.m.

Committee Decision - Resolution PSA 18-01

That Property Standards Order 17-103128 for the property municipally known as 328 Powell Road be rescinded based on evidence including an engineering report, testimony of appellants and their witnesses, and photographs. The Committee was also unable to conclude that the pooling conditions were due to changes made by the appellants.

It was the consensus of the Committee to hear Item 4.2 at this time.

5. Adjournment

5.1 Motion to Adjourn

Recommendation:

Moved By Carleen Blissett

That the meeting adjourn.

Carried

The meeting adjourned at 4:16 p.m.

Secretary, Property Standards Appeal
Committee