

Property Standards Appeal Committee Minutes  
January 20, 2021 – 3:00 PM  
Virtual Meeting

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**Present:** G. Konorowski, Member  
O. Marques, Member  
F. Mielewczyk, Member  
S. O'Dwyer, Member

**Also Present:** K. Novia, Staff Liaison, Supervisor, By-law and Animal Services  
T. Barnes, Municipal Law Enforcement Officer  
T. Talbot, Municipal Law Enforcement Officer  
H. Oerlemans, Council & Committee Coordinator (Recording Secretary)

**Regrets:** None noted

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1. Call to Order
2. Appointment of Chair

**2.1** The Committee was advised that the appointment for Chair of the Property Standards Appeal Committee for the January 1, 2021 to December 31, 2021 term would take place at this time.

Heather Oerlemans called for nominations for the position of Chair of the Property Standards Appeal Committee.

Glen Konorowski nominated Frank Mielewczyk for the position of Chair of the Property Standards Appeal Committee.

Frank Mielewczyk accepted the nomination.

There were no further nominations and the nominations were closed.

Recommendation:

Moved By Glen Konorowski

That Frank Mielewczyki be appointed Chair of the Property Standards Appeal Committee for a term ending on December 31, 2021.

**Carried**

3. Disclosures of Interest

3.1 There were no disclosures of interest.

Kate Novia, Supervisor of By-law and Animal Services, addressed the Committee and appellants and outlined the powers of the Property Standards Officer. K. Novia explained that the Committee has all of the powers of the Property Standards Officer and may confirm, rescind, or modify the Order. She further advised that the property located at 225 King Street was located within the Werden's Plan Neighbourhood Heritage Conservation District and was therefore subject to the Ontario Heritage Act which limited the Committee's powers to modify or rescind the order.

4. Appeal Hearing

4.1 Property Standards Order Appeal  
89 Elizabeth Crescent South  
Appeal # PSA 20-05, File/Order # 20-100040

F. Mielewczyk requested that T. Talbot, Municipal Law Enforcement Officer, provide an update on the property.

T. Talbot advised that the hedge was currently 78 inches tall.

B. Yarrow, the appellant, appeared before the Committee and provided an overview of the arborist report that stated that the row of cedars were, in the opinion of the arborist, trees rather than a hedge. Ms. Yarrow stated that the cedar hedge did not interfere with sight lines and provided benefits including a wind and snow break, an acoustic barrier, and visual appeal.

The Committee excused the appellant, K. Novia, and T. Talbot from the virtual meeting at 3:30 p.m. and reviewed the matter. The appellant, K. Novia, and T. Talbot returned to the meeting at 3:35 p.m.

Recommendation:

Moved By Sean O'Dwyer

That the Property Standards Order # 20-100040 for the property municipally known as 89 Elizabeth Crescent South, be confirmed and that the compliance date for the Order be extended to June 30, 2021.

**Carried**

**4.2** Property Standards Order Appeal  
225 King Street  
Appeal # PSA 21-01, File/Order # 20-104537

T. Barnes, Municipal Law Enforcement Officer, appeared before the Committee and provided a overview of what led to the issuance of the order. Mr. Barnes stated that the owner removed a significant tree from a heritage property without a permit.

A question and answer period ensued between Members of the Committee and T. Barnes regarding:

- whether the property owner had indicated he would replace the tree in accordance with the By-law; and,
- whether an arborist report outlining the condition of the tree had been submitted by the appellant prior to removing the tree.

N. Taylor, the appellant, appeared before the Committee and provided an overview of the events that preceded the issuance of the Property Standards Order. Mr. Taylor stated that he recently purchased the property municipally known as 225 King Street. He advised that he had contacted the Town to understand his responsibilities related to heritage properties. He further advised that while fixing issues related to the garage, it was brought to his attention that there were concerns related to one of his trees. He stated that several arborists had advised that the tree was diseased and needed to be removed. He further stated that on August 5, 2020, the tree was removed. Mr. Taylor advised that he contacted the Town regarding permits required prior to removing the tree, as well as the type of tree he may plant to replace it.

A question and answer period ensued between Members of the Committee and the appellant regarding whether the appellant had a written assessment of the condition of the tree from the arborist who removed the tree.

The Committee excused the appellant, K. Novia, and T. Barnes from the virtual meeting at 3:52 p.m. and reviewed the matter. The appellant, K. Novia, and T. Barnes returned to the meeting at 3:58 p.m.

Recommendation:

Moved By S. O'Dwyer

That the Property Standards Order # 20-104537 for the property municipally known as 225 King Street be confirmed and that the compliance date for the Order be extended to June 30, 2021.

**Carried**

5. Adjournment

**5.1** Motion to Adjourn

Recommendation:

Moved By Glen Konorowski

That the meeting adjourn.

**Carried**

The meeting adjourned at 4:03 p.m.

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Secretary, Property Standards Appeal  
Committee