



**CITY OF ORILLIA
PROPERTY STANDARDS COMMITTEE MINUTES**

**MINUTES OF THE MEETING OF THE PROPERTY STANDARDS COMMITTEE
WEDNESDAY, FEBRUARY 22, 2017 AT 11:00 A.M. IN THE BROOKS
BOARDROOM, ORILLIA CITY CENTRE**

Present:

Joe Fecht - Chair
Wayne Scanlon – Committee Member
Richard Bates - Committee Member

Also Present:

Jeff Duggan	Secretary/Senior Planner
Kelly Smith	CBO/Municipal Law Enforcement Officer
Wesley Cyr	Manager of Engineering and Transportation
Maria Pinto	Planning Administrator

Call to Order

The meeting was called to order at approximately 11:04 a.m.

Appointment of Acting Secretary

Moved by Wayne Scanlon, seconded by Richard Bates
THAT Jeff Duggan is appointed Acting Secretary of the Property Standards Committee to act in the absence of Susan Votour, Secretary

Approval of Agenda

Moved by Richard Bates, seconded by Wayne Scanlon:
THAT the agenda for the meeting of February 22, 2017 be approved as written.
Carried.

Disclosure of Interest

None.

Deputations

None.

Minutes

Moved by Richard Bates, seconded by Wayne Scanlon:
THAT the minutes of the following meeting be adopted:

- June 16, 2016

Carried.

Closed Session

There were no closed session items for this meeting.

Correspondence – Information Items

None

Correspondence – Action Items

a) Property Standards By-law Appeal –29 Albert Street South

Kelly Smith, CBO/City of Orillia Municipal Law Enforcement Officer, was sworn in and provided the following evidence:

- On January 5th, the resident of 31 Albert Street South visited City Hall to complain that the snow pile at the adjacent property, 29 Albert St South was causing flooding to his home.
- Ms. Smith explained that she had attended the property on January 25th, 2017 to investigate the complaint and, having observed the snow pile, issued an Order to Remedy.
- Ms. Smith provided a map to the Committee members which illustrated the location of the properties in relation to the snow pile.
- Ms. Smith also provided photos of melting snow and ice accumulations.
- Ms. Smith attended the site again on February 21st and noted that the snow pile was still present.
- Ms. Smith investigated the basement of 31 Albert Street South during her site visit on February 21st and verified that flooding had occurred.
- Ms. Smith confirmed for the Committee Members the location of the catch basins and the conditions of the parking area on the property.

Kathlyn Philip, the owner of the property at 29 Albert Street South, was present and sworn in. The appellant's representative Dr. Philip, was sworn in and provided the following evidence:

- Dr. Philip provided a commentary on the complaints that J.K. Dental Hygiene Inc. had received over the last 10 years with regard to their properties.
- Dr. Philip explained that they had initiated the Site Plan Control process with the City in 2014 to create the parking area.
- In September of 2016, a meeting was held with Ian Sugden, Director of Development Services and Dan Landry, Manager of Business Retention and Expansion and Industrial Development, to discuss the Site Plan Process and their inability to complete the process prior to the 2017 winter season.
- Dr. Philip stated that he didn't feel that the flooding issues being experienced at 31 Albert Street South were a result of the snow pile, but was a site specific situation with that property.
- Dr. Philip described measures they had taken to remedy the situation including the construction of a retaining wall, the installation of weeping tiles, and bringing fill (gravel) to the site in order to ensure drainage onto the neighbouring property did not occur.
- The Committee members asked questions regarding the status of the conditions of the Minor Variance decision from 2016 and whether the Storm Water Management plans had been completed on the property.
- The Secretary noted that the Site Plan process had not been completed.

- Dr. Philip identified the location of the catch basin and provided confirmation that a new engineer had been hired but that the parking area was not being created to match the Draft Site Plan.

Wesley Cyr, Manager of Engineering and Transportation was sworn in and provided the following evidence:

- Mr. Cyr provided background to the Committee members with regard to his role within the City of Orillia.
- Mr. Cyr discussed the storm water management plan identified on the Draft Lot Grading Plan.
- Mr. Cyr stated that fill had been brought onto the property for the construction of the parking lot and that the fill had changed the drainage of the lot.
- Mr. Cyr further noted that the filled brought to the property was directing the water onto the neighbours property.

Krista Black, employee of the owner was sworn in and provided the following commentary:

- Krista provided a character commentary with regard to Dr. Philip, speaking well of her employer.

The Property Standards Committee provided the following comments:

- The Committee reiterated to the appellants that the Committee members only have the authority to consider the appeal at hand and that some of the additional concerns that were brought up during the meeting are outside of their purview.
- The Committee members agreed that, at the least, a portion of the snow pile located on 29 Albert Street South was draining onto 31 Albert Street South but that it was inconclusive that the entire snow pile would drain onto 31 Albert Street South.
- The Committee agreed to modify the Order to relocate the portion of the snow pile that was draining onto the 31 Albert Street South by February 28, 2017.

Moved by Wayne Scanlon, seconded by Richard Bates:

THAT the Order to Remedy Violation of Standards of Maintenance and Occupancy (the "Order") issued by Kelly Smith, Municipal By-law Enforcement Officer dated January 24, 2017 with respect to property known municipally as 29 Albert Street South, is hereby:

1. Modified by the following:

Decision is to amend the Order to Remedy, dated January 24, 2017, to remove the snow pile behind 31 Albert Street South as follows:

The motion is for the relocation of the easterly portion of the snow pile from three (3) metres, ten (10) feet west of the rear property line.

Carried.

Date of Next Meeting

Meeting to be called only when a Property Standards Appeal is received.

Adjournment

Moved by Wayne Scanlon, seconded by Richard Bates.

THAT the meeting be adjourned.

Carried.

MEETING ADJOURNED – 12:18 P.M.

[adopted May 17, 2017]

J. Fecht, Chair