

MEETING MINUTES



MEETING	Property Standards Committee Meeting		
DATE	September 7, 2016		
LOCATION	Committee Room C		
TIME	7:00 PM		
PRESENT	Committee members	Douglas Smith, Ryan Gibson, Bob Foster, Jon Hebden, Katharine Lammer	
	Supervisor Bylaw Compliance, Security and Licensing	Randy Berg	
	Property Standards Inspector	Jason Lapier	
	Secretary–Property Standards Committee	Rebecca Smith	
	PSC-16-002 Appellant:	Andrew Vowels	

DISCUSSION ITEMS

ITEM #	DESCRIPTION
1	Appointment of Chair Person: K. Lammer appointed Chairperson
2	Disclosure of Pecuniary Interest: There were no declarations of pecuniary interest.
3	Approval of Minutes: Moved by R. Gibson and seconded by D. Smith to approve minutes from April 4, 2016.
4	Update on cancelled appeals: 414 Stone J. Lapier – Ongoing concerns with landlord and tenant. Pest management company treated with heat and followed up with minor chemical treatment.
5	PSC 16-002 – 88 Ontario St Meeting called to order at 7:00PM Introductions of the Committee, City Staff and the appellant of PSC-16-002 were made Chair (K. Lammer) asked City to present its case. <u>Background:</u> J. Lapier - Inspection of 88 Ontario completed July 6, 2016. All windows were measured

with an approximate kitchen window opening of 28.5" x 19.5", 1 horizontal slider sash is the unobstructed opening approximately 13"x 19.5". the window in the in storage room measured approximately 26"x 15 " but both sashes not easily removable. The window is mechanical room is the same as in storage room. The windows in living room are not able to open as it is glass block. Then window well outside of kitchen window is approximately 14.5" from exterior wall to inside wall of window well

As the result of that inspection the order before you was issued. The minimum area for an egress or unobstructed window in the bylaw is 0.35 square metres (3.8 square feet) and they measured approximately 0.22 square meters (2.4 square feet). The window well clearance was also inaccurate for the unobstructed access.

The order was issued to Andrew Vowels at 88 Ontario Street to provide or install an egress window or an exterior door having a minimum openable area of 0.35 square metres (3.8 square feet) and a minimum dimension of 0.38 metres (15 inches) in the basement. Enlarge the current window well clearance area to a minimum 0.55 metres (21.6 inches) in accordance with the attached egress window details.

Also a note that a larger egress window is/may be required for an accessory apartment.

Sleeping shall **NOT** occur in the basement until the work in this order is complete.

The work required in this order is for interim safety measures only and does not constitute any approvals as they relate to the City of Guelph Zoning By-law or the Ontario Building Code or the Ontario Fire Code. Compliance with the City of Guelph Zoning By-law, the Ontario Building Code and / or the Ontario Fire Code is required.

A building permit may be required for the installation of the egress window.

This was issued on July 20, 2016 with a compliance date of August 10, 2016

The chair (K. Lammer) asked the committee for questions for the City:

K. Lammer – Is the window opening in compliance, does the size of the opening need to be increased?

J. Lapier – The size of the opening may just meet the requirements, but they would need a different type of window (referred to egress handout) Potentially if the window swings in it would be in compliance.

B. Foster – Is this unit recognized as a legal apartment?

J. Lapier – It is not recognized by the City. I believe there are concerns with ceiling height as well

B. Foster – Have you had feedback on if a permit is possible?

J. Lapier – That would be a question that building or zoning would need to answer.

Chair (K. Lammer) asked the appellants to present their case:

A. Vowels – Asked to clarify question about window size.

K. Lammer – Does the size of the currently opening meet compliance, and just the type of window installed need to be changed?

J. Lapier- Based on the requirements of the Property Standards bylaw the opening may just meet the requirements. However if you are registering the unit, you may be required to have a large opening.

A. Vowels – This is the first time hearing that the opening may be the correct size. I came to City hall to clarify that it was a registered unit, which it is not. I was also told there are concerns with ceiling height (it is not 6'5") and parking. Based on this information I have reconsidered registering the unit and given notice to the tenants for November 1, 2016. Bruce Aubrey (Building Services) knows that this is my current plan.

The chair (K. Lammer) asked the committee for questions for the Appellants:

B. Foster – How high is the ceiling?

A. Vowels – Not 6'5", about 6'

B. Foster – What type of ceiling is it?

A. Vowels – Acoustic tile

K. Lammer – The purpose of this meeting is to discuss the order and need for an egress. What are you asking the Committee to consider?

A. Vowels – The egress window was the initial concerns followed by the ceiling height and parking. I have spoken with Bruce (Aubrey) who gave a two month extension.

K. Lammer – when we talk of ceiling height and parking, is that a zoning matter

J. Lapier – Yes, that is correct

K. Lammer – Did the registration of the unit trigger the egress concerns?

J. Lapier – Bruce Aubrey completed an inspection on the legitimacy of the apartment and if it would meet the criteria for an accessory apartment

R. Gibson – Mr. Vowels are you requesting that we confirm and extend the order to November 1, 2016?

A. Vowels – That would be the date that the tenants would be out. When do I have to fix the window by?

R. Gibson – If you are given an extension to November 1, 2016 you would either have to have the tenants out or have the window replaced by that date.

J. Lapier – Just to confirm that if a bedroom remains down there you would need to install the egress. If there is no one living down there than you would not need to fix it.

K. Lammer – If that ever changes and someone is living down there an egress window would need to be installed.

	<p>J. Lapier – If the apartment is still there, Property Standards would be in to check periodically that no one is living there. If someone is living there an order may be issued for a large size window if it is an accessory apartment.</p> <p>A. Vowels – Can you clarify window sizes?</p> <p>B. Foster – if the bedroom is just part of the house than the window need to be one size. If the unit becomes an accessory apartment than it will require a larger window.</p> <p>J. Lapier – In the Property Standards bylaw the requirement for a window is 0.35 square metres (3.8 square feet). The Building code requires a larger window for accessory apartments.</p> <p>A. Vowels – This gives me time to get a licenced professional in to examine the window.</p> <p>D. Smith – As long as by November 1, 2016 there are either no tenants or the window has been replaced.</p> <p>B. Foster – Have you formally given the tenants notice?</p> <p>A. Vowels – Yes</p> <p>K. Lammer – Is November 1st long enough?</p> <p>A. Vowels – I will need to get someone in to get measurements and find out the affordability of completing the work.</p> <p>D. Smith – You will also need to consider the window well for the egress</p> <p>A. Vowels – I understand.</p> <p>The chair (K. Lammer) asked for anymore questions from the committee to any of the parties:</p> <p>None</p> <p>The chair closed the meeting and let the attendees know they were welcome to stay while the committee deliberated and reached a decision.</p>
6	<p>DECISION PSC 16-001</p> <p>Motion by K. Lammer and seconded by D. Smith, this decision was carried by a majority vote of 4 to 1 by the members who heard this appeal at a meeting</p> <p>In the matter of the Appeal of the Order issued by the Property Standards Officer on July 20, 2016 regarding 88 Ontario Street, being PLAN 120 PT LOT 2, it is the decision of the Committee that the Order 16-4143 CM be confirmed with extension to November 1, 2016.</p>
7	<p>Meeting adjourned at 7:50 pm by motion of K. Lammer and seconded by B. Foster</p>