

# MEETING MINUTES



<b>MEETING</b>	<b>Property Standards Committee Meeting</b>	
<b>DATE</b>	October 11, 2017	
<b>LOCATION</b>	Committee Room B	
<b>TIME</b>	7:00 PM	
<b>PRESENT</b>	Committee members	Ryan Gibson, Jon Hebden, Katharine Lammer, Bob Foster
	Program Manager Bylaw Compliance, Security and Licensing	Randy Berg
	Property Standards Inspector	Stephen Jamieson
	Engineering Technologist II	Mario Martinez
	Secretary-Property Standards Committee	Rebecca Smith
	<b>PSC-17-007</b> Appellant:	Hung Trang
	<b>PSC-17-008</b> Appellant:	Tony Wong and Laura King

## DISCUSSION ITEMS

ITEM #	DESCRIPTION
1	<p><b>Appointment of Chair Person:</b></p> <p>R. Gibson appointed Chairperson</p>
2	<p><b>Disclosure of Pecuniary Interest:</b></p> <p>There were no declarations of pecuniary interest.</p>
3	<p><b>PSC 17-007 – 167 Deerpath</b></p> <p>Meeting called to order at 7:00 pm</p> <p>Introductions of the Committee, City Staff and the appellant of PSC-17-007 were made</p> <p><b>Chair (R. Gibson) asked City to present its case.</b></p> <p><u>Background:</u></p> <p>S. Jamieson – Attended at the beginning of November 2016 and noted the following concerns:</p> <ul style="list-style-type: none"> <li>▪ Two downspouts were located on the north side of the property and were within 12 inches of the property line.</li> </ul> <p>(Pictures showing downspout location were presented by Stephen).</p> <p>As the result of those inspections a notice was issued to</p> <ol style="list-style-type: none"> <li>1. Relocate both downspouts on the North side of your property adjacent to 165 Deerpath Drive so that they are not within 12 inches of the property line. You</li> </ol>

must re-connect both of these downspouts to discharge well onto your own property as per section 3.13 and 4.7

This was issued on November 18, 2016 with a compliance date of December 2, 2016.

Completed follow-up inspection July 12, 2017. The property remained in the same state.

As the result of those inspections an order was issued to

1. Relocate both downspouts on the North side of your property adjacent to 165 Deerpath drive to their original locations so that they are not within 12 inches of the property line. You must re-connect both of these downspouts to discharge onto your own property.
2. You must restore the intended grade (or swale) at the front of this property to ensure no ponding of water in the depression.

This was issued on July 13, 2017 with a compliance date of August 3, 2017.

An inspection was completed and the downspout currently remains in the same spot.

**The chair (R. Gibson) asked the committee for questions for the City:**

K. Lammer – For item two of the order, what is the City asking?

M. Martinez – The swale runs back to front on the properties and changes will impact this drainage pattern

S. Jamieson – The swale has been dealt with by this neighbour it can be removed from their order.

K. Lammer – Can you show on the picture where the downspout needs to be cut back to?

S. Jamieson – It needs to be cut back to 12 inches from the property line.

M. Martinez – They can also attach an elbow and re-direct it to the front of the yard.

B. Foster – Can they bury it?

M. Martinez – No, in a perfect scenario it may work, but it is not permitted.

J. Hebden – Randy, do you have anything to add from the City's perspective?

R. Berg – We see this as an easy fix, the reason for that portion of the bylaw is so that it does not create damage to the neighbouring properties.

B. Foster – I see that the neighbouring property has a French drain

M. Martinez – The main idea is not to disturb the drainage pattern.

**Chair (R. Gibson) asked the appellants to present their case:**

H. Trang – There is confusion about the border line with the neighbour and where the

	<p>property line is located.</p> <p>The neighbours built their driveway right to the edge and the rainwater now drains fully into our property, which needs to be fixed.</p> <p>S. Jamieson – The original areas would need to be sloped, and the downspout moved away from the property line</p> <p>R. Berg – what the City of doing with the neighbouring property cannot be discussed, we can only speak to the order on this property.</p> <p><b>The chair (R. Gibson) asked the committee for questions for the Appellants:</b></p> <p>R. Gibson – Are you willing to cut back the downspout at the front of the house and re-direct it to the front of the property?</p> <p>H. Trang – Yes.</p> <p>R. Gibson – When can you have this done by, is 14 days enough time?</p> <p>H. Trang – Yes, it can be done by next week.</p> <p>H. Trang – The neighbours got a similar order, but they still have concerns, there is also concern with a tree and the neighbours have put a pathway area that goes over the property line.</p> <p>R. Gibson – We are only able to deal with the Order that is in front of us and at this time cannot address the other concerns.</p> <p><b>The chair (R. Gibson) asked for any more questions from the committee to any of the parties:</b></p> <p>None</p> <p><b>The chair (R. Gibson) closed the meeting and let the attendees know they were welcome to stay while the committee deliberated and reached a decision.</b></p>
<p><b>4</b></p>	<p><b>DECISION PSC 17-007</b></p> <p>Motion by K. Lammer and seconded by J. Hebden, this decision was unanimous</p> <p>In the matter of the Appeal of the Order of the Property Standards Officer issued on July 13, 2017 regarding 167 Deerpath Dr, being PLAN 61M26 LOT 94, it is the decision of the Committee that Order 14-000506 CM be confirmed the compliance date extended to October 25, 2017.</p>
<p><b>5</b></p>	<p><b>PSC 17-008 – 9 Elizabeth St</b></p> <p>Meeting called to order at 7:40 pm</p> <p>Introductions of the Committee, City Staff and the appellant of PSC-17-008 were made</p>

**Chair (R. Gibson) asked City to present its case.**

Background:

S. Jamieson – Attended August 17, 2017 with Mario Martinez, Engineering Technician and noted the following concerns:

- The concern is with the drainage from the rear of the building at 9 Elizabeth that drains to 28 Duke St. There are no evestroughs present on this building to re-direct runoff.
- Currently there is not catchment for the water draining off the building and therefore soil erosion on the neighbouring property.
- It was outlined there would be an order that the evestrough at rear sloped roofs to be directed to Duke Street as directed by the engineering department.
- There were conversations to hold back water on the property, but this was not seen as a good alternative by the engineering department.

(Pictures showing drainage concern were presented by Stephen).

At the end of the visit a Notice was issues. There was a request for an extension for compliance, so an Order was generated to account for that extension.

As the result of the inspections and request an order was issued to:

An adequate storm water disposal system is not available to the property. The storm water runoff from the roofs at the rear of these properties is being discharged directly to the rear yard of an adjacent property at Duke Street. This is not in a manner that is acceptable to the Director of Engineering or their Designate;

Therefore, as directed by the Engineering Technician designated by the city to address such issues, and in accordance with the City of Guelph Property Standards By-law (2000)-16454, you shall:

1. Install an evestroughing system adequate to collect any rainwater runoff from the roofs at the rear of this property as per section 3.1.4
2. Direct the outputs of the above evestroughing system to discharge at Duke street, as per section 4.7

This was issued on September 7, 2017 with a compliance date of November 2, 2017.

An inspection was completed and property remains in the same state

**The chair (R. Gibson) asked the committee for questions for the City:**

B. Foster – Is there no facia?

T. Wong – There is a small amount of facia on the side

B. Foster – Can you show where the flat and sloped portions of the roof are?

S. Jamieson – Plans used to show the roof and area

	<p>B. Foster – Can they re-direct the water in another direction?</p> <p>S. Jamieson – That option was discussed</p> <p>B. Foster – Will the neighbours allow access to complete the work?</p> <p>S. Jamieson – The City has had verbal consent from them that it would be possible</p> <p>B. Foster – Is there provision in the bylaw to allow access to the neighbouring property?</p> <p>R. Berg – Yes, through legislation there can be access grated to comply with a notice, the owner would need to give notice.</p> <p>K. Lammer – Are we able to tell them specifically how to deal with the water on their property?</p> <p>R. Berg - Yes, we are able to direct them.</p> <p>K. Lammer – Are they able to deal with the water on their property of they want?</p> <p>S. Jamieson – If so, it would need to be approved by the Director of Engineering, as indicated in the Order.</p> <p>M. Martinez – This property does not currently have a site plan for drainage.</p> <p>R. Berg – The committee can act same as the Property Standards office and rely on the experts for their input, which is what we have done by consulting with our Engineering department. The Committee can ask for an alternative.</p> <p><b>Chair (R. Gibson) asked the appellants to present their case:</b></p> <p>L. King – The property has not changed in the past 30 years, and we are willing to work with the neighbours to fix the problem, however the City is insistent that the solution is to install eves and where to direct them. We would like to look at other options like building a wall or fence as a barrier to stop the rainwater. There is no public safety issue with regards to the water. With a large amount of rainwater re-directed to Duke Street through evestroughs it may still discharge onto the neighbouring property. The property is not designed for evestroughs and we would like to explore other options.</p> <p>T. Wong – We purchased the property 19 years ago and knew about the encroachment and that there is only 16 inches at the back of the property. The property is also almost fully paved. Before the neighbouring property was all plants and rocks in the section the water drains to and now it has been mulched.</p> <p>To deal with rainwater we would like to gutter it and run it along the building in the 16inches of space. We would like to put a 2x12 to define the property line and fill it with rocks to allow for drainage.</p> <p>The house is slab on grade and has not had gutters on before. Additionally the facia would not be able to support gutters with ice buildup.</p> <p>We did speak to Mario at the locations and suggested this dyke; he indicated it would need to be engineered stamped to meet the 100 year flood requirements.</p>
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There is concern with the number of downspouts we may need and sending it all out to Duke Street.

**The chair (R. Gibson) asked the committee for questions for the Appellants:**

B. Foster – Have you gone to the engineer to get it stamped?

T. Wong – Not yet. We went to get legal advice and a referral to an engineer. We were also looking into the grandfathering rule as this is an older area.

B. Foster – There is no grandfather clause for this instance.

T. Wong – We have an engineer that can come out, and are consulting with REEP and other professionals.

K. Lammer – Do you agree that there is a problem with the water and drainage?

T. Wong – Yes

K. Lammer – Would you like more time to deal with the area?

L. King – Is there a possibility to do a straight line drip as the area does not pose a safety concern?

K. Lammer – Sounds like there is a difference in opinion on how to deal with the water on the property and you would like to try other methods.

T Wong – We want to deal with it, yes.

K. Lammer – The City is not saying you cannot do these other methods, just that you need an engineer to sign off.

B. Foster – Could part of the location also be directed out to Elizabeth St?

M. Martinez – That could be explored as an option that would work.

R. Gibson – Would 30 days be long enough to explore options?

T Wong – Would like to deal with rainwater onsite rather than get rain gutters if possible. A large part of the property already deals with water onsite. If the water is not standing or pooling, then the water would not be a problem. Would also like to explore the idea of a French drain.

K. Lammer – Can we give you the time to consult with an engineer and come back to us?

L. King – We have consulted with an eaves company and not one said it was a good idea and cannot guarantee. Is it possible to try our solution and do a spot check as it is not a safety concern?

J. Hebden – When you consulted with an eaves company did they say it was a bad idea?

	<p>L. King – Their largest concern was with bringing it all out to Duke Street.</p> <p>K. Lammer – Is their solution okay if all of the water is kept on their property?</p> <p>S. Jamieson – If they have an engineer sign off, yes</p> <p>R. Berg – The opinion of an expert has been presented and we are willing to follow that recommendation. If they would like to arrange to meet a company onsite to discuss we can do that. Our expert does not believe that the owners solution will work and therefore they would need and engineers stamp in order to be approved.</p> <p>T Wong – Is the only acceptable solution Mario’s?</p> <p>R. Berg – One solution is the one Mario suggested. The suggestion presented hold water onsite is not acceptance without the stamp of an engineer.</p> <p>K. Lammer – What are you asking the Committee for?</p> <p>T Wong – We would like to do a straight line drip on the sloped roof and contain it on our property. For the sloped roof and straight line roof, eves, but do not want to be responsible if it does not work.</p> <p>K. Lammer – Are you willing to get an engineer’s report?</p> <p>T Wong – Are willing to get one if needed.</p> <p>K. Lammer – Do you want time to do this background work, or would you like the Committee to make a decision today?</p> <p>T Wong – We would like to be able to do our solution.</p> <p>K. Lammer – The bylaw speaks to needing approval from the engineer. The Committee can grant an extension.</p> <p>T Wong – We would like time to consult with an engineer.</p> <p>J. Hebden – If you get an engineer’s approval before the 45 days are up, you can take that to the City for approval.</p> <p><b>The chair (R. Gibson) asked for any more questions from the committee to any of the parties:</b></p> <p>None</p> <p><b>The chair (R. Gibson) closed the meeting and let the attendees know they were welcome to stay while the committee deliberated and reached a decision.</b></p>
<p><b>6</b></p>	<p><b>DECISION PSC 17-008</b></p> <p>Motion by J. Hebden and seconded by K. Lammer, this decision was unanimous</p> <p>In the matter of the Appeal of the Order of the Property Standards Officer issued on</p>

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	September 7, 2017 regarding 9 Elizabeth Street, being PLAN 161 PT LOT 28, the Committee decided that the hearing of the Appeal of the Order 17-5606 CM is adjourned to November 29, 2017.
<b>7</b>	<b>Approval of Minutes:</b> Moved by B. Foster and seconded by J. Hebden to approve minutes from September 20, 2017.
<b>8</b>	<b>Meeting adjourned at 8:50 pm by motion of K. Lammer and seconded by B. Foster</b>