



Property Standards Committee Meeting Minutes

November 17 2021, 4:30 PM

Location: Harrow and Colchester South Community Centre

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

Present: Percy Dufour, Chair
Phil Pocock
Ray Beneteau

Also Present: Paul Vlodarchyk, Building Inspector
Mike Diemer, By-Law Enforcement Officer
Sandra Tejada, Committee Recording Secretary

General Public: Luanne Capot & Kirk Hayes
Terra Phillips & Cindy Fortey
Jaimie Trealout
Sean Mallen

1. Call to Order

The Chair called the meeting to order at 4:30 PM

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest noted at this time.

3. Adoption of Published Agenda

Moved by Ray Beneteau

Second by Phil Pocock

(PS-21-11-01) That the published agenda for the November 17, 2021 Property Standards Committee be adopted as presented.

Carried

4. Adoption of Minutes

4.1 Property Standards Committee Meeting Minutes for August 18, 2021

Moved by Phil Pocock

Second by Ray Beneteau

(PS-21-08-01) That the minutes of the Property Standards Committee meeting held on August 18, 2021, be adopted as circulated.

5. Reports from Administration

6. Hearing of Appeal

6.1 Luanne Marion Copat, Owner, 82 Talbot Street South, Essex

Mike Diemer, By-Law Enforcement Officer for the Town of Essex advised that he attended the residence located at 82 Talbot Street South on July 7, 2021. At that time he advised the owners of the property that the tree located on their property needed to be removed as it posed a safety hazard. Mike Diemer granted the owner two weeks to obtain quotes and prepare a plan for the safe removal of the hazardous tree.

July 15, 2021. Mike Diemer was contacted by James Reaume of LOGOUT and advised that the road would need to be closed to ensure the safe removal of the hazardous tree. As a result, Al Diemer, Roads Superintendent was contacted by James Reaume to coordinate traffic flow via a traffic control plan.

September 6, 2021. James Reaume notified Mike Diemer that the property owner changed their mind regarding the removal of the hazardous tree. As a result, Mr. M. Diemer visited the property owner the following day. At that time the property owner advised Mr. M. Diemer that they were making alternative plans for the removal of the hazardous tree. Mr. M. Diemer advised the property owner that they had one week to provide a final plan for the removal of the hazardous tree.

September 14, 2021. Mike Diemer attended the home to follow up with the property owner regarding the alternate plan for the removal of the hazardous tree however the owner was not home at that time.

September 21, 2021. The Town of Essex arborist confirmed that the hazardous tree was dead and needed to be removed as it was a safety hazard.

September 30, 2021. Mike Diemer issued an Order to Remedy to the property owner, Ms. Copat requiring the owner to remove the dead tree from her property due to safety hazards before October 30, 2021.

Kirk Hayes, common-law husband of the property owner Luanne Copat, stated they are a low-income family and inquired whether the Town of Essex offered a subsidy to financial assist with the removal of the dead tree.

Moved by Ray Beneteau

Seconded by Phil Pocock

(PS-21-11-02) That the required action to remove the dead tree from the property located on 82 Talbot Street South as stated in the Order to Remedy dated September 30,

2021 be complied with no later than 90 days from Property Standards Committee meeting held November 17, 2021;

That the Property Standards Committee grants the extension to permit the owner time to submit a delegation request for a future meeting of Council to request financial assistance with the removal of the tree;

That all issues/violations are to be remedied/completed to the satisfaction of the By-Law Enforcement Officer no later than 90 days following the Property Standards Committee meeting held November 17, 2021; and

That after such time the Town of Essex may have a contractor to have all issues/violations remedied/completed, and all costs incurred will be at the expense of the property owner(s).

Carried

6.2 Terra Phillips, Owner, 130 Victoria Street North, Harrow

Mike Diemer, By-Law Enforcement Officer attended the property on April 6, 2021. At that time Mr. Diemer spoke to the property owner regrading the violations on the property.

Mr. Diemer continued to visit the site every 10-14 days and noted small progress made at each visit. As a result of each visit, Mr. Diemer granted extensions accordingly. Mr. Diemer noted that on the August 11, 2021 visit the condition of the yard appeared to worsen from the previous visits.

As a result, an order to Remedy was issued on August 19, 2021 to remove debris, litter, refuse and storage container (Sea Bin) from the area.

Terra Phillips stated her husband, Lawrence, has health issues and as a result she does not have enough time to clean up the property and remove the storage bin which is needed for storage.

Moved by Ray Beneteau

Seconded by Phil Pocock

(PS-21-11-03) That issues/violations referred to as debris, litter and refuse in the Order to Remedy dated August 19, 2021 be removed and cleared from the site within 90 days following the Property Standards Committee meeting held on November 17, 2021;

That issues/violations referred to as the storage container (Sea Bin) in the Order to Remedy dated August 19, 2021 be removed within 6 months following the Property Standards Committee meeting held on November 17, 2021; and

That after such time if all issues/violations are not remedied/completed to the satisfaction of the By-Law Enforcement Officer, the Town of Essex may hire a contractor to have all issues/violations remedied/completed, and all costs incurred will be at the expense of the property owner(s).

Carried

6.3 Ralph Wayne Trealout, Owner- 5247 5th Concession, Harrow

Mike Diemer, By-Law Enforcement Officer, visited the property on June 23, 2021. At that time Mr. Diemer spoke to the owner about the violations and the requirement to bring the property to compliance.

Mr. Diemer visited the site on July 28, 2021, he noted little change at that time and provided the owner with a verbal warning advising that failure to make progress to resolve the matter would result in the issuance of an Order to Remedy.

On August 19, 2021, an Order to Remedy was issued to Jamie Trealout, son of the owner Ralph Trealout who was not available at that time.

Jamie Trealout requested additional time to clean the front of the property. At that Jamie Trealout stated that they also wanted to clean the rear property however additional time would be needed due to the fact that the shared driveway was no longer available to them.

Moved by Phil Pocock

Seconded by Percy Dufour

(PS-21-11-04) That all issues/violations as stated in the Order to Remedy dated August 19, 2021 be removed/repaired/cleared from the site within 45 days from the Property Standards Committee meeting held on November 17, 2021; and

That after such time if all issues/violations are not remedied/completed to the satisfaction of the By-Law Enforcement Officer, the Town of Essex may hire a contractor to have all issues/violations remedied/completed, and all costs incurred will be at the expense of the property owner(s).

Carried

6.4 Sean Mallen, Owner, 7076 Giardini Side Road, Cottam

Mike Diemer, By-Law Enforcement Officer, advised the Committee that an Order to Remedy was issued on February 19, 2020 and had previously been presented to the

Committee on September 9, 2020. At that time the property owner was advised that he had up to January 29, 2021 to comply with the Order to Remedy.

Mr. Diemer advised that an extended length of time to clean up the property was granted to Mr. Mallen by the Committee at that time. At the time the Town would have been permitted to clean the property, a new by-law enforcement officer was appointed and COVID-19 restrictions were in place. As a result, a new Order to Remedy was issued on August 19, 2021.

Sean Mallen advised that he will be submitting a application to construction a barn including a store within the barn. Mr. Mallen requested additional time to allow the application to be reviewed.

Moved by Phil Pocock
Seconded by Ray Beneteau

(PS-21-11-05) That all issues/violations as stated in the Order to Remedy issued on February 19, 2020 be removed/repaired/cleared from the site within 120 days from the Property Standards Committee meeting held on November 17, 2021; and

That after such time if all issues/violations are not remedied/completed to the satisfaction of the By-Law Enforcement Officer, the Town of Essex may hire a contractor to have all issues/violations remedied/completed, and all costs incurred will be at the expense of the property owner(s).

Carried

7. Adjournment

Moved by Phil Pocock
Seconded by Ray Beneteau

(PS-21-11-06) That the meeting be adjourned at 5:30 PM

Carried

Chair

Recording Secretary