



CORPORATE SERVICES

Staff Report

REPORT NO: COR-2023-10

TO: Council

SUBMITTED BY: Patrick Kelly, Director of Corporate Services / Treasurer

PREPARED BY: Jeff Bunn, Manager of Legislative Services

REVIEWED BY: Sharon Chambers, CAO

DATE: January 30, 2023

SUBJECT: Temporary Appointment of Property Standards Appeals Committee

RECOMMENDATION:

THAT Report COR-2023-10 regarding the appointment of a Property Standards Appeals Committee be received; and further,

THAT the following individuals be temporarily appointed to and form the Property Standards Appeals Committee:

- Blain Bechthold
- Julie Molenaar; and,
- Wayne Roth; and further,

THAT the appointments to the Property Standards Appeals Committee remain until the broad Committee Appointment Policy Review is completed.

SUMMARY:

This report recommends the temporary appointment of a Property Standards Appeals Committee.

BACKGROUND:

Under the Township's Property Standards By-law, By-law Enforcement Officers may issue an Order if a property fails to meet the minimum standards set out in the By-law. The Property Standards Appeals Committee holds hearings when the Township receives appeals by property owners or their agents who have received an Order to Comply and are not satisfied with the terms and conditions of the Order. Meetings of the Property Standards Appeals Committee are scheduled once an appeal has been received and held on an as needed basis. Though there is no legislative timeline for a hearing to occur, general best practices is for the Committee to endeavor to meet within 30 days of an appeal being received.

When considering an appeal, the Property Standards Appeals Committee may confirm, modify or quash the order. The Committee may also extend the time for complying with the order.

Unlike an advisory committee of Council, the Property Standards Appeals Committee is a quasi-judicial committee and functions similarly to a Court and are conducted in accordance with the *Building Code Act* and the *Statutory Powers and Procedures Act*. If a property owner is dissatisfied with a decision of the Property Standards Appeals Committee, an appeal of decision can be made to the Superior Court within the prescribed timelines outlined in the *Building Code Act*.

REPORT:

On November 7, 2022, Council passed the following resolution:

THAT Report CAO 2022-08 be received for information purposes, and further;

THAT staff be directed to prepare the necessary by-laws and resolutions to extend the term of appointment for the Heritage Wilmot Advisory Committee, Castle Kilbride Advisory Committee and quasi-judicial committees to February 28, 2023, and further;

THAT the Sustainability Working Group, Wilmot Trails Advisory Committee and Community Safety and Crime Prevention Engagement Committee be temporarily suspended, pending a review of Committees of Council by the incoming Council and adoption of a revised Committee Appointment Policy.

As a result, the appointment of the Property Standards Appeals Committees was extended to February 28, 2023. With respect to the current committee membership, the Manager of Municipal Law Enforcement has been informed that two of the current members on the Committee have resigned due to personal matters and a third member is no longer within the Township. Both Blain Bechthold and Julie Molenaar are current members whose membership was extended until February 28, 2023,. Both have expressed an interest in continuing to serve on the Property Standards Appeal Committee.

While staff are currently completing a review of the Committee Appointment Policy for Council's consideration in the near future, given the nature of Property Standards Orders (e.g., potential health and safety risks to property owners and citizens at-large), it is recommended that a Property Standards Appeals Committee be temporarily appointed in advance of that review being completed. Likewise, there is urgency to appoint a committee at this time, as the Township has received an Appeal to a Property Standards Order.

Like other Township committees, the Property Standards Appeals Committee is governed by a Terms of Reference (Attachment "A"). Staff recommend continue using the current Terms of Reference for the Property Standards Appeals Committee. If any changes are required to the Terms of Reference those changes will be included in the broader Committee review and brought forward for Council's consideration at a later date.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The appointment of a Property Standards Appeals Committee is in alignment with the Responsible Government strategic goal.

FINANCIAL CONSIDERATIONS:

Currently members of the Property Standards Appeals Committee receive a remuneration of \$50 per meeting. Staff are recommending that members of the Property Standards Appeals Committee are also remunerated \$50 per hearing they attend.

Based on "as needed" nature of Property Standards Hearings, it's difficult to anticipate how many hearings will be held in a given year. There has not been a Property Standards Appeal Hearing within the past 5 years.

If there are hearings and the full Committee membership is present, the total cost per meeting would be \$250 plus milage for the Committee membership.

ATTACHMENTS:

Attachment "A" – Policy # CL-05.2 Property Standards Committee