

Due to COVID-19 and Public Health concerns, public attendance at this Hearing will not be permitted at this time.

While attendance in person to the hearing will not be possible, members of the public are encouraged to inactively participate by telephone or video. If you are joining from the public, please download the Zoom app to your smart phone or you can go to this webpage: https://zoom.us/download#client_4meeting and download the “Zoom Client for Meetings” for you PC or laptop. Your phone or computer will be muted.

Please click this URL to join from a PC, Mac, iPad, iPhone or Android device:
<https://us02web.zoom.us/j/88214095599?pwd=OTJZT3gxYWR5bXAyd0xaNkE3V2N1Zz09>
Passcode: 604510

Or join by telephone:
+1 647 558 0588

Webinar ID: 882 1409 5599
Passcode: 604510

Friday November 06, 2020
1:30 p.m.
Property Standards Committee Hearing
Electronically via Zoom

1 Call To Order

2. Appointment of Chair

2.1 Moved By: D. Trevor Barton
Seconded By: Edna Woolley

Be it resolved that Bob Chapman be appointed as Chair for the Property Standards Committee Hearing on November 5, 2020.

3. Approval of Agenda

3.1 Moved By: Edna Woolley
Seconded By: Bob Chapman

Be it resolved that the agenda for the November 6, 2020 Virtual Property Standards Committee Hearing be approved, as presented.

4. Declaration of Pecuniary Conflict of Interest

5. Hearing

In the matter of an appeal to the Township of Guelph/Eramosa Property Standards Committee by Michael and Shelley McGee (*the applicant*) at 110 Scot's Lane, Rockwood, legal address Plan 61M60, Lot 20

5.1 Property Standards Officer introduces Township's case

5.2 Applicant states case

5.3 Property Standards Committee asks Questions of Applicant

5.4 Cross Examination by Property Standards Officer of Applicant

5.5 Cross Examination by Applicant of Property Standards Officer

5.6 Applicant may provide further evidence related to the evidence raised by the Township

5.7 Final arguments by Applicant

5.8 Final arguments by Property Standards Officer

5.9 Hearing concluded

5.10 Decision

Moved By: Bob Chapman
Seconded By: D. Trevor Barton

Be it resolved that the Property Standards Committee directs Township staff to circulate the Committee's decision electronically for signature; and

That upon the decision being signed, a copy is provided to the applicant.

6. Adjournment

“BY-LAW ENFORCEMENT / PROPERTY STANDARDS”

REPORT NO. 20-01

TO: Property Standards Committee
FROM: Ivan Lunevski
DATE: November 6, 2020

PROPERTY OWNER: MICHAEL AND SHELLEY MCGEE
ADDRESS: 110 SCOTS LANE
LEGAL ADDRESS: PLAN 61M60 LOT 20
PURPOSE: Variance to By-Law 52/2007, ‘A by-law to regulate fences in the residential areas of the Township of Guelph/Eramosa’

Background

On July 31, 2020, the Township of Guelph/Eramosa received a complaint about a new fence that has been constructed at 110 Scots Lane. During a scheduled inspection, the Township confirmed multiple violations of By-law 52/2007. One of the violations confirmed during the inspection concerned the height of the fence built in the front yard of the property. On September 18, 2020, the Township issued a notice requesting to remedy the violations in question and comply with By-law 52/2007.

On October 8, 2020, the Township received a variance application from the property owners requesting relief from the fence height provisions for the portion of fence built in the exterior side yard that extends past the midpoint of the home and encroaches in the front yard.

The tax assessment records reflect that the owners are the same as the applicants, Mr. Michael and Shelly McGee. The property is zoned Residential Secondary Density (R2) pursuant to *Rockwood Ridge Subdivision By-law 34-95 as amended*. During the initial inspection, the Township noted that the fence height in the exterior side yard is 8 feet in height from the effective ground level. The same height is carried from the exterior side yard past the midpoint of the house and into the front yard concluding at the edge of the dwelling structure.

By-law 52/2007 Section 5.1 permits a property owner to erect a fence of up to 1.07 meters (3 feet, 6 inches) in height from the effective ground level in the front yard (Area 1) and 2.5 meters (8 feet, 2 inches) in height in the exterior side yard (Area 3) as shown on the attached Schedule C. The By-law further requires that the Exterior side yard fence is erected 4 meters (13 feet, 1 inch) back from the property/street line, from the midpoint of the house to the rear lot line as shown in Area 3 of the attached Schedule C.

Schedule A depicts an aerial view of the existing fence as it appeared in the year 2015. Schedule B shows rough measurements aerial measurements of the newly constructed fence as it appears today.

The property is a corner lot located at the intersection of Scots Lane and Dunbar St with a municipal address of 110 Scots Lane. The property owners are seeking a variance to keep the uniform solid wood 8-foot high fence as originally built extending from the exterior side yard to the front yard concluding at the edge of the dwelling unit. The portion of the fence for which relief is sought encroaches approximately 16 feet in the front yard of the property. The request for a variance has been made due to security and vandalism incidents they experienced by the property owners.

The inspection of the property further concluded that the newly constructed fence will not create any sight line obstructions or safety concerns.

According to Section 7.1 of By-law 052/2007 as amended, the Property Standards Committee upon reviewing the application for a variance of this By-law, shall consider:

- i. whether the request is **minor in nature**;
- ii. whether the proposed variance is **desirable** and in keeping with the Fences in the area;
and
- iii. whether the proposed variance **detrimentally affects safety or sight lines**.

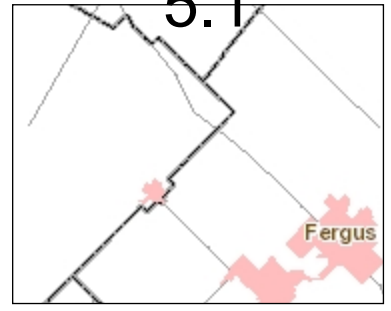
The Committee, upon hearing an appeal for a variance under this by-law may **authorize** or **deny** a variance from the provisions of this by-law.

Should you have any questions regarding this matter please contact the undersigned at (519) 856-9596 extension 121 or ilunevski@get.on.ca.

Respectfully submitted,



Ivan Lunevski
By-Law Enforcement and Property Standards Officer
Township of Guelph/Eramosa



Legend

- Municipal Offices
- OPP Stations
- Hospitals
- Fire Stations
- Information Centres
- Schools
- Post Offices
- Arenas
- Community Centres
- Curling Rinks
- Libraries
- Museums
- Park Parking Lots
- County Garages
- Parcels
- Roads**
 - Local Road
 - County Road
 - Highway
- Railways
- Trails
- Waterbodies
- Watercourses
- Parks
- Municipalities
- Ontario - Urban Centres

1: 500

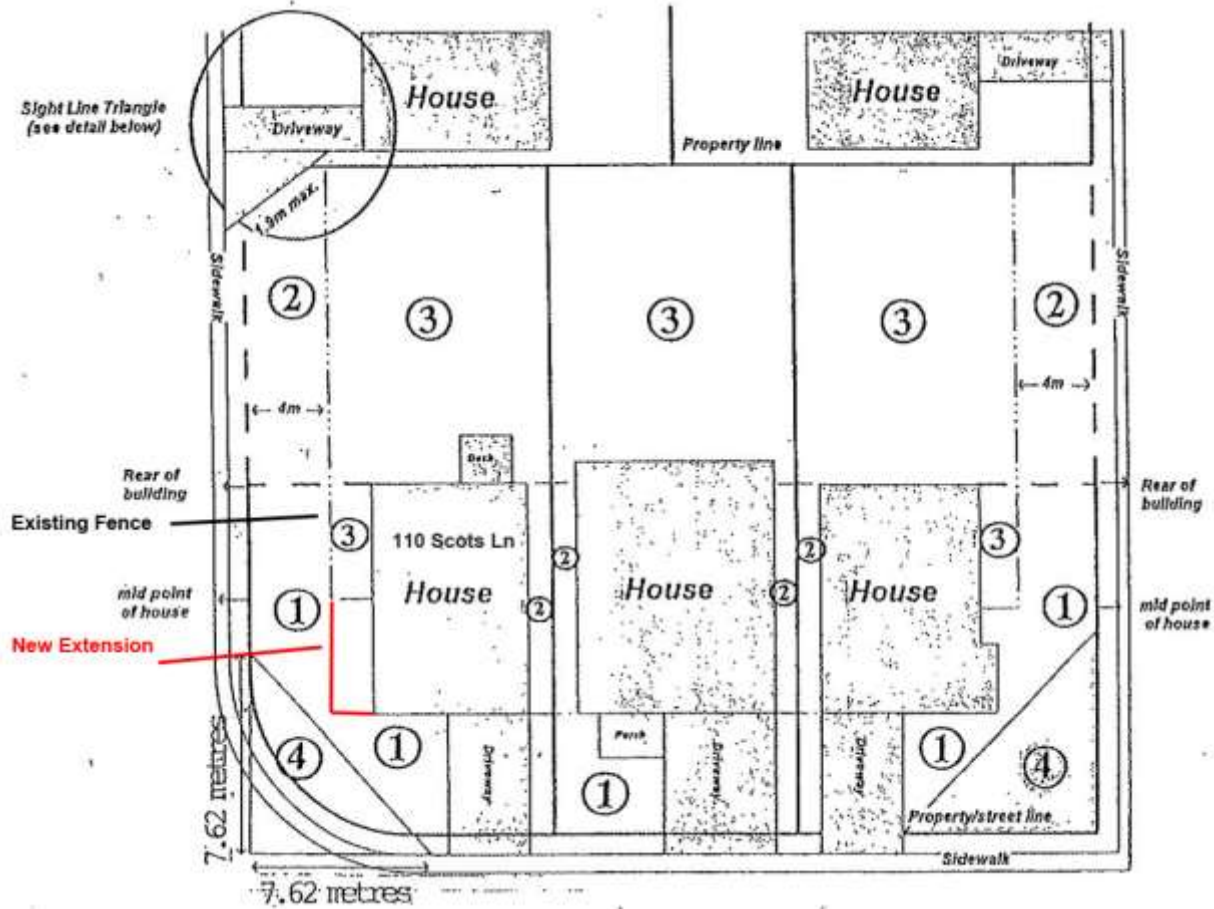
0.0 0 0.01 0.0 Kilometers

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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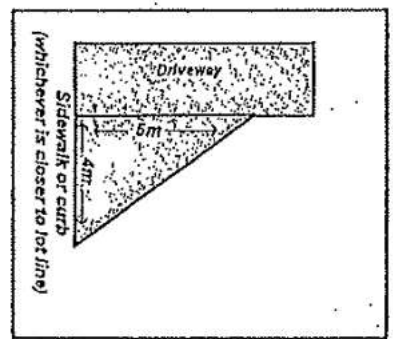
Notes

SCHEDULE 'C'

Schedule 'A' to By-law 52/2007



- AREA 1:
1.07 metres (3 feet, 6 inches)
Maximum fence height from effective ground level
- AREA 2:
1.9 metres (6 feet, 2 inches)
maximum fence height above effective ground level
- AREA 3:
 - > 2.5 metres (8 feet, 2 inches) maximum fence height in the rear yard, above effective ground level
 - > 2.5 metres (8 feet, 2 inches) maximum fence height in an exterior side yard (longest street frontage on a corner lot), placed 4 metres (13 feet, 1 inch) back from the property/street line, from the midpoint of the house to the rear lot line.
- AREA 4:
1.07 metres (3 feet, 6 inches)
maximum fence height above the travelled portion of the abutting streets



1.07 metres (3 feet, 6 inches) in General Driveway Sight Line Triangle Detail