



CITY OF WELLAND PROPERTY STANDARDS COMMITTEE MINUTES OF HEARING

Wednesday, August 14, 2024, 2:00 PM
Community Room, Civic Square

Members Present: Diane Zakraysek-Bourque, Chair
Gary Galambos, Member
Myles Calvert, Member

Staff Present: Christine Rossetto, Secretary
Robert Davis, By-law Enforcement Officer
Ireland Worrall, Planning Student

Others Present: Cynthia Ann-Marie Fackrell – Appellant/Owner
Bill Berkhout – Real Estate Agent

CALL TO ORDER – The Chair called the Hearing to order.

PURPOSE OF COMMITTEE AND FORMAT OF HEARING – The Chair advised of the purpose of the Committee and format of hearing per Schedule 1.

ADOPTION OF MINUTES – Moved by Galambos that the minutes of the Hearing held on June 5, 2024, be adopted as circulated.

CARRIED

CONFLICTS OF INTEREST – Nil.

REQUESTS FOR DEFERRAL OR WITHDRAWAL OF APPEAL – Nil.

NOTICE OF APPEAL – FILE NO. BEPSB202400142 for property at 103 Burgar Street –
Cynthia Ann-Marie Fackrell – Appellant/Owner

Cynthia Ann-Marie Fackrell said she is now the Owner of the property and Bill Berkhout is the Real Estate Agent. She said her reason for appeal is she recently came into possession of the property upon finalizing items associated with her grandfather's estate since his death in 1989, wants to sell the property as is and requested an extension to October 31, 2024 to sell or deal with the Order. She said she was told by the City to board up the windows and maintain the yard. She said it is impossible to get the Order items completed by the timeline.

Member Calvert questioned what progress has been made since issuance of the Order on June 9th and if the house has been vacant since 1989.

Cynthia Fackrell said the house was boarded up, the screen door has been secured and that her Aunt lived in the house until August of 2022. In response to member Calvert, she said nothing has changed on the house since 2022 except boarding up the windows.

Bill Berkhout said they have estimates to demolish the building.
In response to Member Calvert, the Owner said she prefers to sell the house.

Member Galambos questioned the market value of the property and frontage. Chair Zakraysek-Bourque questioned how long it has been for sale and the demolition timeline.

Bill Berkhout said \$160,000 - \$180,000, 50 metres lot frontage, for sale since April 29, 2024 and timeline to demolish is 3 to 8 weeks.

Robert Davis, By-law Enforcement Officer, distributed additional photos of the property to Committee members and said Order had a short timeline to encourage action on the Appellant's part as the house has been sitting and deteriorating for an extended period of time, although the grandfather has passed the Order was made in his name as he was still on record for the property, the Order will be on title to the property, the City wants to see progress made on the property due to health and safety concerns, and he supports a timeline extension provided there is a condition of approval that the Appellant starts the building permit process to demolish the building.

The Chair questioned if complaints received about animals, if persons can enter the building, and the City's position if the house is not demolished if an extension is granted. In response the By-law Enforcement Officer confirmed complaints received and the City will demolish it.

All Committee members confirmed that all matters and comments have been considered.

Decision

In reference to the 9 Items contained in Property Standards Order File No. BEPSB202400142:

- Items 1, 2, 3, 4, 5, 6, 7, 8 and 9 of the Order – MODIFY and EXTEND the time to complete the work involved in complying with the terms and conditions of the Order or to complete the demolition of the building to October 31, 2024, with a condition that the Appellant apply by September 4, 2024 for a demolition permit to demolish the dwelling/building.

Signed Electronically: "Diane Zakraysek-Bourque"
"Gary Galambos"
"Myles Calvert"

CARRIED

OTHER ITEMS

The Chair confirmed the next Hearing date on August 29, 2024.

The Secretary advised the Committee that the By-law Enforcement Officer will provide an update on the 50 Lincoln Street Property Standards file on August 29, 2024.

ADJOURNMENT – Hearing closed at 2:42 PM.

Chair Signature

Secretary Signature