

**By-law Appeal and Property Standards Committee  
for The Municipality of Chatham-Kent**

Date of Hearing and Location: April 19, 2023, Council Chamber, Civic Centre

Before: Martin Fisher, Alina Crisan, Michael Yankovitch, Oluwaseyi Sadiq

In the matter of an appeal from Peter Anderson with respect to orders received under Property Standards By-law 151-2015 regarding the property located at 14793 Talbot Trail, Orford Township, Municipality of Chatham-Kent.

The By-law Appeal Committee, at a Public Hearing held on April 19, 2023 and after hearing and considering submissions and evidence on behalf of the Appellant and Respondent, renders the following decision:

**The appellant raised several concerns regarding the process of the order laid in this matter.**

**The appellant argued that as the complaint was in the form of an email, and not a signed document, the complaint was invalid. The committee finds that a signed complaint form is not a pre-condition to a complaint being filed, and does not prevent a bylaw inspector from reviewing the property. Ultimately the order issued was based on an inspection performed by a bylaw inspection officer, and thus the original source of the complaint was not relevant to determining whether the order should be upheld.**

**The appellant pointed out that there are other properties within the municipality which also do not meet the property standards bylaw, and as such he does not feel it is fair for enforcement against his property to proceed. The committee determined that this argument cannot be accepted, as doing so would allow all properties in the municipality to remain in non-compliance, and thus would not address the purpose of the bylaw, which is public safety.**

**The appellant argued that this matter should not have been dealt with as a property standards complaint, but rather is about trespass to property. The committee did not accept this argument, as the issue of trespass is not properly part of this appeal. The appellant can address any trespasses under the Trespass to Property Act. The question before the committee is whether the property complies with the Municipal Property Standards bylaw.**

**The appellant stated that he is considering a heritage designation of the property, though when asked about whether he has proceeded with that, his answer was that he has not pursued this option yet.**

**The municipal Chief Building Official presented his summary of why the order was laid and the structural condition of the building, including presenting photos of the property.**

**While the committee acknowledges and recognizes the tourism value and public appreciation of the building, the committee is obligated to apply the Property Standards Bylaw, as passed by Municipal Council.**

**Based on the information presented to the Committee, including photos that demonstrate structural integrity issues with the building, the committee finds that the property in question does not meet the requirements of the Property Standards By-law.**

**And therefore, the orders issued on the property located at 14793 Talbot Trail, Orford Township, Municipality of Chatham-Kent under By-laws 151-2015 are confirmed with a new compliance date of Friday, October 20, 2023.**

**The extension is provided so that the appellant can pursue options to preserve and protect the property and/or to complete work to bring the property into compliance with the bylaw.**

**The committee strongly recommends that additional protections be considered by the appellant to keep people off the property and out of the house during the extension.**

Martin Fisher, Chair  
Alina Crisan  
Michael Yankovitch  
Oluwaseyi Sadiq