



## AGENDA PROPERTY STANDARDS/ANIMAL SERVICES APPEAL MEETING

February 11, 2016 at 7:00 p.m.  
Council Chambers, Town Hall

**Online Agenda:** Anything in **blue** denotes an attachment/link. By clicking the links on the agenda page, you can jump directly to that section of the agenda. To maneuver back to the agenda page use the **Ctrl + Home** keys simultaneously **OR** use the “Bookmark” icon on the navigation panel to the left of your screen.



**Alternative formats available upon request by contacting:**

[sarah.moore@ajax.ca](mailto:sarah.moore@ajax.ca) or 905-619-2529 ext. 3347

1. Call to Order
2. Appointment of 2016 Chair
3. Approval of Minutes
  - 3.1 [September 13, 2015.....Page 2](#)
4. Public Meeting Appeals
  - 4.1 Animal Services Appeal Committee
    - 4.1.1 [Richards Appeal – 4 Leach Drive.....Page 12](#)
  - 4.2 Property Standards Appeal Committee
    - 4.2.1 [2330829 Ontario Inc. Appeal – 252 Hunt Street.....Page 27](#)
5. Verbal Update
  - 5.1 Property Standards Committee
    - 5.1.1 Radix Appeal – Fearn Crescent
    - 5.1.2 Frazer Heights Co-Op – Hayward Lane
    - 5.2.1 Woods Appeal – Carwin Cres.
6. Other / New Business
7. Adjournment

**MINUTES OF THE  
PROPERTY STANDARDS APPEAL COMMITTEE  
MEETING HELD IN THE COUNCIL CHAMBERS, AJAX TOWN HALL  
At 7:00 p.m. on Thursday, September 10, 2015**

Present:     Members

- K. Barrett
- A. Bridgeman
- D. Jean
- O. Lambert, Chair
- A. Olugbenga

              Staff

- K. Little, Secretary
- D. Hannan, Staff Resource
- S. Neal, MLEO
- C. Weller, MLEO
- T. Abbot, MLEO

**1. Call to Order**

Chair Lambert called the meeting to order at 7:04 p.m. and asked that everyone turn their cell phones off. She explained the process of the meeting, the order of evidence being given and then the Committee will make a decision. The appellants can also appeal their decision to the Superior Court of Ontario if they do not agree with it.

**2. Adoption of Minutes**

Moved by: Member Barrett

That the Minutes of the Property Standards/Animal Services Appeal Committee held on June 10, 2015, be adopted.

Carried.

**3. Public Meeting/Appeal**

**3.1     Property Standards Committee**

**3.1.1   Radix Appeal – 19 Fearn Crescent**

Officer Neal explained to the Committee that on June 19, 2015 he received a complaint regarding a large tree that seemed unhealthy in the backyard of 19 Fearn Crescent. On June 23, 2015, Officer Neal attended the property and inspected the tree in the rear corner of the backyard. The tree canopy extends over the backyard of 19 Fearn and also the rear yards of neighbouring properties.

Wrapped around the large limbs that had a crack in the centre were red shipping style tie down straps. There were cracks and missing branches and limbs on the tree and Officer Neal advised the resident that the Town would be retaining the services of a certified arborist to inspect the tree, as he believed it to be a hazard. On June 24, 2015, Officer Neal attended 19 Fearn with certified arborist Del Cressman of Cressman Tree Maintenance and Landscaping. Mr. Cressman determined that the tree was a hazard and that the entire tree should be taken down. He identified included bark, signs of decay and a large split limb high in the tree canopy. Officer Neal told the Committee that the Town has a trusted relationship with this company as they have done previous work for us. On June 25, 2015, Officer Neal issued a Property Standards Order which required the full removal of the silver maple tree located in the rear corner of the backyard at 19 Fearn Crescent and the removal and legal disposal of all debris from the property on or before Saturday, July 25, 2015. Officer Neal also attached the letter from Del Cressman advising of his findings and the recommendation of the full removal of the tree.

There were no questions from the Committee for Officer Neal.

Chair Lambert asked Mr. Radix, the homeowner at 19 Fearn Crescent, if he had any questions for Officer Neal. He explained that with regards to the straps that Officer Neal saw on the tree, they are \$10 Canadian Tire, light duty straps, that he put on during the ice storm in December, 2013. He also cut off some branches and then put on the straps during this time.

Chair Lambert explained to Mr. Radix that this portion of the meeting was for questions only. He had none for Officer Neal.

Chair Lambert asked Officer Neal if he had any other witnesses. He replied that he did not.

Chair Lambert then asked Mr. Radix to come back up to the podium and give his evidence. He explained that the straps were put on the tree for safety reasons after the ice storm. They serve no purpose at all and he did not take them down after he did some pruning work. He questioned the Town's arborist report recommending removal of the tree as he had another arborist tell him that his tree is healthy and just needs trimming. He had called three different companies for quotes for the work and as of tonight's meeting had received one. He believes the tree is very healthy and that he will be raking leaves for a week when they fall. He does not believe in removing a healthy tree.

Member Bridgeman confirmed with Mr. Radix that he has received quotes for pruning the tree and wondered what this would entail. He explained that he received a quote from a company that was recommended from the arborist he had retained to look at the tree. Chair Lambert asked that the Committee receive a copy of the report from Bartlett Tree Experts for the tree work.

D. Hannan, Staff Resource, raised a Point of Order and told the Committee that they need to have a Motion to receive any extra material from the appellant.

Chair Bridgeman raised a Motion for the Committee to receive a copy of the quote from Bartlett Tree Experts.

All in favour.

Chair Lambert asked for a 5 minute recess at 7:18 p.m. for the Committee to receive and review the report. Copies were made of the report and the Committee was given an opportunity to look it over.

The Committee resumed the meeting at 7:24 p.m.

Member Barrett asked Mr. Radix if Bartlett Tree Experts provided qualifications that they are licenced. He told the Committee that he assumed they were as he had been given their name from the original arborist's report.

Member Olugbenga asked Mr. Radix when he thought the work could be done. He replied before the winter, after he has received more quotes. He then amended his original date to say the work would be done before the end of October, 2015 and that he just needs to get three quotes.

Member Bridgeman confirmed with Mr. Radix that the Order was issued in June, 2015 and the Committee didn't sit until tonight. She asked him was there any reason why you only got one quote by now. He agreed that the tree needs to be pruned and placed a phone call on the Saturday of the long weekend in September, but has not received a response back yet.

Member Barrett asked how tall is the tree, approximately? Mr. Radix told the Committee that it may be 30' high, as it was there when the houses were originally built. Member Barrett said that the Bartlett recommendation of tree pruning doesn't align with the Town arborist's recommendation.

Member Bridgeman asked Mr. Radix if he called Bartlett today how long would it take for them to get there. He didn't know, but still wants to get two more quotes.

Chair Lambert asked Officer Neal if he had any questions for Mr. Radix and he replied that he did not.

Chair Lambert asked Mr. Radix if he had any witnesses with him tonight and he said he did.

Joanne Macello told the Committee that she was at the property on the day that Officer Neal attended. She does not know why the straps are still on the tree. Mr. Radix's arborist said the tree just needs a good pruning and she thinks there is

nothing wrong with the tree. She said that putting out \$1400 for the work if they got it done before tonight was a lot of money, as they did not know what the outcome from the Committee may be. Other arborists may say cut it down, but she doesn't believe there is any danger posed by it. Mr. Radix has taken some action.

There were no questions from the Committee or Officer Neal and there were no more witnesses.

Chair Lambert asked Officer Neal to summarize his position and he explained that he had received a complaint about an unhealthy tree in the backyard of 19 Fearn Crescent and he went out to investigate it. The tree was strapped and in a state of decline. Officer Neal stated that he was not a "tree expert." Del Cressman has worked with the Bylaw and Operations Departments in the past and believes this tree needs to be fully removed. The Town stands behind the Order.

Mr. Radix stated again to the Committee that the tree was inspected by a certified arborist and deemed it not to be a hazard and just needs some TLC.

The Committee then went into deliberations.

Member Barrett discussed the fact that the entire tree needs to be removed and poses a hazard. The appellant's arborist's report says the tree only needs to be trimmed. Does it need to be removed or just trimmed? It is a hazard.

Member Bridgeman stated that she was struggling with the two arborists reports being completely different. She does not want to see a healthy tree removed, but as Mr. Radix has been given time to get it pruned, he should have gotten quotes by now.

Member Jean is also not a fan of removing trees if they are healthy. The tree would look different in June or July. Believes 16-20 feet cut off a 30' tree is a lot and the broken limbs would also be taken down. Would not need much more than 30 days to have the work done.

Chair Lambert asked if the Committee would like to pass a Motion.

Member Bridgeman asked if the quote from Bartlett takes into account everything Mr. Radix's arborist report states needs to be done to the tree. Member Jean believes it does.

Member Jean moved to accept the alternate proposal. Work done by the quote and 30 days to do it. If not complete, the original Order stands and the tree would have to be removed.

1. Within the timelines identified in this Order, ensure that a Certified Arborist prune the multi – stemmed Silver Maple located at the back right corner of the backyard according to the following specifications:
  - a) Remove the spilt leader on the south side of the tree to source;
  - b) Reduce crown height and spread over client's yard by approximately 16- 20 feet to lessen weight on over extended limbs and reduce risk of branch failure while promoting a more balanced crown.
  - c) Clean to remove all dead, diseased and broken branches 2" in diameter and larger throughout crown to improve health and appearance and reduce risk of branch failure.
2. Remove all debris from the property that is created by the work being carried out in item 1 and legally dispose of it.

**OR**

1. Fully remove the silver maple tree located in the rear corner of the property.
2. Remove all debris from the property that is created by the work being carried out in item 1 and legally dispose of it.

D. Hannan, Staff Resource, raised a Point of Order and told the Committee that if they are using the quote for the new Order, it doesn't mention the 50% reduction of the length of the north leaning lateral branch. This is only in the arborist's report that was done by the mbtw group.

Member Barrett wants to ensure the Order has a certified arborist do the work as required by the Town's Property Standards Bylaw.

Member Jean agreed with Member Barrett that the work should be done by a certified arborist.

Member Barrett said the Committee does not know if Bartlett Tree Experts is certified, but they do know that the mbtw group is. If 16-20 feet of the tree is pruned and Mr. Radix does not know how tall the tree is, will that be enough?

Member Bridgeman said that the mbtw group's report states that there needs to be a 50% reduction of the north lateral limb.

Member Jean reiterated that the work needs to be done by a certified arborist as per the Bartlett quote within 30 days or the Order stands.

Member Barrett moved to amend Member Jean's Motion. That the tree crown height be reduced by 16-20 feet and all diseased branches be removed. That the north lateral limb be reduced by 50% and this will occur within 30 days. Needs to be done by a certified arborist or the original Order stands.

**Original Order**

1. Fully remove the silver maple tree located in the rear corner of the property.
2. Remove all debris from the property that is created by the work be carried out in item 1 and legally dispose of it.

**Amended Order**

1. By October 10, 2015, a Certified Arborist will prune the multi-stemmed Silver Maple located at the back right corner of the backyard according to the following specifications:
  - a) Remove the split leader on the south side of the tree to source;
  - b) Reduce crown height and spread over client's yard by approximately 16-20 feet to lessen weight on over extended limbs and reduce the risk of branch failure while promoting a more balanced crown. This work must ensure that a reduction of the north leaning lateral limb to a minimum of 50%;
  - c) Clean to remove all dead, diseased and broken branches 2" in diameter and larger throughout the crown to improve health and appearance and reduce the risk of branch failure;
2. Remove all debris from the property that is created by the work being carried out in item 1 and legally dispose of it.

**OR**

After October 10, 2015, failure to fully remove the silver maple tree located in the rear corner of the property and removing all debris from the property that is created by the work being carried out and legally disposing of it within the specified time frame given in the Order, will cause the Town of Ajax to carry out the repairs or clearance at the owner's expense and/or legal action may ensue.

All in favour.

Carried.

Chair Lambert confirmed the 30 days is from tonight's meeting, September 10, 2015. She explained to Mr. Radix that he would receive written notice of the Committee's decision and that if he did not agree with the decision, he could appeal it to the Superior Court of Ontario.

This portion of the meeting ended at 7:50 p.m.

### 3.1.2 Frazer Heights Co-Operative – 1 Hayward Lane Apt. 35

Chair Lambert asked Officer Weller to explain to the Committee why he attended 1 Hayward Lane. He attended due to a leak in the ceiling of the bedroom on the top floor of the building, due to the roof leaking. The Co-Op was issued an Order to deal with the water leak in the bedroom ceiling and to repair the staining on the ceiling of the bay window from the water leak. This work was required to be done by July 31, 2015. The Order was subsequently appealed for a time extension to get the work done.

In August, 2015 a roofing company did an assessment and the roof has subsequently been repaired. Cannot verify if the repairs to the bedroom ceiling or bay window has been done. Co-op not able to get into the apartment to repair the drywall and the window.

Member Barrett asked Officer Weller if the management of the co-op was not permitted to go into the apartment and he replied that they have not had an opportunity to make an appointment with the tenant.

Chair Lambert asked if the appellant had any questions. She did not.

Chair Lambert then asked the appellant to speak to the Committee. Nicole Brown, Property Manager, told the Committee that she did receive the Order, but that the office was closed from July 1-12, 2015 and therefore did not get to read it until July 13, 2015. She did discuss the Order with D. Hannan, Staff Resource, and was told to appeal the Order and request more time to get quotes to do the work. The Board did get three quotes, an assessment of the roof leak was done and the company has completed the repairs to the roof as of today. The company took a while to get the work done due to understaffing and rainy days. They have tried to get into the tenant's apartment but were not able to.

Member Barrett asked Ms. Brown when the last Board meeting was held. She replied August 29 and the next one will be September 29, 2015.

Member Jean confirmed with Ms. Brown that the roof has been fixed and she replied that yes it has. They now need entry into the apartment to do the cosmetic repairs.



Member Bridgeman asked Ms. Brown if the Board is not allowed into the apartment or is it a scheduling issue. Ms. Brown said that it is combination of both. The maintenance man only works two days a week, so it takes time to schedule him to do any work.

Member Barrett asked if the work that needs to be done in the apartment needs to be approved by the Board. Ms. Brown replied that it does not.

Chair Lambert asked if there were any more questions. There were none. She confirmed that Ms. Brown is asking for an extension of 30 days to get into the apartment to do the final work.

Member Jean put forward a Motion to extend the Order 30 days from today, which is October 10, 2015.

**Repair the leak in the bay window, in the second bedroom, where rain water has entered and repair the damage to the drywall.**

**That the Order be extended to October 10, 2015.**

All in favour.

Carried.

This portion of the meeting ended at 8 p.m.

### 3.1.3 Woods Appeal – 12 Carwin Crescent

Chair Lambert asked Officer Abott if the appellants were here tonight and she replied that they were not.

Staff Resource, D. Hannan, explained to the Committee that the appellants had not shown up by 7:15 p.m. and it was now 8:02 p.m. Officer Abott checked all of Town Hall to see if the appellants were in the building and they were not.

Member Jean stated that the Order has been upheld.

#### **1. Swimming Pool in rear yard:**

- a) Ensure swimming pool in rear yard is operational, in good repair, filled with clean-filtered water and maintained in that condition.**

**OR IN THE ALTERNATIVE;**

- b) Drain and remove the swimming pool in the rear yard;**

- c) **Fill the area and leave the property in a graded, leveled and appropriately landscaped condition; and**
- d) **Remove and legally dispose of all debris, including but not necessarily limited to pool equipment, material and liner.**

## **2. Swimming Pool Enclosure (fencing)**

- a) **Ensure the swimming pool enclosure is constructed and maintained in accordance with the Town of Ajax Fence By-law;**
- b) **Secure the gate on the west side of the rear yard with a self-closing and latching device and lock, and ensure the gate is kept locked at all times unless a responsible person is directly supervising the swimming pool.**

**\*\*\*\*Note: At the time of inspection the fence along the west side of the property and the gate located on the west side of the dwelling that were in disrepair. The fence is leaning and is not structurally sound, the gate was not locked to prevent entry into rear yard.**

- 3. **Ensure that stagnant water does not accumulate, or exist on the property in the future.**
- 4. **Tall weeds located in rear yard around the pool and along the fence are to be cut and/or removed so as not to exceed 15 cm in height and shall be maintained at a height that does not exceed 15 cm in height.**
- 5. **Accumulation of debris, including but not limited to dead vegetation, discarded branches are to be removed from the property and disposed of in a legal manner.**

All in favour.

Carried.

## **4. Verbal Update**

### **4.1. Property Standards Committee**

#### **4.1.1 Nazim Appeal – Sharp Crescent**

D. Hannan, Staff Resource, told the Committee that the final contractors have been hired and the work has been done in the fire damaged house.

#### 4.1.2 Iafrate Appeal – Salem Road

D. Hannan, Staff Resource, told the Committee that an Offer to Purchase the home was received last week and the closing date is January, 2016. The intention is to demolish the bungalow and build a larger home on the property.

#### 4.2 Animal Services Committee

##### 4.2.1 Gill Appeal – Rotherglen Road North

D. Hannan, Staff Resource, told the Committee that the dog has bitten another person. The Animal Officer had issued a mandatory Order for 24 hour muzzling, unless crated. The dog owner told the officer that he may send the dog back to India or sign it over to us. Subsequently, there was a transfer of ownership to a resident in the City of Toronto. City of Toronto Animal Services staff thanked the Town for letting them know about the two dog bites in the Town of Ajax and will deal with it accordingly. The Gills have now been charged with Failing to Comply with an Order.

This portion of the meeting ended at 8:07 p.m.

#### 5. Other/New Business

There was none.

#### 6. Adjournment

Member Bridgeman made a motion to adjourn the meeting at 8:08 p.m.

---

Chair



# MEMO

---

**TO:** Animal Services Committee  
**FROM:** Joe Lang, Municipal Law Enforcement Officer  
**DEPARTMENT:** Legislative and Information Services; By-law Services  
**SUBJECT:** Appeal of Order to Restrain # 16-100290  
**DATE:** Thursday February 11<sup>th</sup>, 2016  
**TIME:** 7:00pm  
**LOCATION:** 65 Harwood Avenue South, Ajax, in Council Chambers

---

## Synopsis of Evidence

Jan 14, 2016 Received report of a dog bite incident involving two dogs on Leach Drive, that occurred on January 12<sup>th</sup>, 2016 at approximately 3pm.

Called the complainant, Sarah WESTLAKE-CASEY and discussed the incident that had occurred. She told me that she had taken her dog outside to the front of her house and was searching for its leash that had been covered in snow when her dog suddenly ran off her property (67 Leach Drive) and across the street. Her dog is an 8yr old female Jack Russell Terrier named Chloe and weighs approximately 20lbs. She told me that Chloe approached a Bullmastiff type dog that was being walked on a leash by a female and the Bullmastiff suddenly grabbed Chloe in its mouth and shook her around. Sarah ran across the street to intervene and quickly brought her dog back to her house and discovered she had suffered serious injuries. I arranged to meet Sarah at her house and take pictures for evidence.

Attended 67 Leach Drive and met with Sarah and her dog Chloe. Took 3 pictures of Chloe's injuries (attached) showing large lacerations and puncture wounds to the right side and back near the thigh and hips. Chloe required treatment at a vet clinic and at the time of the pictures had numerous stitches in her body and drainage tubes in the lower injury near her thigh. Sarah told me that she knew the Bullmastiff lives at 4 Leach Drive and that this information was provided by the female walking the dog at the time of the incident.

Jan 14, 2016	<p>Attended 4 Leach Drive as this was the reported address of the Bullmastiff. No answer at the front door, left business card with request for a call.</p> <p>Received telephone call later in the day from a Kimberley RICHARDS of 4 Leach Drive, owner of the Bullmastiff involved in the incident. She explained that at the time of the incident her dog walker was walking her dog, Kuma, a 6yr old female Bullmastiff type dog, weighing approximately 130lbs. Kimberley refused to provide the name or phone number of the dog walker so that I could hear their version of events.</p> <p>I explained to Kimberley that based on the information I had already obtained from the other dog owner, I would likely be issuing an Order to Restrain with a muzzle requirement for Kuma. I explained that due to the serious nature of the bite, I felt an Order to Restrain was necessary to ensure public safety. I acknowledged the fact that the Jack Russell Terrier was off leash and that her Bullmastiff was on a leash, but the seriousness of the bite was not an appropriate or acceptable response to the situation. I explained to Kimberley that had the other dog been on a leash, she would be facing much more serious consequences such as charges, however due to the circumstances, I felt an Order to Restrain was the most appropriate action to take. I informed Kimberley of her right to appeal the Order and how she could do that once the Order was served to her.</p>
Jan 14, 2016	Received written statement and vet records from Sarah WESTLAKE-CASEY (attached)
Jan 15, 2016	Order to Restrain # 16-100290 (attached) sent by registered mail to Kimberley RICHARDS of 4 Leach Drive, Ajax.
Jan 19, 2016	Order to Restrain successfully delivered by Canada Post.
Jan 22, 2016	<p>Received written request to appeal Order to Restrain # 16-100290 from Kimberley RICHARDS. (attached)</p> <p>I called Ms. RICHARDS to inform her that we had received her appeal request and that she would be receiving a written confirmation next week by registered mail. Due to her own words in her appeal request I was concerned that she would not comply with the conditions of the Order, specifically the muzzle requirement, so I cautioned her that she must comply with the Order in the interim period between now and the appeal meeting.</p>
Jan 25, 2016	Restraining Appeal Letter was mailed to Ms. RICHARDS via registered mail by the Secretary of the Animal Services Committee.
Jan 27, 2016	Canada Post attempted delivery of the Restraining Appeal Letter, notice card was left at the property, item is available for pickup at Post Office.



Picture of Chloe's right side, lower bite mark Taken at 67 Leach Dr., Ajax Jan. 14, 2016 10:01am Q.#4009





Close up of Chloe's back, upper bite mark Taken at 67 Leach Dr., Ajax Jan. 14, 2016 10:02am K. #4009



Medium shot of Chloe Taken at 67 Leach Dr., Ajax Jan. 14, 2016 10:01am J. #4009



S. Westlake-Casey  
67 Leach Drive  
Ajax, Ontario  
L1S7B5  
(905).239.3544  
Statement regarding Dogs Injuries  
For: Joe Lang.

On Tuesday January 12<sup>th</sup> 2016 around 3:00 pm I, Sarah Westlake-Casey, was out front of my residence, 67 Leach Drive, with my dog Chloe (A Jack Russell Terrier, 20.5 lbs). As it had snowed all day, her rope was buried, so I did not get her done up as soon as we got outside. I was in the process of getting it out of the snow, When a dog (light brown, looked like a bull Mastiff, looked to be about 100 lbs ) , and its female Dog walker, looking to be about 30 years of age, was across the street walking on the side walk directly across from my house.

My Dog, Chloe decided to approach the Bull Mastiff, in what looked to be a way for Chloe to say Hello. I generally as a rule, keep Chloe away from other dogs, for her safety, and tried to stop her, but was not fast enough.

The Dog Walker did not make any attempt to move her dog, when she saw mine approaching, or keep any kind of a distance. When Chloe got close enough; the Bull Mastiff Clamped her Jaw into Chloe on the right side, by her hind leg, and on her back. The Bull Mastiff Picked her up, and started shaking her like a rag doll. I got close enough and thankfully the Bull Mastiff Dropped her, at that point I Picked Chloe up and brought to me house Immediately. I assessed her Injuries, and called the vet, who told me to bring her in.

The dog walker brought the Bull Mastiff home, and came to my house to give me the owner's information. She informed me that she was almost positive the Bull Mastiff was up to date on her shots.

I then brought my dog Chloe into the Westney Animal Hospital in Ajax. Located on Westney rd south #12 (905)686-1600. She was assessed right away and it was determined that she would have to have emergency surgery. For the surgery they had to put her under, she had a surface gash on her back, which was stitched, and the side gash on her right side just behind her hind leg, and on her stomach and muscles which was internally torn. She required internal repairs along with external stitches; and had a drainage tube installed.

Chloe is on two different pain medicines, and an anti-biotic, and is in need of a cone to avoid any licking of the wounds. Thankfully she is able to still walk, and should make a full recovery.

On Wednesday Jan 13<sup>th</sup> 2016, I was able to speak with the Bull Mastiff's Owner (Kim, last name unknown, Lives at 4 Leach drive) She assured me that her dog is completely updated on all its shots, and was very apologetic. I did explain that I do take some responsibility as I did not have my dog on her rope yet. But I also did not want this to happen again, to any animal or human.

On Wednesday January 13<sup>th</sup>, 2016, I sent an email into the By-Law office of Ajax, to report the incident. I included pictures before and after taken on my phone. The By-Law Officer Joe Lang contacted me on Thursday January 14<sup>th</sup> 2016, and was able to come to my home and see the injuries first hand, along with take pictures with his phone.

Attached you will find a copy of the report from the Vet's to get more in-depth detail on all the injuries Chloe has endured.

As I stated before, Chloe is expected to make a full recovery. She is able to walk, and besides being in pain, seems to be in good spirits. She is a fighter!

 Jan 14 2016 .

Sarah Westlake – Casey

## Bloor East Vet. Prof. Corporation

## Patient Chart

O/A Westney Road Animal Clinic  
570 Westney Rd South, Unit 12  
Ajax, ON L1S 6V5  
905-686-1600

Printed: 2016-01-14 at 11:21a

### CLIENT INFORMATION

<b>Name</b>	Mrs. Mary Westlake (93)	<b>Relative</b>	905-995-5176 Daughter
<b>Address</b>	67 Leach Drive Ajax, ON L1S 7B5		
<b>Phone</b>	905 239-3544		

### PATIENT INFORMATION

<b>Name</b>	Chloe	<b>Species</b>	Canine
<b>Sex</b>	Female	<b>Breed</b>	Terrier, Jack Russell
<b>Birthday</b>	2008-08-13	<b>Age</b>	7y
<b>ID</b>		<b>Rabies</b>	1011070248
<b>Color</b>	Tan and White	<b>Weight</b>	9.30 kgs
<b>Reminded</b>	(none)	<b>Codes</b>	

Reminders for: <b>Chloe</b>	Last done
2016-09-18 Canine DA2PP Vaccination	2015-09-19
2016-08-14 Rabies 1Yr	2015-08-15

Next appointment for <b>Chloe</b>	Qty
2016-01-15 <b>At:</b> 10:00a <b>With:</b> A. RAZA, DVM	

Drain removal

### Chloe's weight history (in kgs)

2016-01-12	9.30
2016-01-12	9.30
2015-09-19	8.40
2015-09-19	8.40
2015-08-15	7.80
2015-08-15	7.80

### MEDICAL HISTORY

Date	By	Code	Description	Qty (Variance)	Photo
2016-01-12	IS	CHECKIN	Patient check-in may be laceration repair		

**Age:** 7y **Weight:** 9.30

### SUBJECTIVE SECTION

may be laceration repair  
729 Nursing Care, Surgical patient

Date	By	Code	Description	Qty (Variance)	Photo
2016-01-12	IS	722	Inpatient Accommodations		
		709	Cardiopulmonary & anesthetic monitoring		
			Attachments\93\Chloe\Chloe-Westlake-Monitoring and Consent-Jan-12-2016		
		6668	IV catheterization: Surgery		
	Catheter	22G x 1			
	Location	LF			
	Fluid	"PLA 148			
	Intra-op @ml/hr	surgical rate			
	Duration - min.	60			
	Post-op @ ml/hr	maintenance			
	Duration - min.	60			
	Fluid pump used	Yes			
		6490414	Soft Cone Medium 6.5"		
		645	Operating Room Setup, General		
		521	Radiography: Waiver		
		50081	Pain medication to go home		
			Meloxicam 1.5 mg/ml - for Pain management.		
			Give one syringe contents (* cc) orally, once daily. Begin 2016-01-14. Continue for 3 days.		
		50027	Tracheal Intubation		
		50026	Pre-medication		
Items used:		2257070	Torbugesic 10 mg/ml	0.30	
		50009	Examination: Pre-anesthetic		
		3212258	Metacam 0.5%	0.40	
		1850522	Duplocillin LA 250 ml		
		106	Anesthesia, Iso Maintenance (per 10 min)	3	
		102	Anesthesia, Induction		
Items used:		1154240	Ketalean (Ketamine HCl 100 mg/mL)	0.50	
		5060200	Diazepam 5 mg/mL	0.50	
		010	Discharge Instructions		

Laceration repair:

Weakness from the anesthetics lasts from 24 hours to 36 hours. Normal strength is usually regained after this time.

No food or water should be given for at least one hour after Chloe has come home. After this period, small amounts of food (regular diet) may be given along with small amounts of water. Normal feeding may be resumed that night. Too much water will cause vomiting.

An Elizabethan Collar has been placed to prevent licking the surgical site. In no case this collar should be taken away otherwise licking would result in serious complications.

Check the incision daily for heat, pain and redness, swelling or oozing. If any of these is observed, please contact the hospital immediately for further instructions.

Monitor Chloe for any signs of lethargy, depression, weakness and loss of appetite as these are early indications of infection. If these happen, contact the clinic immediately.

Mild exercise is allowed, but in no case should Chloe be allowed to run unrestrained for the first three days.

Many patients may not have bowel movements for one or even two days after surgery. This is normal if the patient is acting normally otherwise.

Do not bath Chloe for two weeks after surgery.

Please bring Chloe to clinic for a recheck within 3-5 days of surgery.

Penrose drain would be taken out in three days.

Skin sutures need to be removed in 10-14 days.

Chloe is going home with following meds:

Tramadol - pain med

Meloxicam - an anti-inflammatory and pain relief med.

Clavaseptin - an antibiotic.

Do not hesitate to call us should you have any questions please

Date	By	Code	Description	Qty (Variance)	Photo
We appreciate for allowing us to provide the best medical care for Chloe.					
2016-01-12	IS	639	Laceration Repair		
Under general anesthesia, shave and sx prepare both sides, groin area laceration extended and look deep into abdomen, no punctured wound found, some abdomen muscle also ripped of, Close the laceration with 2-0 monocryl. and also put one drain in her Rt groin area, Close the other lumbar area laceration with 2-0 monocryl. Recovery is smooth					
		50081	Pain medication to go home		
Meloxicam 1.5 mg/ml - for Pain management. Give one syringe contents (* 0.6 cc) orally, once daily. WITH food start by tomorrow evening for 4 days					
		1154962	Clavaseptin 250 mg Chewable Tabs	10	
Give *1/2 tablet orally, twice daily until finished with food					
		SM0003	Tramadol 20 mg	8	
Please give 1 tablet orally every 12 hours with food					
		210	Examination/Consultation		
Age: 7y Weight: 9.30 Temp: 38.10 Respiration: 50.00 Pulse: 128.00 CRT: <2 secs. BCS: 3.00 / 5.00					

## SUBJECTIVE SECTION

She got bitten by another dog down the street, dog is mastiff and all of sudden attacked on her  
She has couple of laceration on her Rt side  
No other concerned

## OBJECTIVE SECTION

BAR MM pink

## ASSESSMENT SECTION

### NOTES

Bite wound, laceration on her Rt groin area, one on her back between 5--8 lumbar vertebrae, groin area is almost 3--4 inch open wound, lumbar area one is 2 inch open wound, 2 tiny bite wound

## PLAN SECTION

### NOTES

Owner is ok for anesthesia and laceration repair

6682	Communications	
50104	Complimentary Discount from Dr Samad	
2257070	Torbugesic 10 mg/ml	0.30

2016-01-13 IS FNOTE\$ By: FG, Progress-Post SX  
FG: 2016-01-13 at 1:35p: LMOM how is she since sx? meds going ok? able to keep cone on? how does area look? please call with an update.  
FG: 2016-01-13 at 3:38p: Seems ok, crying through the night. Ate small amount drinking well. Explained may be quiet for a day or two afterwards. Give abs with food. O will call if Q or C.

**Patient Chart** for Chloe  
Date: 2016-01-14, Time: 11:21a

Client: Mrs. Mary Westlake  
Page: 4

Date	By	Code	Description	Qty (Variance)	Photo
------	----	------	-------------	----------------	-------

---



# The Corporation of the Town of Ajax

## **ORDER TO RESTRAIN**

(Issued pursuant to the Town of Ajax Dog and Cat By-law, as amended)

ISSUED TO: KIMBERLEY RICHARDS  
4 LEACH DR  
AJAX ON L1S 7B2

AS OWNER OF A DOG DESCRIBED AS: "Kuma" a tan/fawn, female, Bullmastiff type dog

FILE NUMBER: 16 100290

An investigation of an incident involving your dog has been conducted by the Ajax Animal Services Section and it has been determined that your dog did bite and cause serious injury to another dog on January 12<sup>th</sup>, 2016.

In accordance with the Town of Ajax Dog and Cat By-law, as amended, you are hereby served with notice that you, as owner of the dog, are hereby ordered to comply with the requirements as set out as follows:

You shall:

1. Licence the dog with the Town of Ajax as per the Town of Ajax Dog and Cat By-law. You shall provide proof of such licensing to the Animal Services Section within 15 days of service of this Order.
2. Keep the dog restrained on a chain of sufficient strength to prevent any further attack while the dog is on the property of its owner. The dog must be kept back a minimum distance of three (3) meters from any property line, and the dog must be muzzled using a humane muzzling device to prevent biting.

OR

In the alternative the dog shall be kept in a secured and fenced yard, which fence shall be of sufficient height and strength to adequately prevent the dog from escaping. In addition, where a gate forms a part of the fence, the gate shall have a self-closing and self-latching device, both of which shall be kept in good working order. All fences on private property must comply with the Town's Zoning By-law and the Town's Fence By-law.

3. When the dog is off the property of its owner, the dog shall be on a leash of no more than 1.8 meters in length and of sufficient strength to prevent an attack. The dog shall also be muzzled using a humane muzzling device to prevent the dog from biting.

4. Keep the dog under the full control of a person of at least eighteen years of age while the dog is away from the owner's property.
5. Notify the Town of Ajax, Animal Services, in the event the dog is sold or ownership of the dog is otherwise transferred to any other person, or the dog is relocated to any other address besides the address referred to in this Order, of the new owner's name and address within 5 days.

An Office Consolidated copy of the Town of Ajax Dog and Cat By-law, as amended, forms part of this Order and is attached hereto. To obtain Certified copies of By-law #127-2009, #145-2010, and #28-2015 please visit the Legislative & Information Services section located at Ajax Town Hall at the address below.

YOU MAY APPEAL THE ITEMS OR CONDITIONS OF THIS ORDER BY SENDING A NOTICE OF APPEAL, **BY REGISTERED MAIL**, OUTLINING WHICH ITEMS OR CONDITIONS ARE BEING APPEALED, WITHIN 10 DAYS AFTER SERVICE OF THE ORDER, TO:

Secretary, Animal Services Committee  
65 Harwood Avenue South  
Ajax, ON  
L1S 2H9

Upon receipt of notification of an appeal, the Committee shall, as soon as practical, conduct a hearing, it being understood that during the time between the date of the Order to Restrain and the date of the hearing of the appeal by the Committee, the owner shall comply with all the requirements as outlined in this Order to Restrain.

As a result of the issuance of this Order, you are herewith responsible for ensuring compliance with the provisions of the Town of Ajax Dog and Cat By-law, as amended. Failure to do so will result in a prosecution under the *Provincial Offences Act, R.S.O. 1990, Chap. P.33*, as may be amended from time to time.

Dated at Ajax, Friday January 15<sup>th</sup>, 2016



Joe Lang  
Municipal Law Enforcement / Animal Services Officer  
Town of Ajax  
(905) 619-2529 ext. 3315



RECEIVED  
TOWN OF AJAX  
JAN 22 2016  
LEGISLATIVE AND  
INFORMATION SERVICES

January 20, 2016

Secretary, Animal Services Committee  
65 Harwood Avenue South  
Ajax, ON L1S 2H9

Sent via Registered Mail

RE: File Number: 16 100290 - Appeal

Please accept this letter as notice that we are appealing your "order to restrain", dated January 15, 2016. We intend to appeal Item numbers 2, 3, 4 and 5.

In the interim, kindly note the following with respect to each item listed in the restraining order:

- Item #1 – License will be purchased within 15 days
- Item #2 – When on my property, Kuma is let out in the secured and fenced back yard. It has a gate with a self-latching device, but it currently does not have a self-closing device. We will be awaiting the appeal decision prior to incurring any additional costs with respect to the gate. In the interim, we simply will not use the gate. (It is basically only used in the summer to bring the lawn mower into the back yard).
- Item #3- We will abide by the leash requirements of no more than 1.8 meters in length. We are trying to find a humane muzzle that fits Kuma. We have been to several pet stores in the area, and have not been able to find any muzzles that fit her. We will continue to search for one, but in the interim she will be walked without a muzzle. After the incident on January 12<sup>th</sup>, we immediately changed her collar to a choker collar in order to provide the walker with more control.
- Item #4 – We will abide by the 18 year old requirement.
- Item #5 – We will abide by the notification of change of address or ownership.

Kindly advise the date and time of the appeal hearing at your earliest opportunity.

Thank you.



Kimberley Richards  
4 Leach Drive  
Ajax, ON. L1S 7B2



**Legislative &  
Information Services**

Tel. 905-683-4550  
Fax. 905-683-1061

**TOWN OF AJAX**

65 Harwood Avenue South  
Ajax ON L1S 2H9  
[www.ajax.ca](http://www.ajax.ca)

Monday, January 25, 2016

KIMBERLEY RICHARDS  
4 LEACH DR  
AJAX ON  
L1S 7B2

RE: Order To Restrain Appeal Date

FILE NUMBER: 16 100290

Please be advised that The Animal Services Appeal Committee is in receipt of your letter requesting an appeal to Order to Restrain Number 16 100290.

The Animal Services Appeal Committee will hear the appeal on **FEBRUARY 11, 2016**. The location of the appeal will be at Ajax Town Hall, located at 65 Harwood Ave. S., Ajax, ON. The meeting will be held in the Council Chambers, and is scheduled to begin at 7:00 p.m. Please be advised that the Committee will be hearing several matters that night, in addition to your own, and you may have to wait for your Agenda item to be called.

Please be advised that this is a Committee of Council, and as such, is required pursuant to the Municipal Act 2001, to hold your appeal in the public domain. Thus, your appeal will be fully accessible and open to the public. Any member of the public may attend and view the proceedings. In addition, the agenda for the meeting and the subsequent minutes of the meeting will be posted on the Town's website.

Should you require any Audio / Video equipment for your appeal, you must supply the Town with a copy of your materials the Monday before your Appeal date. This will ensure that your materials are compatible with the Town's software. The materials can be brought into Ajax Town Hall and left to my attention at the Information desk between 8:30am to 4:30pm, Monday to Friday. Please supply direct contact information with your materials in the event there is a problem with the material.

Should you have any questions or concerns, please contact me directly at the number below.

Sincerely,

Karen Little  
Secretary, Animal Services Appeal Committee  
(905) 619-2529 ext. 3341  
[karen.little@ajax.ca](mailto:karen.little@ajax.ca)

**Synopsis**

prepared by MLEO Tami ABOTT

**OVERVIEW**

252 Hunt Street, Ajax, Ontario is located within an HE, Heavy Employment Zone. The registered property owner is 2330829 Ontario Inc of 252 Hunt Street, Ajax. The listed Directors for the company are: Mr. Ziad ALMUKAMIS, Mr. Maged BARBARA, and Mr. Akram KARMASH. (see attached Corporate Profile).

The property is located on a corner lot. The front yard, east side of the property abuts Dowty Road, the side yard, south side of the property abuts Hunt Street, and the rear yard, west side of the property abuts a neighbouring property. The neighbouring property is accessed by the rear yard of 252 Hunt Street. (see attached overhead mapview of the property).

**FACTS**

December 22, 2015- As the result of a previous and ongoing matter at the property Officer Abott conducted a re-inspection. During the inspection it was noted the property was in violation of the Property Standards By-law.

---

The Officer noted the following violations:

Accumulation of garbage and debris in front, side and rear yards. The debris included, but not limited to: white plastic buckets, wood, lumber, branches, discarded vegetation, metal, clear plastic, blue plastic, tarps, cardboard, food and beverage containers, and black plastic containers. (see attached photos)

Damage to the grassed portion of the front yard the result of heavy vehicles parking and driving on/over the grass. (see attached photo)

Minivan and black trailer parked on the grass near the trees which divides the approved paved portion of the front yard. (see attached photo)

Coloured plastic/vinyl type lattice affixed to the chain link type fencing which is erected along the side yard and is visible from the street. Lattice affixed to the fence by plastic zip ties. The use of plastic/vinyl type lattice is not permitted within a non residential area, which includes a HE, Heavy Employment Zone. (see attached photo)

Rear yard outside of the fenced in area which abuts a neighbouring property there are deep ruts, large potholes, muddy and not protected by an approved ground coverage of compacted stone or gravel. (see attached photo)

January 8, 2016 Property Standards Order (see attached) issued under section 15.2 of the Building Code Act.

Order required the following action be undertaken:

1. Remove the coloured plastic/vinyl lattice so as to ensure compliance with the Town of Ajax Fencing By-law. (see attached Fence By-law)
2. Repair area for vehicular traffic located on the southwest corner of the property which abuts the neighbouring property to the south and the neighbouring property to the west. Ensuring the surface is smooth, affords safe passage, free from deep ruts, and potholes and is covered with compacted stone or gravel.
3. Cease the practice of parking and/or storing vehicles on the grassed portion of the front yard.
4. Remove all unusable, discarded items from the property.

These four items are to be complied with on or before the 8<sup>th</sup> day of February, 2016.

5. Restore the front yard by repairing the grass.

This fifth and final item is to be complied with on or before the 1<sup>st</sup> day of June, 2016.

January 18, 2016 – A letter of Appeal was submitted to the Attention of the Property Standards Committee Secretary. (see attached).

January 19, 2016 – A letter submitted from the Secretary of the Property Standards Committee was sent by registered mail to the attention of the registered owner 2330829 Ontario Inc. (see attached)

## CORPORATION PROFILE REPORT

Ontario Corp Number	Corporation Name	Incorporation Date	
2330829	2330829 ONTARIO INC.	2012/06/06	
		Jurisdiction	
		ONTARIO	
Corporation Type	Corporation Status	Former Jurisdiction	
ONTARIO BUSINESS CORP.	ACTIVE	NOT APPLICABLE	
Registered Office Address		Date Amalgamated	Amalgamation Ind.
252 HUNT STRAAT		NOT APPLICABLE	NOT APPLICABLE
		New Amal. Number	Notice Date
AJAX		NOT APPLICABLE	NOT APPLICABLE
ONTARIO			
CANADA L1S 1P7			Letter Date
Mailing Address			NOT APPLICABLE
NOT AVAILABLE		Revival Date	Continuation Date
		NOT APPLICABLE	NOT APPLICABLE
		Transferred Out Date	Cancel/Inactive Date
		NOT APPLICABLE	NOT APPLICABLE
		EP Licence Eff.Date	EP Licence Term.Date
		NOT APPLICABLE	NOT APPLICABLE
		Date Commenced in Ontario	Date Ceased in Ontario
		00003	00003
Activity Classification		NOT APPLICABLE	NOT APPLICABLE
NOT AVAILABLE			

Request ID: 018464316  
Transaction ID: 59821121  
Category ID: UN/E

Province of Ontario  
Ministry of Government Services

Date Report Produced: 2015/12/23  
Time Report Produced: 11:35:49  
Page: 2

## CORPORATION PROFILE REPORT

Ontario Corp Number

Corporation Name

2330829

2330829 ONTARIO INC.

Corporate Name History

Effective Date

2330829 ONTARIO INC.

2012/06/06

Current Business Name(s) Exist:

NO

Expired Business Name(s) Exist:

NO

Administrator:  
Name (Individual / Corporation)

Address

ZIAD

1600 ALLIANCE RD.

ALMUKAMIS

PICKERING  
ONTARIO  
CANADA L1W 3V2

Date Began

First Director

2012/06/06

YES

Designation

Officer Type

Resident Canadian

DIRECTOR

Y

Request ID: 018464316  
Transaction ID: 59821121  
Category ID: UN/E

Province of Ontario  
Ministry of Government Services

Date Report Produced: 2015/12/23  
Time Report Produced: 11:35:49  
Page: 3

## CORPORATION PROFILE REPORT

Ontario Corp Number

Corporation Name

2330829

2330829 ONTARIO INC.

Administrator:  
Name (Individual / Corporation)

Address

MAGED  
BARBARA

1600 ALLIANCE RD.  
  
PICKERING  
ONTARIO  
CANADA L1W 3V2

Date Began

First Director

2012/06/06

YES

Designation

Officer Type

Resident Canadian

DIRECTOR

Y

Administrator:  
Name (Individual / Corporation)

Address

AKRAM  
KARAMASH

1600 ALLIANCE RD.  
  
PICKERING  
ONTARIO  
CANADA L1W 3V2

Date Began

First Director

2012/06/06

YES

Designation

Officer Type

Resident Canadian

DIRECTOR

Y

Request ID: 018464316  
Transaction ID: 59821121  
Category ID: UN/E

Province of Ontario  
Ministry of Government Services

Date Report Produced: 2015/12/23  
Time Report Produced: 11:35:49  
Page: 4

## CORPORATION PROFILE REPORT

Ontario Corp Number

Corporation Name

2330829

2330829 ONTARIO INC.

Last Document Recorded

Act/Code Description

Form

Date

CIA ANNUAL RETURN 2013

1C

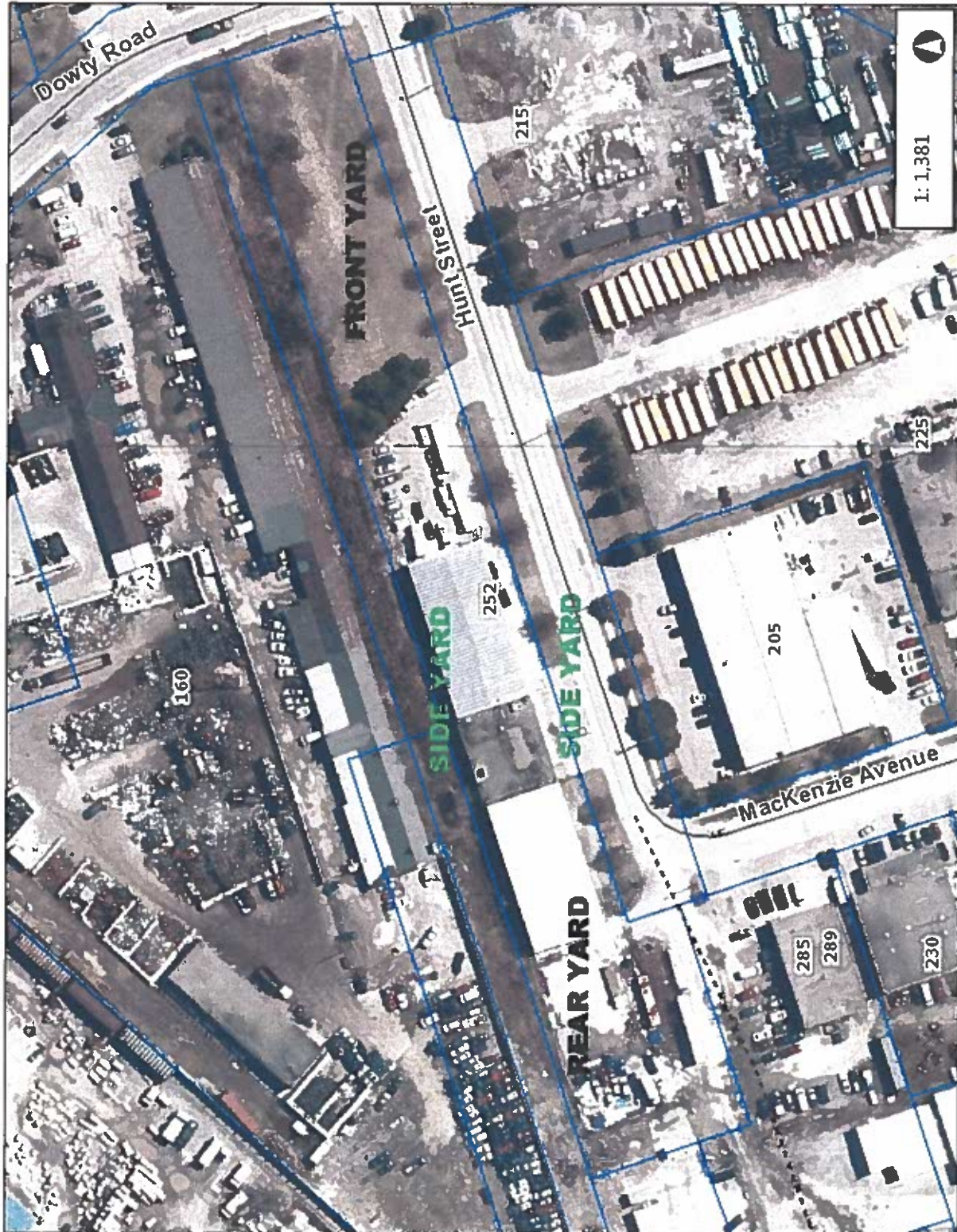
2014/02/15 (ELECTRONIC FILING)

THIS REPORT SETS OUT THE MOST RECENT INFORMATION FILED BY THE CORPORATION ON OR AFTER JUNE 27, 1992, AND RECORDED IN THE ONTARIO BUSINESS INFORMATION SYSTEM AS AT THE DATE AND TIME OF PRINTING. ALL PERSONS WHO ARE RECORDED AS CURRENT DIRECTORS OR OFFICERS ARE INCLUDED IN THE LIST OF ADMINISTRATORS.

ADDITIONAL HISTORICAL INFORMATION MAY EXIST ON MICROFICHE.

The issuance of this report in electronic form is authorized by the Ministry of Government Services.





70.2 35.08 0 70.2 Metres

NAD 1983 UTM Zone 17N  
© Town of Ajax

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.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 1,381

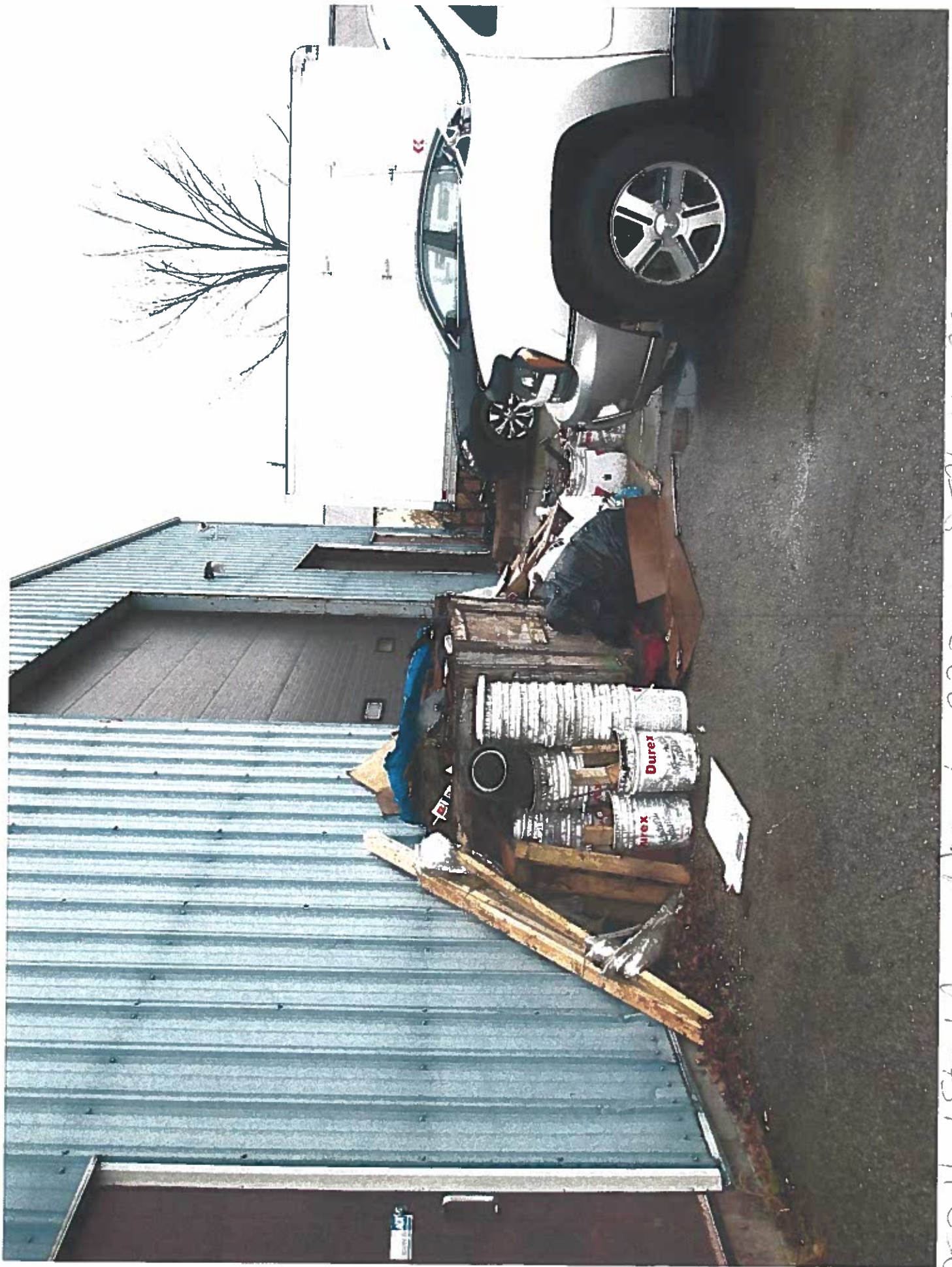


Notes

Legend

- Town Roads
- Ownership (PIN) Parcel
- Assessment Parcels
- Regional Floodline
- CLOCA Floodline
- CLOCA Regulation Limit
- TRCA Regulation Limit
- Ajax Border
- Rivers
- Planned Roads
- Lakes





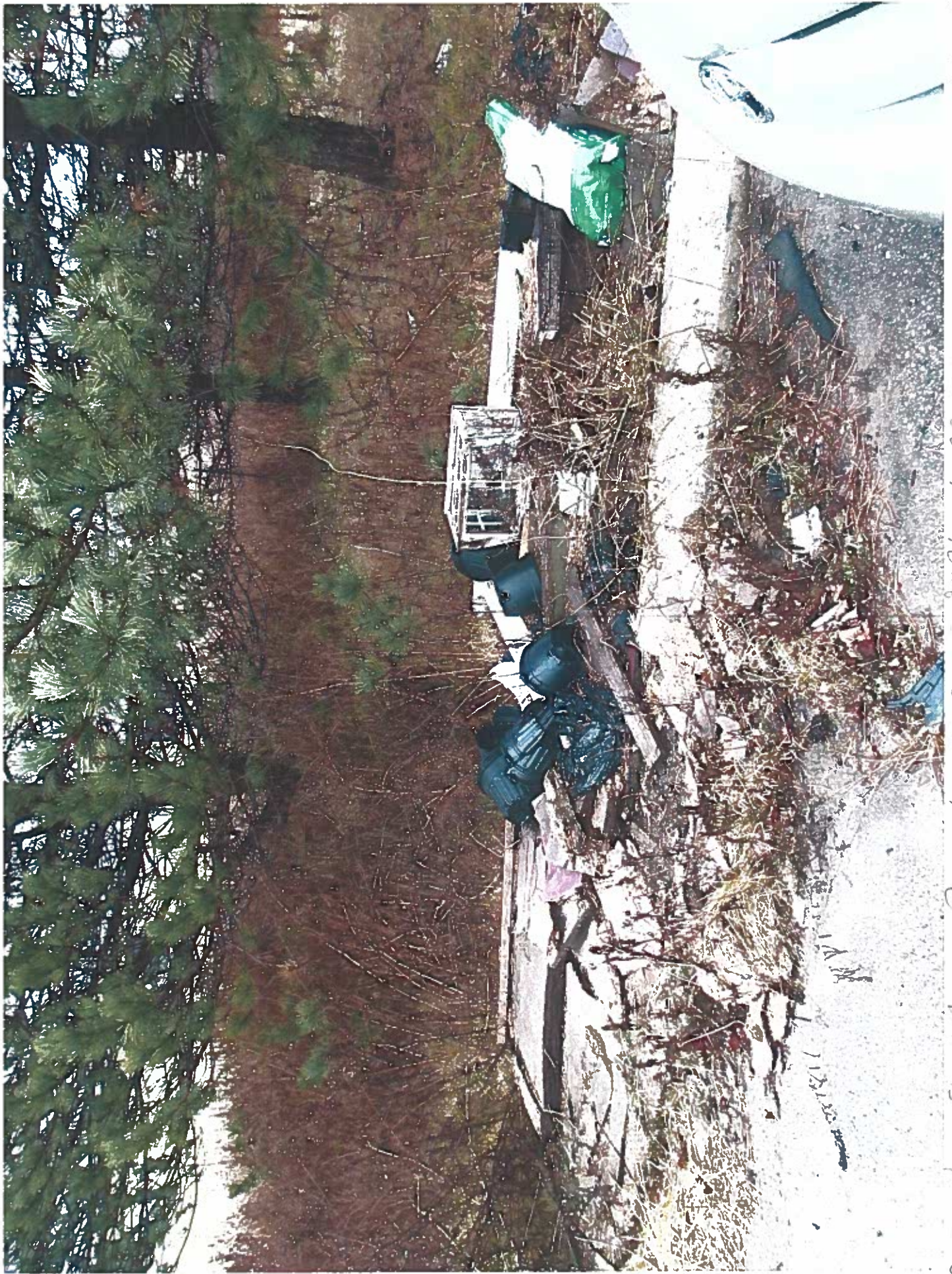
252 Hurd Street, Apt. 1000s 17th Floor 10/31





252 Hunt Street S.W. London ON N6C 3C5 774-1507 15137





252 Hunt Street Apr December 2005 Webb AB017

17137





252 Hunt Street Apt. 205 December 20 2005 Thibault Abbott

281 37



21934

7412077 713017

December 22 2015

252 Hunt Street Ajay





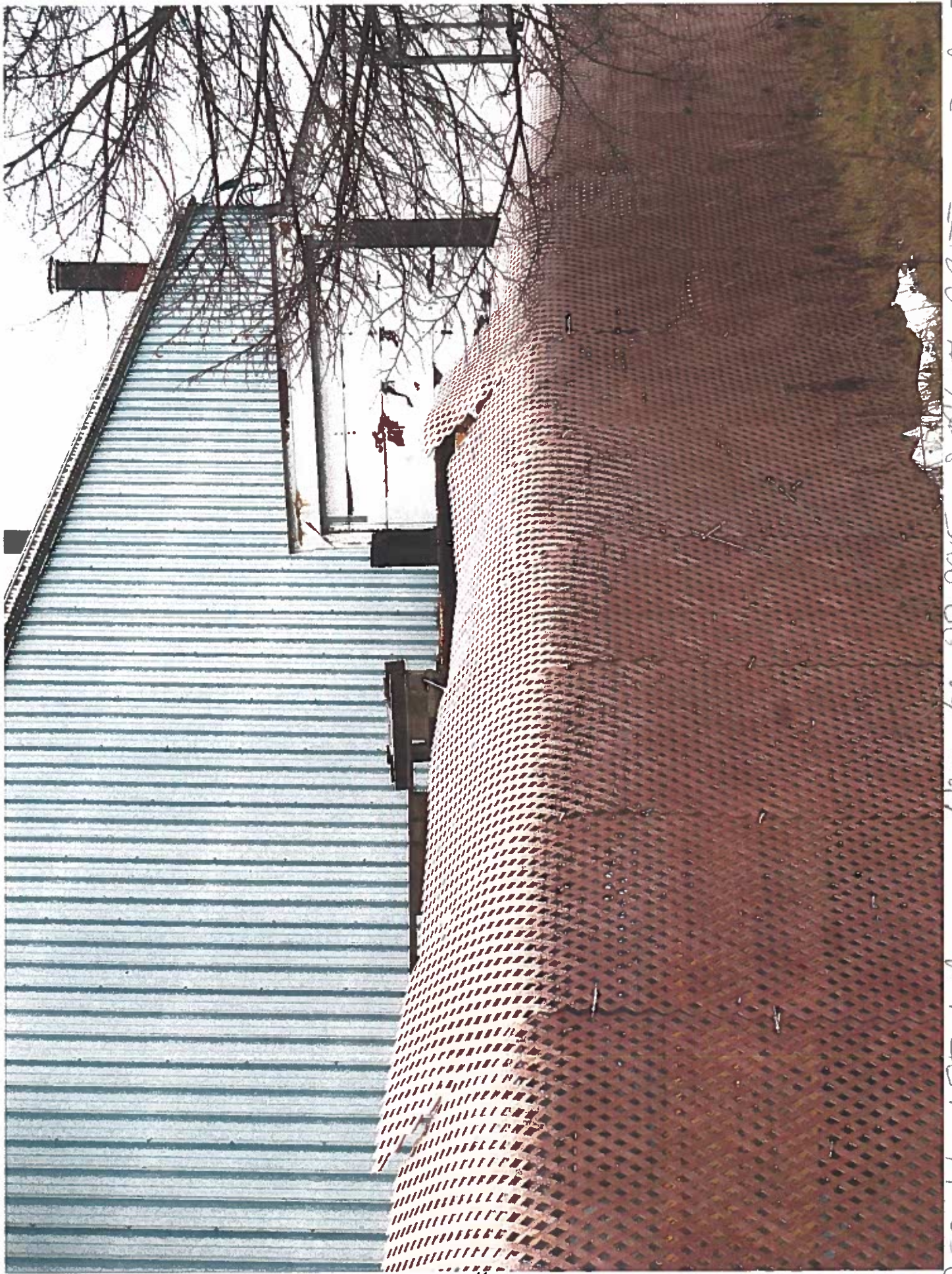
25 D + Lind Street Again      December 20 2015      Albert Abbott      224 37





252 Hunt Street 4yr December 2008 15 Alford ABOIT 30/37





252 Hunt Street Ajax

December 22 2015

Phot AB077

348 37





250 Hunt Street Hwy December 30 2015 Abbott Abbott 35137





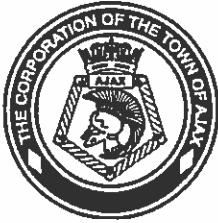
252 Hunt Street, Ajax December 20 2015 Thibet Photo

36 of 37





Hunt Street, Ayar November 24 2015 Abbott Asotti 12/12



## The Corporation of the Town of Ajax

# ORDER

(Issued pursuant to the Building Code Act, S.O. 1992, c23)

ISSUED TO: 2330829 ONTARIO INC  
252 HUNT ST  
AJAX ON  
L1S 1P7

PROPERTY: 252 Hunt St, Ajax, ON  
PLAN 480 PT BLK P1 NOW RP 40R10510 PART 3, 4, 5 AND PLAN 480 PT  
BLK H,H1  
030007230000000

FILE NUMBER: 14 100464

This property has been found not to be in conformity with the Standards of Maintenance and Occupancy established by this Municipality and as set out in the Property Standards By-law #91-2012.

SCHEDULE "A", attached hereto, sets out the work required to remedy such violations and to bring the property into compliance with the By-law.

Be advised that this property must be made to conform with the By-law:

Items # 1, 2, 3, and 4 must be complied with on or before **Monday, February 8, 2016**, and  
Item # 5 must be complied with on or before **Wednesday, June 1, 2016**.

If repairs or clearance are not carried out within the specified time, the Town of Ajax may carry out the repairs or clearance at the owner's expense, and/or legal action may ensue.

Further information may be obtained from By-law Services in the Legislative & Information Services Department at 65 Harwood Avenue South, Ajax, Ontario, L1S 2H9.

Dated at Ajax, Friday, January 8, 2016

A handwritten signature in black ink, appearing to read "T. Abott", is written over a horizontal line.

**Tami Abott**  
**(905) 619-2529 ext. 3360**

YOU MAY APPEAL THE ITEMS OR CONDITIONS OF THIS ORDER BY SENDING A NOTICE OF APPEAL, BY REGISTERED MAIL, WITHIN 14 DAYS AFTER SERVICE OF THE ORDER,  
TO: Secretary, Property Standards Committee  
65 Harwood Avenue South  
Ajax, Ontario, L1S 2H9

## SCHEDULE "A"

ITEM	PARTICULARS OF REPAIRS TO BE EFFECTED
------	---------------------------------------

1. Remove the coloured plastic/vinyl type lattice that has been affixed to the chain link fence with zip ties. The lattice is not an approved material for non residential areas pursuant to Town of Ajax Fencing By-law. In addition, the lattice was not installed in a good workmanship like manner, the lattice panels drape over the top of the existing chain link fence and it is creating an unsightly appearance.\*
2. Repair area located on the southwest side of the property used for vehicular traffic, where the property abuts the neighbouring properties located to the west and to the south. The repairs must be completed so as to afford safe passage, be free of defects, and accident hazards. The area is to be evenly graded, with a smooth surface, free from deep ruts and pot holes and uneven sections with a surface covering of either compacted stone or gravel. All areas used for vehicular traffic are to be maintained in a good state of repair.
3. Cease the practice of parking and/or storing of any motor vehicles on the grassed front yard, east of the building, where it abuts the asphalt parking lot, as parking and/or storing of motor vehicles is not permitted on grass.\*\*
4. Remove all discarded unusable items, and debris from the property, located in the front, side and rear yards, including but not limited to: the white plastic buckets, wood, lumber, branches, discarded vegetation, metal, clear plastic, blue plastic, tarps, cardboard, food and beverage containers, and black plastic containers. The debris and waste materials must be disposed of legally and the property must be maintained in a good state of repair and not create an unsightly appearance.
5. Repair the grassed front yard area, east of the building, where it abuts the asphalt parking lot. The area must be evenly graded, with a smooth surface, free from deep ruts with the approved surface covering of grass. The grassed front yard shall be maintained in good state of repair and not create an unsightly appearance.

**\*Please note:** In accordance, with the Town of Ajax Fencing By-law a permitted fence, in a non residential zone must be constructed of any of the following listed materials, or any combination of materials where applicable: chain link and galvanized steel wire, vertical board on board, or wrought iron.

**\*\*Please note:** As this property is under Site Plan Control, no person is permitted to alter or change the approved Site Plan without first having applied for and receiving approval for a Site Plan Amendment. If you wish to gather further information on the Site Plan Amendment process please feel free to contact the Planning Services 905-683-4550, or by email at [planningservices@ajax.ca](mailto:planningservices@ajax.ca).



---

## REPAIR STANDARDS – PROPERTY STANDARDS BY-LAW #91-2012

- Section 3.3** The owner of any property, which does not conform to the standards, shall repair and maintain such property to conform to the standards, or shall clear the site of all buildings, structures, debris and refuse and leave it in a graded and levelled condition.
- Section 3.4** All repairs and maintenance of property shall be carried out:
- a) with suitable and sufficient materials;
  - b) by tradespersons duly qualified by applicable legislation or governing body, in the trade concerned;
  - c) in compliance with all relevant legislation;
  - d) with the benefit of relevant permits and approvals including, but not limited to, building permits;
  - e) in a manner accepted as good workmanship in the trades concerned; and
  - f) in conformity to the Ontario Building Code, where applicable.
- Section 4.1** All vacant lots, every yard, and all property, shall be kept clean and free from objects or conditions that might create a fire, health or accident hazard.
- Section 4.2** Dilapidated, collapsed or unfinished structures and all accumulations of material, wood, debris, garbage or other objects that create an unsafe or unsightly condition, out of character with the surrounding environment, shall be removed.
- Section 4.22** All fences, gates and hardware shall be maintained free of hazards, in a state of good repair, and in accordance with the Municipality's Fence By-law.
- Section 4.27** All areas used for vehicular traffic and/or parking shall have a surface covering of asphalt, concrete, interlocking brick, compacted stone or gravel.
- Section 4.28** Every hard surfaced walkway, driveway, parking area or laneway shall be evenly graded and maintained free of potholes or uneven sections. Where speed bumps or speed humps have been installed, they shall be distinctively marked so as to be clearly visible to approaching pedestrian and vehicular traffic.
- Section 4.30** All yards and every vacant lot shall be kept free from deep ruts and holes.

- Section 4.38** Exterior steps, walks, verandas, porches, decks, balconies, driveways, parking areas, loading docks and similar areas of a yard shall be maintained so as to:
- a) afford safe passage under normal use;
  - b) be adequately lighted; and
  - c) be free of defects and accident hazards.
- Section 4.45** Garbage, refuse and ashes shall be promptly stored in receptacles and made available for removal in accordance with the Municipal collection policies or any regulating authority and/or any By-law regulating curbside waste collection.
- Section 7.6** An owner who fails to comply with an Order that is final and binding is guilty of an offence and upon conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Building Code Act.
- Section 7.7** If an Order is not complied with in accordance with the Order as deemed final and binding or as confirmed or as modified by the Property Standards Committee or a Judge, the Municipality may cause the property to be repaired or demolished accordingly, and shall be entitled to recover the expense incurred in doing any demolition or repair as municipal real property taxes. The expense of division fence repair shall be determined in accordance with the Town of Ajax Fence Cost Sharing By-law.



## **THE CORPORATION OF THE TOWN OF AJAX**

### **BY-LAW NUMBER 81-2010**

A By-law to prescribe the height and description of lawful fences in the Town and to require the owners of privately owned outdoor swimming pools to erect and maintain fences and gates around such swimming pools.

WHEREAS The Municipal Act, 2001, S.O. 2001, c. 25, as amended allows a municipality to pass by-laws with regard to structures, including fences and signs.

NOW THEREFORE, THE CORPORATION OF THE TOWN OF AJAX HEREBY ENACTS AS FOLLOWS:

#### **1. SHORT TITLE**

- 1.1 This By-law may be cited as the Fence By-law.

#### **2. DEFINITIONS**

- 2.1 In this By-law:

- (a) "Council" means the Council for The Corporation of the Town of Ajax.
- (b) "corner lot" means a lot situated at the intersection of two or more streets having an angle of intersection of not more than one hundred and thirty five degrees (135).
- (c) "daylighting triangle" means an area of private land on a corner lot, which area is to be determined by measuring from the point of intersection of the street lines, 4.5 metres in a residential zone and 7.5 metres in all other zones along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting street lines and the straight line joining the points at the required distance along the street lines is the "daylighting triangle".
- (d) "electrical fence" means a fence through which electricity passes.
- (e) "enclosed" means when the property is enclosed in a way that can be relied on to prevent entry of the general public.
- (f) "erect" includes alter, construct, place, locate, install or relocate.
- (g) "fence" includes but not limited to a railing, wall, hedge, line of posts, shrubs, wire, gate, boards or other similar items, used to enclose or divide in whole or in part a yard or other land or to establish a property boundary, but does not include a privacy screen.
- (h) "front lot line" means the lot line that divides the lot from the street, provided that, in case of a corner, the shorter lot line that abuts a street shall be deemed to be the front lot line.
- (i) "highway" means the entire right-of-way of a common and public highway, road allowance, street, avenue, parkway, driveway, square, place, viaduct, bridge or trestle, designated and intended for, or used by, the general public for the passage of pedestrians and vehicles under the jurisdiction of the Town.
- (j) "grade" means the surface of the ground below a fence at each location where a structural support is imbedded in the ground.
- (k) "invisible safety net" shall mean a black or dark green net made of knotted monofilament nylon mesh or other similar materials, with a 90% or greater porosity, with a spacing between the mesh not to exceed 20mm and a minimum thickness of 1.7mm, primarily used to absorb the impact of a golf ball. The netting shall be constructed in a way to have minimal intrusive visual impact.

- (l) "lot" shall mean a parcel of land which is only capable of being legally conveyed as a single lot pursuant to section 50 of the Planning Act, R.S.O. 1990, c.P.13.
- (m) "ornamental pond" includes, but is not limited to, any body of water in or above the ground located outdoors on privately-owned property, contained in part or in whole by artificial means, in which the depth of the water at any point can exceed 50 cm, and is used as a decorative feature in a yard, and kept for its' esthetic value rather than a useful purpose.
- (n) "owner" includes the person or persons identified in the most recent municipal assessment roll as the owner of the subject property.
- (o) "person" means a natural individual, and their heirs, executors, administrators or other legal representatives, a corporation, partnership or other form of business association or a receiver or mortgagee on possession.
- (p) "privately-owned outdoor swimming pool" includes, but is not limited to permanent pools, temporary pools, hot tubs, whirlpools, jaccuzzis, spas, any other similar device, or any body of water in or above the ground located outdoors on privately-owned property, contained in part or in whole by artificial means, in which the depth of the water at any point can exceed 50 cm, and is used or is capable of being used for swimming, wading or bathing.
- (q) "privacy screen" shall mean a visual barrier used to shield any part of a yard from view from any adjacent parcel of land or any highway.
- (r) "rear lot line" means the farthest lot line opposite the front lot line, or in the case of a triangular lot, shall be that point formed by the intersection of the side lot lines.
- (s) "side lot line" means a lot line other than a front or rear lot line.
- (t) "street line" shall mean the dividing line between a lot and a street.
- (u) "swimming pool enclosure" means a fence, wall or other structure including doors and gates, surrounding a privately-owned outdoor swimming pool.
- (v) "swimming pool enclosure permit" means a permit issued under this By-law;
- (w) "Town" means The Corporation of the Town of Ajax;
- (x) "TRCA" means The Toronto and Region Conservation Authority;
- (y) "yard" means an open, uncovered space on a lot appurtenant to a building and unoccupied by buildings or structures and;
  - i) "front yard" means a yard extending across the full width of a lot between the front lot line and front walls of the nearest building or structure on the lot; and
  - ii) "interior side yard" means a side yard other than an exterior side yard; and
  - iii) "rear yard" means a yard extending across the full width of a lot between the rear lot line and the nearest wall or walls of any main building on the lot for which the yard is required; and
  - iv) "side yard" shall mean a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any building or structure on the lot for which the yard is required.

### 3. FENCING OF PRIVATELY-OWNED OUTDOOR SWIMMING POOLS

- 3.1 No person shall excavate for or erect, or cause to be excavated for or erected, a privately-owned outdoor swimming pool without first obtaining a swimming pool enclosure permit in connection therewith from the Town.

- 3.2 Every application for a swimming pool enclosure permit shall be made in the approved form.
- 3.3 Every application for a swimming pool enclosure shall be accompanied by:
- (a) a completed road occupancy permit application;
  - (b) a letter from Veridian Hydro ensuring clearance of all cables;
  - (c) two copies of a legal survey plan;
  - (d) two copies of a site plan;
  - (e) permit fee in the amount described in Schedule "A" of this by-law.
- 3.4 Any lot within the T.R.C.A screening area must receive T.R.C.A approval in writing prior to submitting the swimming pool enclosure permit application.
- 3.5 A swimming pool enclosure permit shall not be issued by the Town, unless the swimming pool enclosure application complies with all relevant provisions of this by-law, and the Town may impose any conditions deemed appropriate for the permit.

#### 4. SWIMMING POOL ENCLOSURE

- 4.1 Every owner of a privately-owned outdoor swimming pool shall erect and maintain, or cause to be erected and maintained, a swimming pool enclosure completely around the privately-owned outdoor swimming pool, which enclosure;
- (a) shall extend from the ground to a height, measured on the outside of the enclosure, of not less than 1.5 m., including gates therein;
  - (b) shall be constructed of;
    - i) chain-link not greater than 40mm diamond mesh, and galvanized steel wire not less than 2.680mm diameter (11 gauge); or
    - ii) vertical board on board; or
    - iii) wrought iron fencing with at least 1 meter between horizontal members and with no greater than 10 centimetres of spacing between vertical bars; or
    - iv) a combination thereof as provided in this by-law or such other material design or construction as will provide an equivalent degree of safety and which is approved in writing by the issuance of a swimming pool enclosure permit;
  - (c) may incorporate all or a portion of the wall of a building, but no entrances to the pool area shall be permitted through such wall unless the entrance is set back a minimum distance of 1.8 m from the water's edge of the swimming pool;
  - (d) may incorporate one or more gates of equivalent material and construction as the swimming pool enclosure and every such gate shall not be less than 1.5 m in height, be supported on substantial hinges, be self-closing and equipped with self-latching devices placed on the inside of the gate at or near the top; such gates shall be closed and locked at all times when a responsible person is not present and supervising the swimming pool;
  - (e) shall be located not less than 1.2m from the water's edge and in the case of an above ground systems pool with a deck and a fence forming part of the system, the waters edge may be as close as .5m to the fence portion of the system;
  - (f) shall have no rails or other horizontal or diagonal bracing or attachments on the outside that would facilitate climbing;
  - (g) when a wall of a building forms part of such enclosure, the main entrance to the building shall not be located within the enclosure.

- 4.2 No person shall place water in or cause water to be placed in a privately-owned outdoor swimming pool or allow water to remain therein, until such time as the swimming pool enclosure as prescribed by this by-law has been erected completely around the swimming pool.

## **5. ORNAMENTAL PONDS**

- 5.1 Every owner of a privately-owned ornamental pond deeper than 50 cm in depth must meet the same requirements as required in section 4 for a swimming pool enclosure.

## **6. FENCES ON RESIDENTIAL PROPERTY**

- 6.1 No person shall erect or cause to be erected in a side yard or rear yard on any residential property a fence which is higher than 2 metres above grade.
- 6.2 No person shall erect or cause to be erected in a front yard on any residential property a fence which is higher than 1 meter above grade.
- 6.3 Section 6.1 shall not apply where the fence is;
- (a) erected and used to enclose or delineate an area required for and lawfully used as a tennis court, provided the fence is of chain link construction; or
  - (b) a noise control barrier erected by or as a requirement of a government agency acting pursuant to statutory authority; or
  - (c) located on land abutting land used for industrial or commercial purposes, railway right of way or utility installations.
  - (d) an invisible safety net, as approved in writing by the Town to determine structural stability, solely located on the owner's property, on any property abutting or located within 25metres of a golf course, constructed for the purposes of the personal protection of persons and/or property.
- 6.4 Where a rear yard of a lot is adjacent to the front yard of another lot, Section 6.1 shall apply.
- 6.5 In the case of a corner lot where the larger usable yard is located in the interior side yard rather than the rear yard, as defined herein, a fence on that portion of the front yard adjacent to the interior side yard may be 2 metres above grade in height.
- 6.6 No owner shall place any materials or articles against or near the outside of a swimming pool enclosure that may facilitate climbing the enclosure, unless the owner's yard is enclosed.

## **7. PRIVACY SCREEN**

- 7.1 No person shall erect, or cause to be erected, a privacy screen in a front yard.
- 7.2 No person shall erect, or cause to be erected, a privacy screen in a side or rear yard except in accordance with the following provisions;
- (a) the privacy screen is located at least 0.6 metres from any side or rear lot line;
  - (b) the privacy screen is no more than 2.5 metres above grade; and
  - (c) the collective total of all the privacy screens within the property is no more than 6 metres in length.

## **8. FENCES IN ZONES OTHER THAN RESIDENTIAL**

- 8.1 No person shall erect or cause to be erected in a side or rear property in any zone, except a residential zone, a fence which is higher than 2 metres or constructed of any materials outside of;
- (a) chain-link and galvanized steel wire; or
  - (b) vertical board on board; or

- (c) wrought iron fencing with no greater than 10 centimetres of spacing between vertical bars; or
- (d) any combination thereof

without first having applied for and receiving a Site Plan Approval or a Site Plan Amendment pursuant to the Planning Act, from the Town.

- 8.2 No person shall erect or cause to be erected in a front property in any zone, except a residential zone, a fence which is higher than 1 meter or constructed of any materials outside of;

- (a) chain-link and galvanized steel wire; or
- (b) vertical board on board; or
- (c) wrought iron fencing with no greater than 10 centimetres of spacing between vertical bars; or
- (d) any combination thereof

without first having applied for and receiving a Site Plan Approval or a Site Plan Amendment pursuant to the Planning Act from the Town.

#### **9. DAYLIGHTING TRIANGLES**

- 9.1 No person shall erect or cause to be erected any fence within a daylighting triangle or in any location which obstructs the vision of motorists or pedestrians either when leaving a highway or entering a highway from another highway or driveway or of any traffic sign or control device or which for any other reason constitutes a hazard.

#### **10. HIGHWAYS AND OTHER PUBLIC LANDS**

- 10.1 A fence separating land owned by the Town, except for any land that constitutes a public highway, including land abutting a public highway that is held as a reserve by a municipality or other public authority to separate land from the highway, or to land that is being held by a municipality or other public authority as an unopened road allowance or for future public highway purposes, shall be constructed in accordance with the specifications contained in the Town of Ajax Engineering Design Criteria and Standard Drawings Manual. (Schedule "B").
- 10.2 No owner shall alter an existing division fence which separates lands owned by, or under the control of, or managed by the Town, by lease, agreement or otherwise, without following the Town's Work Instruction for the Installation, Repair or Replacing of Fences Abutting Private Property as administered by the Town's Operations and Environmental Services Department.
- 10.3 A fence erected as a noise control barrier shall be maintained by the owner of the land on which the fence is erected and shall be of the same construction, provided the material is available.

#### **11. MAINTENANCE**

- 11.1 The owner of the land on which a fence, swimming pool enclosure, privacy screen or invisible safety net is erected shall maintain such fence, swimming pool enclosure, privacy screen or invisible safety net in a good state of repair.
- 11.2 For the purposes of this by-law "good state of repair" shall mean;
- (a) the fence, swimming pool enclosure, privacy screen, or invisible safety net is complete and in a structurally sound condition and plumb and securely anchored;
  - (b) protected by weather-resistant materials;
  - (c) fence, swimming pool enclosure, privacy screen, or invisible safety net components are not broken, rusted, rotten or in a hazardous condition;

- (e) all stained or painted fences, swimming pool enclosures, privacy screens, or invisible safety net are maintained free of peeling paint or stain; and
- (f) that the fence, swimming pool enclosure, privacy screen, or invisible safety net does not present an unsightly appearance, deleterious to abutting land or to the neighbourhood.

## **12. HAZARDOUS FENCES**

- 12.1 No person shall erect or cause to be erected a fence containing barbed wire or razor wire on any lands with the exception of lands located within a Prestige Employment or General Employment zone as defined in any zoning by-law of the Town, without first having applied for and receiving a Site Plan Approval or a Site Plan Amendment pursuant to the Planning Act from the Town.
- 12.2 No person shall erect or cause to be erected an electrical fence, except a fence used for the containment of animals in connection with a farming operation, without first having applied for and receiving a Site Plan Approval or a Site Plan Amendment pursuant to the Planning Act from the Town.

## **13. ADMINISTRATION AND ENFORCEMENT**

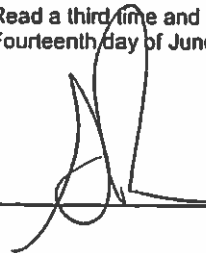

- 13.1 The Municipal Law Enforcement Officer shall be responsible for the administration and enforcement of the By-law.
- 13.2 Any owner who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Provincial Offences Act, R.S.O. 1990.
- 13.3 In the event any part or provision of this by-law is held invalid, the remainder of the by-law shall continue in force.
- 13.4 Where there is a conflict between this by-law and any other by-law of the Town, the provisions of this by-law shall prevail.

## **14. REPEAL**

- 14.1 That By-law #125-2006, as amended, be hereby repealed.

Read a first and second time this  
Fourteenth day of June, 2010

Read a third time and passed this  
Fourteenth day of June, 2010

  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
D-Clerk

RECEIVED  
TOWN OF AJAX  
JAN 18 2016  
LEGISLATIVE AND  
INFORMATION SERVICES

**2330829 ONTARIO INC.**

January 18<sup>th</sup>, 2016

**Re: 252 Hunt street ,Ajax, Ontario Plan 480 PT BLK P1 now RP 40R10510 part 3,4,5 and Plan 480 PT  
BLK H,H1 030007230000000**

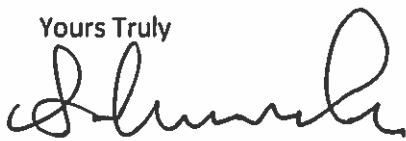
File # 14 100464

**Att: Secretary Property standards Committee**

Dear Sir/Madam;

I would like to file a notice of Appeal to the ORDER issued by Tami Abbott. On the above mentioned project. Thank you for your consideration.

Yours Truly



A.Karmash



**Legislative &  
Information Services**

Tel. 905-683-4550  
Fax. 905-683-1061

**TOWN OF AJAX**

65 Harwood Avenue South  
Ajax ON L1S 2H9  
www.ajax.ca

Tuesday January 19, 2016

2330829 ONTARIO INC  
252 HUNT ST  
AJAX ON  
L1S 1P7

SUBJECT PROPERTY: 252 Hunt St PT 3-5  
PLAN 480 PT BLK P1 NOW RP 40R10510 PART 3,4,5AND  
PLAN 480 PT BLK H,H1  
030007230000000

FILE NUMBER: 14 100464

Dear Sir/Madam:

Please be advised that The Property Standards Committee is in receipt of your letter requesting an appeal to Order Number **14 100464** for the above subject property.

The Property Standards Appeals Committee will hear the appeal on **FEBRUARY 11, 2016**. The location of the appeal will be at Ajax Town Hall, located at 65 Harwood Ave. S., Ajax, ON. The meeting will be held in the Council Chambers, and is scheduled to begin at 7:00 p.m. Please be advised that the Committee **will** be hearing several matters that night, in addition to your own, and you may have to wait for your Agenda item to be called.

Please be advised that this is a Committee of Council, and as such, is required pursuant to the Municipal Act 2001, to hold your appeal in the public domain. Thus, your appeal will be fully accessible and open to the public. Any member of the public may attend and view the proceedings. In addition, the agenda for the meeting and the subsequent minutes of the meeting will be posted on the Town's website.

Should you require any Audio / Video equipment for your appeal, you must supply the Town with a copy of your materials the Monday before your Appeal date. This will ensure that your materials are compatible with the Town's software. The materials can be brought into Ajax Town Hall and left to my attention at the Information desk between 8:30am to 4:30pm, Monday to Friday. Please supply direct contact information with your materials in the event there is a problem with the material.

Should you have any questions or concerns, please contact me directly at the number below.

Sincerely,

Karen Little  
Secretary, Property Standards Committee  
(905) 619-2529 ext. 3341  
[karen.little@ajax.ca](mailto:karen.little@ajax.ca)