



AGENDA PROPERTY STANDARDS APPEAL MEETING

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

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**MINUTES OF THE
ANIMAL SERVICES/PROPERTY STANDARDS APPEAL COMMITTEE
MEETING HELD IN THE COUNCIL CHAMBERS, AJAX TOWN HALL
At 7:00 p.m. on Thursday, June 9, 2016**

Present: Members

- K. Barrett
- A. Bridgeman
- S. DeSouza
- D. Jean
- O. Lambert

 Staff

- K. Little, Secretary
- D. Hannan, Staff Resource
- J. Lang, MLEO
- T. Abott, MLEO
- S. Neal, MLEO

1. Call to Order

Chair Barrett called the meeting to order at 7:03 p.m., She then explained the process of the meeting, the order of evidence being given and that the Committee will make a decision at the end of the proceedings. She explained that the appellants could either appeal the decision to the General Government Committee, including the appropriate fee and/or to the Superior Court of Ontario, if they do not agree with tonight's outcome. She asked that everyone turn their cell phones off.

2. Adoption of Minutes

Moved by: Member Lambert

That the Minutes of the Animal Services/Property Standards Appeal Committee held on April 14, 2016, with the necessary change being made, be adopted.

Carried.

3. Public Meeting Appeals

3.1 Animal Services Appeal Committee

Bannerman Appeal – 49 Iles Street

Chair Barrett asked if Mrs. Bannerman was in attendance and she replied that she was. Chair Barrett then asked Officer Lang, Mrs. Bannerman and the complainant, Mrs. Sharma, to come up to the front.

Chair Barrett then asked Officer Lang to give his testimony.

Officer Lang explained that he had received a report of a dog bite incident involving two dogs in the area of Card Street and Harkins Street that occurred on March 14, 2016 at approximately 6:30-6:45 p.m. On March 21, 2016 he contacted the complainant, Mangla Sharma, asking for a statement, pictures and any vet records. She explained that she was walking her small breed dog, "Kiev" on Card Street walking towards Harkins when she saw the appellant, Mrs. Bannerman with 2 dogs on leashes and another female with her. Mrs. Sharma told Officer Lang that the appellant's dog started barking and pulled the appellant and her other dog towards Kiev. The appellant's dog bit onto Kiev near his face and 2 male residents from 1 Card Street came to assist and were successful in separating the dogs from each other. He explained that there were 2 pictures of the wound in the agenda package, the first one showed the open wound and the second picture showed the wound with 3 stitches in it. On March 23, 2016, Officer Lang attended 1 Card Street to speak with Carlos Araujo and his adult son, David, who were the witnesses to the incident. They were not available to attend tonight's meeting. On March 22, 2016, Officer Lang attended 49 Iles Street and attempted to speak with the appellant, however she was not home. After several more attempts to speak with the appellant, due to the appellant not being home or Officer Lang not being in the office, she was provided with a pdf copy of the Order to Restrain.

Officer Lang went through the Order to Restrain with the Committee members item by item, explaining to the Committee that the dog is licensed with the Town and they have a secured and fenced backyard.

Member Lambert asked Officer Lang if he had seen "Maple", the dog involved in the attack at the Bannerman's home. He replied that he had visited and met both the Bannerman's dogs. Maple seemed friendly towards him.

Member DeSouza asked Officer Lang if he had received confirmation from a Medical Officer or anyone else that the injury sustained by Kiev was from a dog bite or from being pulled away from Maple. He replied that he would not receive this information.

Member Jean mentioned the 10m distance starting from the dogs barking to a bite occurring. Were the dog owners dragged 10m and then the bite ensued.

Officer Lang explained that to his knowledge, the 2 dogs went towards Harkins Street. He doesn't know what provoked it. He agreed that the appellant may have been pulled.

Member Jean asked if Kiev was barking back? Officer Lang replied that he did not know.

Member DeSouza asked who was walking Maple at the time of the incident. Mrs. Bannerman replied that she was and her daughter was present.

Chair Barrett asked Mrs. Mangla Sharma to read her statement. She explained that the 2 dogs started barking and dragging towards Kiev when they saw her dog. She stated that during the attack she was shouting and screaming. She confirmed that the residents of 1 Card Street came outside during the attack. She did not hear Linda Bannerman apologize and her dog is now scared to walk outside. They have also stopped walking on Card and Harkins. Mrs. Sharma's vet said Kiev could have lost his eye. She also told the Committee that Linda Bannerman offered compensation for the vet bill and that she paid it.

Member DeSouza asked Ms. Sharma how her dog is doing today. She explained that she is still scared and traumatized. The wound has healed and the fur has grown back.

Member Jean confirmed from Mrs. Bannerman's statement that Kiev's leash was broken during the attack. Mrs. Sharma said that the leash broke during the event.

Chair Barrett asked Mrs. Sharma if she could describe how the leash broke. Did it get torn? She explained that the hook part got broken, not the leash.

Chair Barrett asked Mrs. Bannerman if she had any questions and she said she did not.

Mrs. Bannerman stated that she was asking for revocation of the Order. She said Maple is a young dog and this was not a reflection of her behavior. She stated that during the attack all the dogs ran together, all the dogs were biting, there was confusion, noise, etc. and she did call the dog's name. She explained that the two men came over at this time, trying to help, while one straddled Maple and delivered karate chop blows to her nose. She believes that if the men had not been there, the incident would have stopped sooner. She said that this closed her dog's jaws onto the other dog's cheek and believes that the dogs were just play fighting. Mrs. Bannerman told the Committee that Kathy Asling, founder of the Animal Guardian Society, thinks it was just a random tooth puncture. She believes it to be an isolated incident, and that the two men made it worse. There is no history of this ever happening before and that the letters in the agenda package are character references for Linda and her dog, Maple. She told the Committee that Maple is wearing her muzzle and she brought it tonight to show the committee. She believes that this incident does not describe her true behavior.

Member Lambert asked if any of the dogs were barking. Mrs. Bannerman said that probably all the dogs were barking and that the dogs misunderstood their body language. Member Lambert asked where the other dog was. Mrs. Bannerman said that she was right there. Her focus was on Maple and Bailee was

right there. Member Lambert asked has anything like this happened before and she said it has not.

Member DeSouza asked if anything has happened to Maple and Mrs. Bannerman said that she is scared to walk by men. She also told the Committee that Mrs. Sharma still does walk by her house with Kiev.

Member Lambert asked how Mrs. Bannerman knows Kathy Asling. Does she know Maple? She explained to the Committee that she attended an 8 week training program with Ms. Asling as she got Maple from her. She has known Ms. Asling for about 10 years. Maple and Bailee stay at Kathy's house when they go away. She also buys her dog food there.

Member DeSouza asked Mrs. Bannerman when she got Maple and she said she was 7 months old when she got her. The Animal Guardian Society had knowledge that Maple came from a rescue in the US. Mrs. Bannerman first fostered and then adopted Maple.

Chair Barrett asked how old was Maple when Mrs. Bannerman got her and she replied that she was 7 months old. Chair Barrett asked were all the dogs barking from 10 feet away? She explained that the other dog on the side was barking as well. Chair Barrett asked how old was her daughter. She said that she is 18. Is Kathy Asling an expert? Mrs. Bannerman replied that yes she is and has been for more than 30 years. Chair Barrett said that Ms. Asling mentioned in her letter that Maple exhibited herding behavior. What does this mean? Mrs. Bannerman explained that herding is when a dog tries to get all the dogs together. Chair Barrett asked if there was any nipping and Mrs. Bannerman replied there wasn't.

Member DeSouza asked what kind of leash was Maple wearing? She replied that it was a 6' heavy type leash.

Member Bridgeman asked Mrs. Bannerman if it was common to meet other dogs when they were walking. She replied that she wouldn't go up to them unless she knows them. Member Bridgeman asked her if her dogs were pulling her? She replied that she was caught unaware.

Chair Barrett confirmed that Mrs. Bannerman has a muzzle, a leash and a chain. She also has a proper fence and a licence. She asked Mrs. Bannerman which section of the Order she was appealing. She replied all of it, essentially the muzzle part.

Member DeSouza asked if Mrs. Bannerman's dog had shown any other tendencies? She replied that it hasn't. Do your dogs sit when you come into contact with other dogs? Yes they do.

Chair Barrett asked if Mrs. Bannerman noticed any blood at the time of the event and she said that Kiev's cheek was wet, but that there was no blood on her dogs.

Member DeSouza confirmed that Mrs. Bannerman noticed saliva. What did you do then? She told the Committee that her daughter took the dogs home and she could not see any wound. When she was checking, Kiev gave her a little nip, knowing he was under stress.

Member Jean asked if the dogs really were 10m apart. Mrs. Bannerman replied that it was 10 feet for sure, a long distance. There was some degree of playfulness and a misunderstanding in the dogs body language. Maple just wanted to play. Member Jean wanted to confirm that Maple was not running to attack? Mrs. Bannerman said she wasn't.

Member DeSouza asked if Mrs. Bannerman uses a choke chain or collar? She uses a gentle leader, as she believes it is a better way to control the dog. Member DeSouza asked how much does Maple weigh? She replied about 50 lbs. Officer Lang was asked if he had any questions for Mrs. Bannerman. He asked her if she knew the circumstances of where Maple came from. She explained that she came from part of a hoarding raid in the US. The farmer was charged and the dogs were sent to different foster cares.

The daughter of Mrs. Bannerman spoke to the Committee, saying that the dogs were not that far apart when they came upon Kiev and it definitely wasn't 10m away.

Chair Barrett asked Officer Lang to summarize. He explained to the Committee that he used the Town's software system to get the 10m distance. It is the Town's position that this was a biting incident. From the witnesses, a bite occurred. Mrs. Bannerman did not have complete control of her dog. The Order should be upheld.

Mrs. Bannerman told the Committee that the Order should be revoked. She asked the Committee to look at the letters of reference in the agenda. She said it was an isolated incident and that Maple does not need a muzzle.

The Committee then went into deliberations.

Member Bridgeman says that she feels for Mrs. Bannerman's situation and she doesn't envy the muzzle use. The intervention by the two men may have exacerbated the situation. She agrees with the Town, even though it might be an isolated incident. It may be a person next time.

Member DeSouza asked that the dog be muzzled for 1-2 years and then Mrs. Bannerman to come back before the Committee.

Member Bridgeman asked what will happen in the intervening years, as she hasn't heard about training.

Member DeSouza said that Mrs. Bannerman has complied with everything else in the Order, and wants the muzzle use to be for a restricted time period.

Member Lambert asked what could happen next. Even though it may have been an isolated incident, nothing was done to provoke it. She wants the Order to be upheld. If Mrs. Bannerman were to come back before the Committee in a few years time, the Committee will still be in charge of deciding what will happen next time.

Member DeSouza asked if there had been any similar cases where the time for wearing a muzzle was changed from lifetime to a specific time period.

Officer Lang said that in the 5 years he has been with the Town, it has happened once. The Committee put a 1 year time frame on the muzzle requirement, and 3 months later the dog bit again.

Member DeSouza asked if it was a similar breed. He replied that it was not.

Chair Barrett asked Ms. Sharma if she observed Maple clamping down on Kiev. She said she did. When the two residents hit Maple on the head, was there any reaction? She did not notice, as she was too stressed out.

She asked Mrs. Bannerman where was she when the guy hit Maple over the nose. She said that she just stood still. Her dog weighs about 50 pounds.

Member DeSouza asked where was Kiev during the altercation with Maple still holding on, the only way he got out was when the man pounded on him.

Member Jean said that due to the dog being struck in the head, he couldn't let go of Kiev.

Chair Barrett stated that this was an unfortunate incident and confirmed that Kiev was being held in Maple's mouth. Although it may have been an isolated incident, it could have been much more serious. Maple was not in the care of the Animal Guardian Society very long and attended 8 weeks of behavior training. Maple is known to have herding behavior, can involve some nipping. The Bannerman's have gates, leash, etc. and have complied with the majority of the Order. It should be upheld.

Member Jean watches dogs in the dog park play with each other. He is still hung up on the distance. It may have been a bite, but may have also been a little less than that.

Member Bridgeman confirmed that Member Jean rides through the dog park on his bike and sees the dogs in there playing.

Member DeSouza asked Mrs. Bannerman what was your impression of the situation? She replied that Maple likes to meet other dogs, along with 4 leggeds. Maple initially ran up out of friendship and it was misinterpreted, which lead to a bite.

Member Lambert asked was is the weight of Kiev and Ms. Sharma replied about 28-29 pounds. About half of the other dog's weight.

Chair Barrett said that the residents approached after the incident. There was barking and pulling towards the dog. Does this constitute aggressive behaviour?

Member Lambert said that one dog bit the other one and that the bite was at eye level. The owner saw some saliva, not blood. The end result was a bite/attack that was not provoked. The Order stands.

Member DeSouza agrees with the Order, other than the muzzle requirement. She believes that Mrs. Bannerman should have the right to come back before the Committee in 2 years.

Member Lambert said that this was on the Committee and nothing is being presented in terms of training, etc. She doesn't want it to happen a second time. The Order stands as is.

Member DeSouza asked Mrs. Bannerman what measures will you take to ensure that this doesn't happen again. She explained that this has never happened before. She is willing to take another training course. She believes that if barking is a sign of aggression, then all dogs in Ajax should be locked up. She has taken all measures to adhere to the Order and believes there was no aggression.

Chair Barrett asked Mrs. Bannerman what type of muzzle does she have for Maple? She replied that it is a cage-type muzzle, where she can still breathe, drink water, eat small items.

Officer Lang told the Committee that this is a humane muzzling device.

Member DeSouza asked if there were any problems putting it on Maple and she replied it's not her favourite thing, but she still can breathe, drink, etc. She can't open her mouth fully to pant when it is hot outside.

Member Bridgeman moved that the Order be upheld as written.

Chair Barrett also agrees that the Committee should uphold the Order in its entirety.

Member DeSouza told the Committee that the Order should be amended for the length of time for the muzzle requirement, up to 2 years, and then can come back before the Committee.

Member Jean said if asked before this incident, Mrs. Bannerman would have said her dog doesn't bite and then it bit. The dogs were barking and pulling 10m or 10 ft. What would you say in 1-2 years ? He believes the Order should be upheld or have it changed.

Member DeSouza said that there was 1 previous time where the Committee put a time limit on the muzzle.

Member Bridgeman asked if she could speak on her own Motion and D. Hannan, Staff Resource, told her she could not.

Member Lambert asked Member DeSouza to discuss Member Bridgeman's Motion.

Chair Barrett asked Member DeSouza if she would like to amend Member Bridgeman's Order.

Member DeSouza said yes. She moved a Motion to amend the Order to Restrain by changing Item #3 to put a time limit on using the humane muzzling device. Wants it to be for up to 2 years.

Chair Barrett verified that she wants to amend Item #3.

Member Bridgeman said that in the previous Order where there was a time limit put on the muzzle, the Committee had strong evidence from the dog owner to change his dog's behavior.

Member Lambert said she is not in agreement with the time extension and wants the Order to be kept as is.

Member Jean not convinced this was a nagging, screaming incident.

Chair Barrett checked that Member DeSouza wants to amend Item #3 with a two year cap on the muzzling device, at which time the Owner can come back before the Committee.

All in favour.

Motion Lost.

Member Bridgeman moves to uphold the Order as is.

2 members in opposition, 2 in favour, the Chair broke the tie.

You shall:

1. Ensure that the dog is licensed with the Town of Ajax pursuant to the current Town of Ajax Dog and Cat By-law, as amended.
2. Keep the dog restrained on a chain of sufficient strength to prevent any further attack or bite 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 sixteen 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.

Motion carried at 8:17 p.m.

Chair Barrett asked for a 3 minute recess.

3.2 Property Standards Appeal Committee

McNee Appeal – 16 Garnett Drive

Chair Barrett asked Officer Abott to give her synopsis of the complaint she received at 16 Garnett Drive, Ajax. She explained that 16 Garnett is a 2 storey home, with a hot tub and Jacuzzi in the backyard. The Owner of the property is in attendance tonight. The property is not in character with the surrounding neighbourhood. An Order was issued on April 19, 2016, with the due date for the work to be done by May 19, 2016.

She returned on June 2, 2016 to the property and the garage door was closed and some garbage removed between the 2 cars in the driveway.

Chair Barrett asked if Mr. McNee was present tonight and he replied that he was.

Member DeSouza asked if he had a pool and Officer Abbott replied that yes, it is an inground pool.

Chair Barrett noted that there was no picture of the eavestrough with the one piece hanging off. She asked Officer Abbott if all the cars were inoperable? The silver car had flat tires, the black Infiniti had an expired trip permit and the red Nissan had a valid sticker.

Mr. McNee asked if any of the Committee members had gone onto Lake Driveway or Garnett Drive and seen other properties with the paint peeling off the bay window. Chair Barrett replied they had not.

Chair Barrett told Mr. McNee that Officer Abbott had received a complaint about the appearance of the property and the garbage on it.

Member DeSouza asked Officer Abbott if she had seen anything hazardous on the property. She replied that she did not.

Chair Barrett asked if Officer Christensen was here tonight as he originally attended with Officer Abbott. She replied that he was not here and only went with her due to Mr. McNee having an Order to Restrain on his dog.

Mr. McNee said that he is not appealing the whole Order. He told the Committee that the garbage is gone, cover gone from the pool, garbage and dog feces dealt with. He wanted to know what are "domestic storage items"? Officer Abbott explained that you can have a ladder, wheelbarrow, etc., anything you would use inside or outside your house. You can have domestic storage including a ladder, wheelbarrow and he is referring to recycling bins, all domestic storage. All cars have valid stickers, no flat tires, one side of the gate to the pool has screws in it to keep it shut. Garage door functions properly. Flaking paint so minor from eggs being thrown at them 7 years ago. They just need to be cleaned. Why can't he store things under his deck? He took pictures today of houses with bay windows with flaking paint in the same area as his. He needs to replace the windows in the future. The horizontal deck boards need to be stained, but it does not impede enjoyment. Offered to show the pictures to the Committee, as he feels he is being picked on.

Chair Barrett declined to accept the pictures as these were not part of this appeal package.

Officer Abbott and Mr. McNee did not have any questions.

Member Lambert asked about Pictures 21 and 22/24 in the Agenda. Mr. McNee told the Committee that the items are underneath the deck and no one can see them. Picture 20 of 24, all those items are cleaned up.

Member DeSouza asked what is in Picture 22 of 24. Is it an empty propane tank? Mr. McNee replied that it was. He can't find the attachment to hook it up to the bbq.

Chair Barrett went through Schedule "A" of the Order Item by Item. She asked Mr. McNee if Item #1 had been taken care of. Yes. Waiting for garbage day. Item #2. Half complied with. The debris is gone, balusters and steps to be put on. When will it be completed? Item #3 is complied with. Item #4 complied with. Item #5, the wheelbarrow in the backyard and recycling bins neatly stored at the side of the house. #6 complied with, #7 complied with, #8 the gate needs to be fixed. Hardware issue. #9 Mr. McNee takes issue with the horizontal planks having to be stained, as you can't see them. There are no holes and the boards are not rotting.

Item #10 he intends to replace the windows. They are not leaking, at some point will replace them. Seems pointless to paint them. Item #11 overhang/flashing not down. Told the Committee that they refuse to see the pictures he brought in. Item #12 the garage doors need to be cleaned more than painted. They function perfectly. Eggs tossed at them 7 years ago, along with his neighbour's garage. #13 is not a gutter, it is a downspout. He can reattach it. A couple of weeks it will all be done.

Member DeSouza asked Mr. McNee in Item #11 what is the material made of. Mr. McNee replied that it is made of galvanized metal. Do you need a professional to fix it or can you do it yourself. He replied that it just needs to be sanded and painted. Will you replace the windows? Mr. McNee said that his house is 27 years old and they have never been replaced.

Member Lambert asked why Item Numbers 10, 11 and 12 were in the Order. What is the reason they were asked to be fixed. Officer Abbott said the house is out of character and the property needs to be maintained.

Chair Barrett asked Officer Abbott to summarize. She said this property is out of character with the street and neighbourhood. The number of items requiring fixing is why the Order was done. Her pictures provide an accurate view of the issues. A lot of the work was done today.

Mr. McNee said that the garbage is gone, windows will be replaced. Most of the work was done 3 days ago and today.

The Committee then went into deliberations.

Member DeSouza asked Officer Abbott if this property had ever had any prior complaints. She replied that she could not answer that question.

Member Jean asked about the horizontal boards on the deck. Is it peeling paint?

Officer Abott told the Committee that they need to replace them with pressurized wood or stained. If previously painted, would require paint.

Member DeSouza asked if Mr. McNee wanted a new date set.

Chair Barrett asked Mr. McNee when he could get all the issues rectified. He replied that one month is reasonable as he is busy with his swimming pool company. Including painting all items? No relevance to painting the horizontal planks underneath and on top. Deck may be changed in a few years. No point putting a lot more money into it. By cleaning the garage doors, is that ok? Officer Abott explained that Mr. McNee needs to paint around the frame.

Member Jean asked about the storage under the deck. Which section? Officer Abott replied that there was an additional heater, pool equipment and garbage. These items can attract pests and is unsightly. The accumulation of debris is the issue.

Member Bridgeman says she appreciates the other Committee members' views. She told Mr. McNee that he drew attention to himself with the garbage accumulation. Remove items that need to be removed. The property really needs to be cleaned up. For Items 10 and 11, she is content to remove these items from the Order.

Member DeSouza agrees. Mr. McNee will be replacing the windows in a year or two.

Member Jean disagreed. He told the Committee that he sees lots of people painting in the neighbourhood. Not up to Town standards. A messy property doesn't get there quickly. He believes the Order should be upheld in its entirety.

Member Bridgeman said to just paint the frames, not replace the windows.

Chair Barrett said that painting the deck protects the wood. Item #12 can be amended to be cleaned and frame only needs to be painted. Order should be upheld, with amendment to Item #12. How long does Mr. McNee need? A month to comply with all items.

Member Lambert made a Motion to uphold the Order, amending Item #12 to clean the garage doors and paint the frames by July 16/2016.

ORIGINAL ORDER

SCHEDULE "A"

ITEM	PARTICULARS OF REPAIRS TO BE EFFECTED
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- 1. Remove from the property, and legally dispose of all refuse and debris, and all unused and/or discarded items located in the side, rear and front yards, and**

underneath the rear raised deck/balcony including but not limited to: cardboard, cement, dead vegetation, household garbage, miscellaneous plastic and wood materials, plastic cups, beer and alcohol bottles and cans, broken glass, assorted food and beverage containers, and deteriorating pieces of wood/plywood. All yards shall be maintained in a good state of repair, kept clean and free from objects or conditions that might create an unsafe or unsightly condition out of character with the surrounding environment.

2. Remove and legally dispose of all accumulations of garbage, debris and discarded items, including but not limited to beverage containers, cardboard, household waste, from the rear raised deck/balcony and ensure that the deck/balcony is maintained in a good state of repair, free from accumulations of garbage, and/or storage of items and does not create an unsightly appearance and provides safe passage.
3. All garbage shall be stored in receptacles and made available in accordance with the waste collection policies, receptacles shall be screened from public view and not create an unsightly appearance.
4. Clear the property of all accumulations of dog/animal feces located in the side, and rear yards and dispose of in accordance with applicable collection policies, and waste management by-laws. All yards shall be maintained so as not to create an unsafe and unsightly condition.
5. Relocate all usable, domestic storage items currently being stored in the front yard to the side and/or rear yard and ensure all usable domestic storage items do not exceed 30% of the yard area, is neat, is for personal use; and is no greater than 2m in height.
6. Reorganize all usable, domestic storage items currently being stored in the side yard, on the west side of the dwelling, so as to ensure that said storage is neat, is for personal use and does not create an unsightly appearance.
7. Repair all inoperable vehicles, including but not limited to, a Silver Chrysler bearing expired Ontario Plate AYVC 148, and Black Infinity bearing expired Ontario Plate BRYX 006, on the property so that they are operational and in a state of good repair, with valid license plates with current validation stickers affixed, that are registered to the appropriate vehicles with the Ministry of Transportation;

OR

Remove all inoperable vehicles from the property and dispose of them in a legal manner;

OR

Relocating the vehicles so they are wholly located within a legally erected garage out of view of the public.

- 8. Secure the gates that form part of the fence which encloses the rear and side yards and are located on both sides of the dwelling 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.**
- 9. Repair and repaint the rear raised deck/balcony and all of its components, including but not limited to, railing, balusters, supports beams, support posts, handrails, deck boards, and stairs so as to ensure that the rear raised deck/balcony and all of its components are in compliance with the Ontario Building Code, is structurally sound, is in a good state of repair, protected by paint or other weather resistant material so as not to present an unsightly appearance.**

Please note as the registered owner of the property you will be responsible for applying for and receiving approval for any Building Permit(s) that maybe required by the Ontario Building Code, and any other applicable legislation. Please contact the Building Services Department at 905-619-2529, with regards to the application and process for the construction or reconstruction of the rear deck/balcony and the specifications for railings and guards required for the rear deck/balcony.

- 10. Repair and repaint all window and door frames so as to ensure that the frames are in a good state of repair, protected by paint or other weather resistant material so as not to present an unsightly appearance.**
- 11. Repair and repaint the overhang/flushing located above the front bay/bow window that is located on the ground floor at the front of the dwelling. The overhang/flushing shall be in a good state of repair, be structurally sound and not create an unsightly appearance.**
- 12. Repair and repaint the two front garage doors so as to ensure that both doors are in operating condition and can fully close are in a good state of repair, protected by paint or other weather resistant material so as not to present an unsightly appearance.**

13. **Repair and/or replace the broken gutter that is hanging at the front of the home on the second level above the garage so as to ensure that it is maintained in a good state of repair.**

AMENDED ORDER

SCHEDULE "A"

ITEM	PARTICULARS OF REPAIRS TO BE EFFECTED
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1. **Remove from the property, and legally dispose of all refuse and debris, and all unused and/or discarded items located in the side, rear and front yards, and underneath the rear raised deck/balcony including but not limited to: cardboard, cement, dead vegetation, household garbage, miscellaneous plastic and wood materials, plastic cups, beer and alcohol bottles and cans, broken glass, assorted food and beverage containers, and deteriorating pieces of wood/plywood. All yards shall be maintained in a good state of repair, kept clean and free from objects or conditions that might create an unsafe or unsightly condition out of character with the surrounding environment.**
2. **Remove and legally dispose of all accumulations of garbage, debris and discarded items, including but not limited to beverage containers, cardboard, household waste, from the rear raised deck/balcony and ensure that the deck/balcony is maintained in a good state of repair, free from accumulations of garbage, and/or storage of items and does not create an unsightly appearance and provides safe passage.**
3. **All garbage shall be stored in receptacles and made available in accordance with the waste collection policies, receptacles shall be screened from public view and not create an unsightly appearance.**
4. **Clear the property of all accumulations of dog/animal feces located in the side, and rear yards and dispose of in accordance with applicable collection policies, and waste management by-laws. All yards shall be maintained so as not to create an unsafe and unsightly condition.**
5. **Relocate all usable, domestic storage items currently being stored in the front yard to the side and/or rear yard and ensure all usable domestic storage items do not exceed 30% of the yard area, is neat, is for personal use; and is no greater than 2m in height.**

6. Reorganize all usable, domestic storage items currently being stored in the side yard, on the west side of the dwelling, so as to ensure that said storage is neat, is for personal use and does not create an unsightly appearance.
7. Repair all inoperable vehicles, including but not limited to, a Silver Chrysler bearing expired Ontario Plate AYVC 148, and Black Infinity bearing expired Ontario Plate BRYX 006, on the property so that they are operational and in a state of good repair, with valid license plates with current validation stickers affixed, that are registered to the appropriate vehicles with the Ministry of Transportation;

OR

Remove all inoperable vehicles from the property and dispose of them in a legal manner;

OR

Relocating the vehicles so they are wholly located within a legally erected garage out of view of the public.

8. Secure the gates that form part of the fence which encloses the rear and side yards and are located on both sides of the dwelling 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.
9. Repair and repaint the rear raised deck/balcony and all of its components, including but not limited to, railing, balusters, supports beams, support posts, handrails, deck boards, and stairs so as to ensure that the rear raised deck/balcony and all of its components are in compliance with the Ontario Building Code, is structurally sound, is in a good state of repair, protected by paint or other weather resistant material so as not to present an unsightly appearance.

Please note as the registered owner of the property you will be responsible for applying for and receiving approval for any Building Permit(s) that maybe required by the Ontario Building Code, and any other applicable legislation. Please contact the Building Services Department at 905-619-2529, with regards to the application and process for the construction or reconstruction of the rear deck/balcony and the specifications for railings and guards required for the rear deck/balcony.

10. Repair and repaint all window and door frames so as to ensure that the frames are in a good state of repair, protected by paint or other weather resistant material so as not to present an unsightly appearance.

- 11. Repair and repaint the overhang/flushing located above the front bay/bow window that is located on the ground floor at the front of the dwelling. The overhang/flushing shall be in a good state of repair, be structurally sound and not create an unsightly appearance.**
- 12. Clean the two front garage doors and paint the door frames.**
- 13. Repair and/or replace the broken gutter that is hanging at the front of the home on the second level above the garage so as to ensure that it is maintained in a good state of repair.**

That this work be completed by July 16, 2016.

All in favour.

Carried at 9:08 p.m.

3.1.2 Speed Appeal – 25 Meekings Drive

Chair Barrett asked if Mr. Speed was present. He replied he was. She asked if all he was appealing tonight was a time extension and he said yes. She then made a motion to the move the appellant's submission to the beginning of the appeal.

All in favour.

He is asking for a time extension to take down the tree. He agrees it is unsightly, but not a hazard. He needs time to do the work. Asking for the 3rd week of July or 1st week of August, as he is on vacation at that time.

Member Bridgeman asked if Mr. Speed had had any contact with arborists. He has spoken to them over the phone but they have not been out to see the tree. He needs to look into the timeline and pricing. Member Bridgeman asked if the company was removing the tree or are you doing it yourself. Can they look at it without you being there? He wants to be there as he may get other trees taken down.

Member DeSouza confirmed that Craig, the Town Arborist, says the tree is a hazard. Tree has been dead for a long time and needs to be taken down.

Officer Neal stated that if the tree falls there are houses all around him or it may hit an individual. The Town certified arborist says it is a hazard. Mr. Speed says he is the only one near the tree when he mows the lawn.

Chair Barrett questioned the 3rd week of July? Mr. Speed replied no, he would like the 4th week of July to the end of the 1st week of August. He wants to be around.

Member DeSouza questioned the date. Confirmed with Mr. Speed he wants the 4th week of July to 1st week of August. She asked him if he was getting 2 estimates by that time. He replied that he was.

Member Bridgeman doesn't agree to give that long. One month is ok. Town thinks it is a hazard, not disagreeing with hazard. Mr. Speed asked what is the definition of a hazard? This tree is on private property and if it were to fall, right or left, it would not come close to anyone. If it fell backyards, it also would not hit anything.

Chair Barrett asked what is a hazard? Officer Neal says the tree has been dead for a while and needs to come down as soon as possible, as confirmed by the Town certified arborist.

Member Lambert asked how high is the tree? Both Officer Neal and Mr. Speed said it is approximately 25' to 30' high. It is not a small tree.

Chair Barrett agrees the tree is a hazard. She realizes that Mr. Speed needs time to get quotes and then remove the tree. He initially indicated he needs 1-2 months to get the work done, however, she believes that one month from today is adequate to get the work done.

Member Lambert made a Motion to have the work done by July 19, 2016.

SCHEDULE "A"

ITEM	PARTICULARS OF REPAIRS TO BE EFFECTED
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1. **Remove the dead Poplar tree located towards the Far East end of the rear yard in the center of the yard.**

Note: The portion of land in which the described tree is located is within Private Open Space, however a Tree Cutting Permit is not required to be obtained as the tree is dead and hazardous.

2. **Remove all debris from the property that is created by the work being carried out in item 1 and legally dispose of it.**
3. **That the work be done by July 19, 2016.**

All in favour.

This portion of the meeting was done at 9:22 p.m.

4 Verbal Update

4.1 Animal Services Committee

4.1.1 Curran Appeal – 2914 Beachview Street

D. Hannan, Staff Resource, told the Committee that the Order to Restrain has been fully upheld.

4.2 Property Standards Committee

4.2.1 Rashid Appeal – 61 Wilce Drive

D. Hannan, Staff Resource, told the Committee that this property is in full compliance.

Member Bridgeman made a Motion to Adjourn at 9:24 p.m.

All in favour.

Chair

Synopsis

prepared by Officer Tami ABOTT

OVERVIEW

90 Church St., S., Ajax, Ontario is residentially zoned property owned by Tameika WHILBY. Mr. Easton LUKE has authorization to speak on Ms. WHILBY's behalf with respect to the property.

The property is located in a mature subdivision that borders the Historical Pickering Village.

FACTS

June 1, 2016 Officer ABOTT attended the property in response to a complaint with respect to the accumulation and storage of materials, and debris and overall appearance of the property.

The Officer noted the following violations at the property:

In the driveway there were two metal storage bins, a large white cube van with expired validation tags, a yellow bobcat, landscaping bricks, plywood, and multiple lawnmowers, multiple lawn trimmers, multiple pieces of metal lawn furniture, discarded children's toys, pool equipment. (See attached photos)

The back of the white cube van was open and inside there was several office chairs, appliances, including but not limited to, fridges, stoves, dishwasher, washer and dryers. (See attached photos).

Additional storage of items in the rear yard behind the dwelling there was: washer, dryer, frames for patio doors, multiple lawn mowers, televisions, microwave, metal television antennas, wood pallets, scrap lumber, pieces of wood, plastic bins and plastic totes, cabinets, multiple bikes, and assorted metal patio furniture. (See attached photos)

The remainder of the rear yard has been excavated grass and other vegetation removed, appears landfill has been brought in.

June 3, 2016 As a result of the inspection a Property Standards Order was issued to the registered owner of the property Tameika WHILBY. (See attached).

The Order required the following redial action to be undertaken:

1. Remove from the property, and legally dispose of all refuse and debris, and all unused and/or discarded items located in the side and rear yards, including but not limited to: cardboard, plastic, landscaping bricks, landscaping stones, metal antennas, bikes, lawn mowers, wood pallets, paint cans, pieces of wood and lumber, televisions, household appliances, washers, dryers, lawn mowers, patio furniture, office furniture, office equipment, plastic totes, plastic pails. All yards shall be maintained in a good state of repair, kept clean and free from objects or conditions that might create an unsafe or unsightly condition out of character with the surrounding environment.
2. All garbage shall be stored in receptacles and made available in accordance with the waste collection policies, receptacles shall be screened from public view and not create an unsightly appearance.
3. Relocate and reorganize all usable, personal domestic storage items, currently being stored in the side and rear yards and ensure all usable domestic storage items do not exceed 30% of the yard area, is neat, is for personal use; and is no greater than 2m in height and ensure that such storage does not create an unsightly appearance.
4. Landscape the rear and side yard (north side of dwelling unit) with ground cover appropriate to the neighbouring residential area. All yards shall be maintained in a good state of repair, kept clean and free from objects or conditions that might create an unsafe or unsightly condition out of character with the surrounding environment.

June 16, 2016 - A letter of appeal was submitted to the attention of the property Standards Committee Secretary. (See attached)

June 20, 2016 – A letter submitted from the Secretary of the Property Standards Committee was sent by registered mail to the attention of the registered owner of the property Tameika WHILBY. (See attached)



The Corporation of the Town of Ajax

ORDER

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

ISSUED TO: TAMEIKA WHILBY
90 CHURCH ST S
AJAX ON
L1S 6B3

PROPERTY: 90 Church St, Ajax, ON
CON 1 PT LOT 15
010002128100000

FILE NUMBER: 16 104144

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 on or before **Sunday, July 3, 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, June 3, 2016

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

Tami Abbott
(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
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- | | |
|----|--|
| 1. | Remove from the property, and legally dispose of all refuse and debris, and all unused and/or discarded items located in the side and rear yards, including but not limited to: cardboard, plastic, landscaping bricks, landscaping stones, metal antennas, bikes, lawn mowers, wood pallets, paint cans, pieces of wood and lumber, televisions, household appliances, washers, dryers, lawn mowers, patio furniture, office furniture, office equipment, plastic totes, plastic pails. All yards shall be maintained in a good state of repair, kept clean and free from objects or conditions that might create an unsafe or unsightly condition out of character with the surrounding environment. |
| 2. | All garbage shall be stored in receptacles and made available in accordance with the waste collection policies, receptacles shall be screened from public view and not create an unsightly appearance. |
| 3. | Relocate and reorganize all usable, personal domestic storage items, currently being stored in the side and rear yards and ensure all usable domestic storage items do not exceed 30% of the yard area, is neat, is for personal use; and is no greater than 2m in height and ensure that such storage does not create an unsightly appearance. |
| 4. | Landscape the rear and side yard (north side of dwelling unit) with ground cover appropriate to the neighbouring residential area. All yards shall be maintained in a good state of repair, kept clean and free from objects or conditions that might create an unsafe or unsightly condition out of character with the surrounding environment. |



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 4.3 No wrecked, dismantled, discarded, unused, inoperable vehicles, machinery or objects or parts thereof shall be placed, stored or left on property, but this does not apply where such articles are required and used for business purposes permitted under the Municipality's land use By-laws.
- Section 4.6 All landscaped areas and ground cover, with the exception of grass and/or weeds, shall be maintained in a reasonable condition.
- Section 4.7 All yards and property, including vacant lots, shall be kept free of grass and/or weeds in excess of 15 cm in height.
- Section 4.10 Domestic storage is not permitted in the front yard.
- Section 4.11 Domestic storage may be stored in a rear and/or side yard, provided that such storage:
- a) does not exceed 30% of the yard area of the cumulative total of the side and rear yards;
 - b) is neat,;
 - c) is for personal use; and
 - d) is no greater than 2 m (metres) in height.
- Section 4.29 All exterior property areas, including vacant land, shall be maintained to prevent accumulations of dust or dirt from spreading to neighbouring properties.
- 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 4.48 All exterior garbage storage areas, including containers or receptacles, shall be screened from public view and the screening shall be maintained in a good state of repair.
- Section 4.49 Any abandoned or inoperable appliance, equipment or machinery shall not be left in a common area unless it is awaiting removal. An appliance that is awaiting removal shall have all its doors removed.

- 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.

40 Church St Alley June 1 2016 Abbott Aboti 12/19





90 Church St S Apr

June 1 2016 Abbott ABCT

2019



90 Church St S Ayr

June 18th 1887

30 19

Go Church St S Apr June 1806 Abbott ABOT 4019



90 Church St S Hwy

June 13/16 Robert Abbott

5/19



90 Church St S Ayer June 1 2016 T Abbott Abbott 6019



90 Church St S Ariz June 1 2016 Abbott AB077 Fg19



90 Church St S Apr
June 1 2016 Street Art
8919



90 Church St S Apr
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7745011 Abbott
7819



Go Church Sts Apr Jun 1 2016 Abbott Abert 108 19



Go Church Sts Area June 1 2016 Whit Abbott 11q15



90 Church St S Ariz June 1 2016 Webb ABOT 129119



90 Church St S Ayer June 1 2016 Robert Abbott 13919



90 Church St S. Aprax June 1 2016 Thaboat Abut 14819



Go Church St's Hwy June 1 2016 Street Abot 1599



90 Church St S Ajax June 1 2016 YP Photo AB071 162119





90 Church St. S. Hwy June 1 2016 Proball ABST 17/15

Go Church St S Apr June 1 2016 970001 18919





Go Church St S Apr June 1 2016 Abbott Abbott 19819.

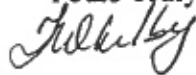
File # 16104144

June 12, 2016

Subject: Letter of Authorization

Reply to: Tami Abbott 905-619-2529 ext 3360

I am Tameika Whilby and her by authorize Easton Luke to address me on the matter sent to me "file number: 16104144" on behalf of me on all matters.

Yours Truly,


Tameika Whilby
647-996-6739

File # 1610444

June 12, 2016

Subject: Notice of Appeal

Reply to: Tami Abbott 905-619-2529 ext 3360

I am writing to request an appeal of "conforming with the standard of maintenance". I am in the process of renovating 90 Church Street South from resodding the front yard, to installing interlocking stones around the house, to re-staining the deck, to cleaning up the back yard.

The fridge and stove on the deck is to replace the existing units in the house. The washer and dryer outside is to replace the existing units in the basement. The pressure treated wood is some of the wood I am going to be using to make a fence in the backyard. Several of the bikes are for my family and some of the lawn mowers are to be repaired. The area antenna will be used and is not garbage. The rest of the stuff are garbage, but due to my schedule I had not been able to clean them up but I am in the process of doing so as we speak. I'm in the process of removing any of the offensive material to the neighbour to the right.

However, my same neighbour to the right backyard has a lot of garbage and a lot of it is blown over to my side in which I have to clean up but I am not filing a complaint but just letting you know. In regards to my storage shed, they are used for personal use, since I do not have a garage I had downsized from my previous residence.

Yours Truly,



Easton Luke
416-271-7721

[Representing Tameika Whilby]



**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

Monday, June 20, 2016

TAMEIKA WHILBY
90 CHURCH ST S
AJAX ON
L1S 6B3

SUBJECT PROPERTY: 90 Church St S LOT 15
CON 1 PT LOT 15
010002128100000

FILE NUMBER: 16 104144

Dear Sir/Madam:

Please be advised that The Property Standards Committee is in receipt of your letter requesting an appeal to Order Number **16 104144** for the above subject property.

The Property Standards Appeals Committee will hear the appeal on **THURSDAY, AUGUST 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 may 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.

If you wish to have any hardcopy material included in the agenda package for the Committee's review, you must supply the Town with a copy of it on the Wednesday, one week before your appeal date. The material can be brought into Ajax Town Hall and left for my attention at the Information Desk between 8:30 a.m. to 4:30 p.m., Monday to Friday. Any documents you wish the Committee to review after this date must be done by a vote of the Committee on the day of the Appeal.

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

400 Monarch Ave Unit 14 Ajax - Property Standards Order, file # 16-101816 - Appeal Package

Synopsis
prepared by Officer Tami ABOTT

OVERVIEW

400 Monarch Ave Unit 14, Ajax Ontario is located within a commercial /industrial area. The unit is the business location of an indoor playground, family entertainment business operating as Endless Fun. Mr. Regi MATHEW is the owner/operator of the business.

FACTS

March 29, 2016 Officer ABOTT attended the business in response to a complaint regarding the safety of the indoor play structure used as part of the business.

The Officer spoke with the owner of the business with respect to the concerns and advised the Owner that as the concerns were outside her area of expertise and in accordance with the Building Code Act and the Town of Ajax Property Standards By-law she would issue an Order to Test to the owner. The order to test would require that the owner obtain an independent report from a certified professional based on formal inspection of the equipment and surrounding environment.

March 30, 2016 An Order Test was issued to the registered owner of the business. (see attached)

The Order to Test required the owner to:

1. Supply the Town of Ajax with an inspection report from a Certified Playground Inspector, qualified in assessing children's play structures, apparatus, and spaces.

Specifically the report shall state:

- a) If the *play structure* and the space surrounding it is deemed to be safe and free of hazards; and
- b) If it is not deemed to be safe and hazard free, list all hazards and the required repairs that will correct the specific hazards.

PLEASE NOTE: The report must indicate the day the *play structure* was inspected, the Certified Playground Inspector, name and signature. The report must be submitted to the By-law Services Department, Town of Ajax.

The compliance date to submit the report to the Town of Ajax was May 2, 2016.

May 20 2016 Original copy of Report from MSE Mitko MANCEVSKI, P.Eng. Canadian Certified Playground Inspector was submitted to the Town of Ajax. The report indicated that the inspection of the play structure was conducted on May 1, 2016. (see attached).

Enclosed in the package, for reference, is a Playground Equipment Compliance Inspection Report – Annual Comprehensive Report used as a template for Certified Playground Inspectors (see attached).

June 15, 2016 Based on the report a Property Standards Order was issued to the registered owner of the business. (see attached). Illustrations obtained from CSA Z614-14 were included with the Order to demonstrate the PSE (Protective Surfacing Zones), and NEZ (No Encroachment Zones) as mentioned in the submitted report by MSE. (see attached).

The Order required the following action be undertaken on or before Friday, July 15, 2016:

1. Install appropriate signage indicating owner/operators name and contact information. Such signage shall be "readily identifiable" and "clearly visible" and located within the play area as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 5 1.
2. Install appropriate signage indicating manufacturers name and contact information on play equipment as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 5, Item 2.
3. Install signage and identify areas within playground regarding composite play structures. Such signage shall indicate the appropriate age groups as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 5 Item 3.
4. As per Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 6.3 Item 6:
 - a) ensure that all slides less than 1.2 m (47.24 in) in platform height shall have a minimum of 1.8 m (70.87in) of clearance which includes the protective surface zone, (see attached diagram), and
 - b) ensure that all slides greater than 1.2 m (47.24 in) in platform height shall have a minimum of 4.0 m (156 in) of clearance which includes the protective surfacing zone (2.4 m), plus the no encroachment zone (1.8 m).The width of protected no encroachment zone shall equal the slide bedway width plus .5 m on either side. (see attached diagram)

5. At 2 spiral stairs rises vary from 330 mm (13 in) to 430 mm (16.93 in), adjust the stairs so as to ensure even spacing within +/- 6 mm (1/4 in) and +/- 2 degrees tolerance as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Item 6.5 Item 13.

June 27, 2016	Notice of Appeal was submitted to the Property Standards Committee Secretary. (see attached)
June 28, 2016	A letter submitted from the Secretary of the Property Standards Committee was sent by registered mail to the attention of the registered owner of the business Endless Fun Inc. (see attached)
July 19, 2016	<p>Attended business to obtain complete measurements of existing play structures as they relate to the PSZ, and the NEZ as these measurements were not included in the report and to obtain clear photos of the play structure as it exists. (see attached photos).</p> <p>Measurements from bottom of the first triple wavy slide to the steel structural support posts is 3.4 m.</p> <p>Measurements from the bottom of the enclosed (tube type) slide to the steel structural support posts, if child exists the slide from an angle to the right and as referred to in the report is 2.5 m.</p> <p>Measurements from the bottom of the enclosed (tube type) slide to the knee wall, steel structural support posts, if child exists the slide from an angle to the left is 3.6 m</p>



The Corporation of the Town of Ajax
15.8 ORDER TO TEST

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

ISSUED TO: ENDLESS FUN INC.
80 HOPKINSON CRESCENT
AJAX ON
L1T 4E1

ENDLESS FUN INC.
400 MONARCH AVENUE UNIT # 14
AJAX ON
L1S 3W6

PROPERTY: 400 Monarch Ave., Unit # 14 Ajax ON
PLAN 481 PT BLK N NOW RP 40R4828 PART 4 TO 17

FILE NUMBER: 16 101816

A complaint regarding the installation, maintenance and overall safety of the indoor play structure within your business was received and the issues raised are beyond the expertise of the inspecting Officer therefore a test to ascertain the installation, maintenance and the overall safety of the indoor play structure is being Ordered.

If the tests reveal that the installation and maintenance of the indoor play structure poses a safety risk to children and customers utilizing the indoor play structure then repair or removal of the indoor play structure may be subsequently Ordered.

SCHEDULE "A", attached hereto, sets out the tests required by the Town of Ajax.

Be advised that these test results must be submitted to the Town of Ajax on or before **Monday, May 2, 2016**. Failure to provide the Town of Ajax with these test results may result in charges being laid against you for failing to comply with an Order issued pursuant to the Ontario Building Code.

Further information regarding this Order can be obtained by contacting the issuing Officer.

Dated at Ajax, Wednesday, March 30, 2016.

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

Tami Abbott
(905) 619-2529 ext. 3360

SCHEDULE "A"

ITEM	PARTICULARS OF TEST REQUIRED
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1. Supply the Town of Ajax with an inspection report from a Certified Playground Inspector, qualified in assessing children's play structures, apparatus, and spaces.

Specifically the report shall state:

- a) If the *play structure* and the space surrounding it is deemed to be safe and free of hazards; and
- b) If it is not deemed to be safe and hazard free, list all hazards and the required repairs that will correct the specific hazards.

PLEASE NOTE: The report must indicate the day the *play structure* was inspected, the Certified Playground Inspector, name and signature. The report must be submitted to the By-law Services Department, Town of Ajax.



AUTHORITY FOR ORDERING TESTS

Excerpts from the Ontario Building Code S.O 1992, Chapter 23

Inspection Powers of Officer

- 15.8 (1) For the purposes of an inspection under section 15.2, an officer may,
- a) require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the property or any part thereof;
 - b) inspect and remove documents or things relevant to the property or part thereof for the purpose of making copies or extracts;
 - c) require information from any person concerning a matter related to a property or part thereof;
 - d) be accompanied by a person who has special or expert knowledge in relation to a property or part thereof;
 - e) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection; and
 - f) order the owner of the property to take and supply at the owner's expense such tests and samples as are specified in the order. 1997, c. 24, s. 224 (8).



7 Swiss Court
Toronto Ontario
M2M 4E2

MSE Inc • 7 Swiss Court • Toronto ON • M2M 4E2

Endless Fun
c/o Mr. Regi Mathew
14-400 Monarch Ave
Ajax ON L1S 3W6

Order reference:
2016/PG-08

Date:
May 11, 2016

Subject: Indoor Playstructure at 14-400 Monarch Ave -
Annual Inspection Comprehensive Report

Dear Regi,

as per your request, MSE has performed an annual comprehensive inspection for an existing indoor composite playstructure within the Endless Fun premises, located at the municipal address 14-400 Monarch Avenue in Ajax Ontario. It is our understanding that the request for an inspection of the indoor composite playstructure has been made by the Town of Ajax.

Please note that the current Canadian standard **CSA Z614 Children's play-spaces and equipment** does not require compliance for indoor public-use playground equipment and playspaces.

During our field review, several non-compliance issues have been observed at the existing indoor composite playstructure, none of which associated with high hazard level. The preliminary cost of the required work to remedy these issues has been estimated to be at least \$1,000.-, excluding ancillary cost and applicable taxes.

For a more detailed discussion on our findings, please refer to the body of the report following the table of contents on the next page. Thank you for retaining us in this matter, and please do not hesitate to contact us with any questions.

Best regards,


MITKO MANTCHEVSKI, P. ENG.
Mitko Mantchevski, P. Eng.
PLAYGROUND INSPECTOR

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416 301 2809
416 900 2245

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design@MStructural.CA

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1 Introduction

MSE has performed an annual comprehensive inspection for an existing indoor composite playstructure within the Endless Fun premises, located at the municipal address 14-400 Monarch Avenue in Ajax Ontario:

Report requested by:	Regi Mathew
email:	RSMathew@yahoo.ca
Telephone:	905 239 9992 / 647 607 6933
Composite playstructure location:	Endless Fun 14-400 Monarch Ave Ajax ON L1S 3W6
Inspector:	Mitko Mančevski, P. Eng. Canadian Certified Playground Inspector
Standard used for evaluation:	CSA Z614-2014 (approved February 2015) <i>Children's playspaces and equipment</i>
Date of inspection:	May 1, 2016
Time:	9:00 - 10:15 (a.m.)
Weather	Rain +8° C

MSE Reference: 2016/PG-08

The existing indoor composite playstructure has been evaluated for compliance to the clauses in the CSA¹ standard Z614-2014 (approved February 2015), with the applicable clauses referenced on the margins of the report. Please note that the above-mentioned standard does not require compliance for indoor public-use playground equipment and playspaces such as the indoor composite playstructure within the Endless Fun premises.

The results of the evaluation are listed as either **Satisfactory** or **Unsatisfactory** or **Not applicable**. In case of an **Unsatisfactory** evaluation, the hazard level is identified as either **High** or **Medium** or **Low**, along with the approximate repair cost listed for budgeting purposes only. **High hazard level requires an immediate remedial action**, since it indicates likelihood of serious or life-threatening injury.

The following abbreviations are being used in this report:

- DPS Flat surface with area $> 50 \times 50 \text{ mm}$ ($1.97 \times 1.97 \text{ in}$) and with slope $< 30^\circ$
- NEZ No-encroachment zone
- PSZ Protective surfacing zones

The opinion regarding approximate repair cost is only an estimate, the actual cost of remediation work will most likely vary from this estimate and has to be established through a competitive bidding process with at least a few bidders.

2 Owner/operator record keeping

At the time of our site visit, there were no playspace equipment records available for our review.

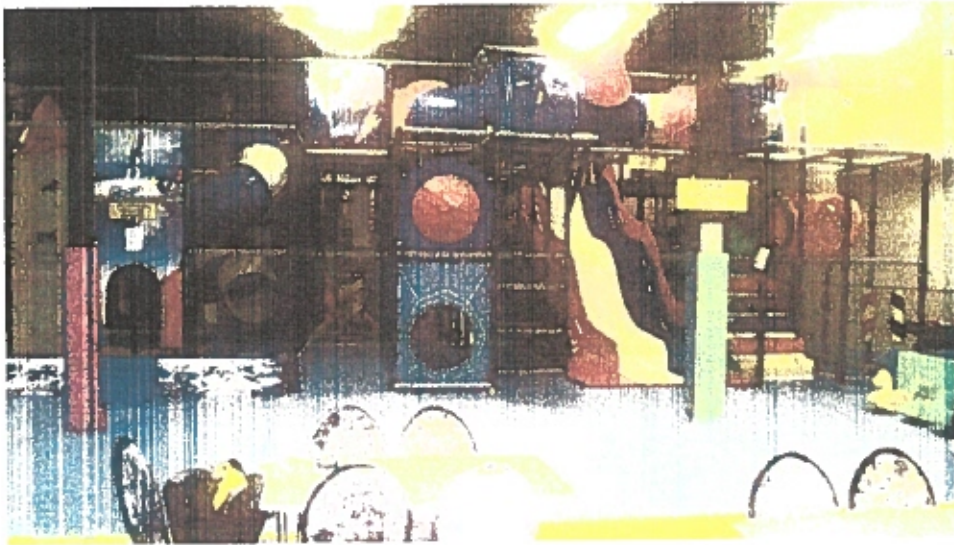
3 Photographs

The indoor composite playstructure is located at the back of the Endless Fun premises (along the building West façade) and is accessible through the main entrance (at the building East façade).

The composite playstructure contains numerous play elements and is shown on 2 photographs on the following page. Photograph 1 shows the North half of the East (main) side of the play structure, and Photograph 2 the South half (both photographs taken looking West). The overall plan dimensions read $8,600 \times 22,100 \text{ mm}$ (East-West \times North-South direction), the overall height reads $4,600 \text{ mm}$ and accommodates 3 levels of pathways (1 at grade and 2 above grade). There is protective netting all along the pathways that prevents falls from the pathways. The access to the playstructure is mainly from the East side.

¹CSA[®] denotes Canadian Standards Association (www.csagroup.org).
MSE Reference: 2016/PG-08

Photograph 1: General view of East side (North half)



Photograph 1: General view of East side (South half)



4 Surfacing information

Cl. 10

1. Protective surfacing synthetic tiles 12 mm ($\frac{1}{2}$ in) deep: **Satisfactory**
2. Manufacturer/supplier of protective surfacing: **Unsatisfactory** (Low hazard, approximate budget cost for repair \$100)

5 Equipment: general & inventory

1. Owner/operators name and contact information in a 'readily identifiable' and 'clearly visible' location from the play area: **Unsatisfactory** (Low hazard, approximate budget cost for repair \$100) Cl. 16.1
2. Manufacturer's name and contact information present on play equipment: **Unsatisfactory** (Low hazard, approximate budget cost for repair \$100) Cl. 16.1
3. Age group indicated (18 months to 5 years, 5 to 12 years or 18 months to 12 years): **Unsatisfactory** (Low hazard, approximate budget cost for repair \$100) Cl. 16.2

5.1 Equipment inventory

- Composite playstructure with slides, wavy triple slides, enclosed spiral slides, stairs, balance beam, ramps, rolls, flexible crawl tunnels, toboggan, playhouses etc (see Photographs 1 and 2)

6 Equipment inspection & hazard identification

6.1 General information regarding equipment and play area

1. All components tight and secure: **Satisfactory**
2. No trip hazards exist: **Satisfactory**
3. Play components free of extra holes and gaps that may harbor insects or inappropriate material: **Satisfactory**

6.2 Materials and installation

Cl. 7 & 8

4. Presence of rusting, rotting or significant decay: **Satisfactory**
5. Moving suspended elements connected to fixed support with bearings or bearing surfaces that reduce friction/wear: **Satisfactory**

6.3 Protective surfacing zones and no-encroachment zones

Cl. 14

6. Slide protective surfacing zones: Platform height equals PSZ required with 1800 mm (70.87 in) minimum and 2400 mm (94.49 in) maximum plus NEZ required when starting platform 1200 mm (47.24 in) in elevation above protective surfacing: **Unsatisfactory (Medium hazard)**

Comment: At the wavy triple slide on Photograph 1 steel building column located in NEZ (the column is padded), at the enclosed spiral slide in foreground on Photograph 2 barrier located at 2400 mm (94.49 in). At the wavy triple slide, no estimated cost listed since remedy not possible without modifications to the composite playstructure, the cost of which is difficult to estimate. At the enclosed spiral slide barrier shall be moved to be at 4200 mm (165.35 in), approximate budget cost for repair \$600.

6.4 Performance requirements

Cl. 12

7. Sharp edges/sharp points capable of abrading human skin: **Satisfactory**
8. Head and neck entrapment at fully bounded, rigid and non-rigid openings: **Satisfactory**
9. Head and neck entrapment at partially bounded openings: **Satisfactory**
10. Sharp edges/sharp points capable of abrading human skin: **Satisfactory**
11. Impalement protrusions using the 3 protrusion gauges: **Satisfactory**

Comment: At the ramp with triangular steps the access has been closed off.

12. Drawstring entanglement at slides and sliding poles: **Satisfactory**

Cl. 12.4.6.2,
12.4.6.3 and
12.4.7

6.5 Access & egress

Cl. 13

13. All steps and rungs: even spacing within $\pm 6\text{ mm}$ ($\frac{1}{4}\text{ in}$) and $\pm 2^\circ$ tolerance: **Unsatisfactory (Medium hazard)**

Comment: At 2 spiral stairs rises vary from 330 mm (13 in) to 430 mm (16.93 in).

14. All stairways, stepladders and rung ladders: slope, tread width and tread depth as per Table 2: **Satisfactory**
15. Stairways have 2 handrails at appropriate reach ranges or protective barriers up to 1200 mm (47.24 in) in step elevation, and protective barriers are required above 1200 mm (47.24 in): **Satisfactory**

6.6 Guardrails and protective barriers on elevated surfaces

Cl. 13.4

16. Guardrails and protective barriers do not contain DPS: **Satisfactory**

17. Protective barriers (to an appropriate height) are compliant on platforms above 750 mm (29.53 in) high for users younger than 5 years, and on platforms above 1200 mm (47.24 in) high for users older than 5 years, and all openings are 375 mm (14.76 in) or less (or have a top horizontal rail): **Satisfactory**
18. Access components present between adjacent platforms greater than 300 mm (11.81 in) for users younger than 5 years, and 450 mm (17.72 in) for users older than 5 years: **Satisfactory**
19. Adjacent platforms that would otherwise be subject to guardrails or protective barriers have some type of protective infill between platforms: **Satisfactory**

6.7 Age appropriate design and other design requirements

20. Equipment not recommended for users younger than 5 years: Cl. 15
 - Sliding poles
 - Track rides
 - Log rolls
 - Fulcrum seesaws
 - Pulley/cable rides
 - Freestanding arched climbers

Satisfactory

7 Site furnishings

Sitting area outside of the protective surfacing. Furniture on the North side of the playstructure shall be removed.

exempt under
Cl. 1.5

8 Summary & recommendations

The current Canadian standard CSA Z614 *Children's playspaces and equipment* does not require compliance for indoor public-use playground equipment and playspaces. However, inspection of the indoor composite playstructure and this report have been requested by the Town of Ajax. In summary, the non-compliance issues read:

Items/Issues	Number of non-compliance issues	Approximate budget cost for retrofit/repair
High hazard level	0	-
Medium hazard level	2	\$600 minimum
Low hazards	4	\$400

May 11, 2016

The report lists several non-compliance issues that have been observed at the indoor composite playstructure, none of them with a high hazard level that would require immediate attention. The preliminary cost of the required work to remedy these issues has been estimated to be at least \$1,000.-, excluding ancillary cost and applicable taxes.

Best regards,

MITKO MANDEVSKI, P. ENG.
CANADIAN CERTIFIED
PLAYGROUND INSPECTOR
MITKO MANDEVSKI, P. Eng.

Playground Equipment Compliance Inspection Report Annual Comprehensive Report

Note: This annual comprehensive report is a “work in progress”. Please forward any comments or suggestions to cpsi@cpsionline.ca

****This report is best used as a “Prior To Use” inspection or as a full annual audit. If using this report as a monthly inspection to compile the annual comprehensive report this format may need to be shortened or customized based on what equipment is present****

GENERAL SITE INFORMATION

Agency Requesting Inspection:		Inspection Date:	
		Time:	
Phone:		Weather:	
Location Name:		Temperature:	
Inspector:		Position/Qualifications of Inspector:	
Purpose:		Standard Used For Evaluation:	
Methodology and Tools Used for Inspection:			

GENERAL EQUIPMENT INFORMATION

Area #/ Part #:		Equipment Present:	
Site Location:			

OWNER/OPERATOR RECORD KEEPING INFORMATION

(risk management information not necessarily required for compliance with CSA Z614)

Documentation for Selection, Installation, Acceptance and Payment Information in File:		Scaled Site Plan, Photos, or Plan Layout Included with Report:	
Installation Date and Date of Upgrades/Retrofit in File:		Letter of Compliance to Z614 in File:	
Equipment Structural Integrity Testing Data in File (as per Clause 9):		Previous Inspection and Maintenance Records in File:	

SITE FURNISHINGS

(exempt from CSA under Clause 1.5, check for general condition, stability and obvious hazards)

1. Access to play area, pathways, lighting, benches, tables, fencing, buildings fixtures, garbage cans, shade shelters, etc. (exempt from CSA Z614 under Clause 1.5)

Satisfactory / Unsatisfactory / Not applicable

Approximate budget cost for repair (\$):

Comments:

SITE PLAN, LAYOUT, OR SITE PHOTOGRAPHS

SURFACING INFORMATION

2. Protective surfacing type

Sand / Gravel / Wood Chips / Engineered Wood Fibres / Synthetic (PIP or tiles) / Other

3. Protective surfacing dimensions:

4. Retaining wall or excavated pit (mandatory if loose fill material)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

5. Manufacturer/supplier of protective surfacing (add name and contact info if known):

6. Compaction and/or contamination of protective surfacing

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

7. Maximum CSA fall height of surface system (list equipment type and height):

Location:

Height:

8. Maximum height of equipment on surface system (list equipment type and height):

Location:

Height:

9. Check depth of protective surfacing to ensure adequate compared to CSA fall height (check minimum 3 locations) . Use depth chart below to confirm adequacy.

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Depth location #1:

Depth location #2:

Depth location #3:

Average depth of protective surfacing:

Result: Okay / Add material / Till / Re-distribute (circle any that apply)

Comments:

APPROXIMATE RESULTS AND RECOMMENDATIONS FOR SURFACING DEPTH LISTED BELOW WITH MATERIAL DEPTH OF 300mm (APPROX. 12 in) OR GREATER

Protective Surfacing Type	Approximate Critical Height Achieved
Wood Chip/Bark Mulch:	Up to 3.0m (Up to 10 feet)
Engineered Wood Fibres:	More than 3.0m (More than 10 feet)
"Washed" Round Pea Gravel: *Needs to be appropriately cleaned and washed to avoid compaction	Up to 2.5m (Up to 8.25 feet)
Specified Sand: *Needs to have specific sieve analysis completed to ensure adequate impact attenuation	More than 2.5m (More than 8.25 feet)
Shredded Tire Crumb: *Depth of only 200mm (approx. 8 in)	More than 3.0m (More than 10 feet)

GENERAL EQUIPMENT INFORMATION, SIGNAGE AND RETROFIT INFORMATION

10. Check for owner/operators name and contact information in a "readily identifiable" and "clearly visible" location from the play area

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #: _____ Hazard Class: _____

Approximate budget cost for repair (\$): _____

Comments (list information provided on signage): _____

11. Check for manufacturers name, contact information and date of manufacture present on play equipment

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #: _____ Hazard Class: _____

Approximate budget cost for repair (\$): _____

Comments (list information provided on signage): _____

12. Check for age group indicated (1.5 to 5, 5 to 12, 1.5 to 12)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #: _____ Hazard Class: _____

Approximate budget cost for repair (\$): _____

Comments (list age group indicated): _____

EQUIPMENT INVENTORY

Stairs:	Stepladders:	Rung Ladders:	Rigid Climbers:
Flexible Climbers:	Platforms:	Activity Panels at Ground Level:	Single Slides:
Double Slides:	Triple Slides:	Wavy Slides (single, double, etc.):	Enclosed Tube Slides:
Open Tube Slides:	Embankment Slides:	Spiral Slides:	Curved/Elbow Slides:
Sectional Slides:	Roller Slide:	Other Slide:	Other Slide:
Sliding Poles:	Upper Body Equipment:	Track Rides:	Crawl Tunnels:
Suspension Bridges:	Arched Bridge:	Ramps:	Transfer Stations:
Roofs:	To-Fro Swings:	Rotating Swings:	Seesaws:
Vertical Axis Eqp:	Horizontal Axis Eqp:	Diggers:	Springing/Rocking Eqp.:
Wood Border Panels:	Poly Border Panels:	Other Border Panels/Types:	Water Play:
Sand Play Area/Sandboxes:	Support Posts:	Chinning/Turning Bars:	Bannister Rails:
Geodesic Dome:	Climbing Net Structure:	Space Net:	Planar Net:
Balance Beam:	Guardrails:	Protective Barriers:	Other:
Other:	Other:	Other:	Other:

EQUIPMENT INSPECTION INFORMATION AND HAZARD IDENTIFICATION GENERAL INFORMATION REGARDING EQUIPMENT AND PLAY AREA (various clauses and appendix)
--

13. Check to ensure all components are tight and secure

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

14. Check to ensure no trip hazards exist

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

15. Check to ensure play components are free of extra holes and gaps that may harbor insects or inappropriate material

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

MATERIALS AND INSTALLATION (Clause 7 and Clause 8)

16. Check moving suspended elements are connected to a fixed support with bearings or bearing surfaces that serve to reduce friction or wear

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

17. Check to ensure steel cables are inaccessible or capped to prevent injury from frayed wires

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

18. Check for drainage/ponding on equipment and/or protective surfacing

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

19. Check to ensure components are not capable of being removed without the use of tools

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

20. Check for rusting, rotting or significant decay

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

PROTECTIVE SURFACING ZONES AND NO-ENCROACHMENT ZONES (Clause 14)

- 21. Check for 1.8-m (70.87 in) around all stationary equipment. Note: Overlap is permitted**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 22. Check all rocking/springing equipment for 1.8m (70.87 in) if intended for sitting and 2.1m (82.68 in) in direction of use if intended for standing. Note: Overlap is permitted**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 23. Check protective surfacing zones around all rotating equipment. Note: 1.8-m (70.87 in) that cannot overlap in direction of motion for equipment within 45-degrees of horizontal. 2.7-m (106.30 in) with a 1.8-m (70.87 in) clearance zone required at equipment that rotates within 45-degrees of vertical when diameter greater than 1.0-m (39.37 in) or 1.8-m (70.87 in) that can overlap if diameter less than or equal to 1.0-m (39.37 in)**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 24. Check slide protective surfacing zones. Note: Platform height equals P.S.Z. required with a minimum 1.8m (70.87 in) and a maximum 2.4-m (94.49 in) plus a no-encroachment zone required when starting platform is greater than 1.2-m (47.24 in) in elevation above protective surfacing**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 25. Check all swing protective surfacing zones. Note: 2 x Y in each direction plus no-encroachment zone. Also check protective surfacing zone width. Note: 1.8-m (70.87 in) from end of top beam or 1.8m (70.87 in) from centre of outermost swing seat (whichever is greater)**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:

PERFORMANCE REQUIREMENTS (Clause 12)

- 26. Check for fully bounded opening head and neck entrapment. Note: Check rigid and non-rigid openings**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 27. Check for partially bounded opening head and neck entrapment. Note: use fish probe with "A" and "B" portions of test gauge**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 28. Check for sharp edges/sharp points capable of abrading human skin**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 29. Check for uncapped tubing**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 30. Check for accessible bolt ends beyond two threads. Note: This can be considered an entanglement hazard or a protrusion/sharp edge hazard.**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 31. Check for minimum radius of curvature of 6.35mm (0.24 in) at all suspended members. Note: Belts, straps, ropes and similar flexible components are exempt**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 32. Check for impalement protrusions using the 3 protrusion gauges**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 33. Check for entanglement protrusions using the 4th gauge (i.e. the thin entanglement protrusion gauge). Note: Check for projections upwards of horizontal and projections in any orientation within the slide clearance zone**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:

- 34. Check for protrusions increasing in size**
Satisfactory / Unsatisfactory / Not applicable
CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
Comments:
- 35. Check for gaps greater than 1-mm (0.04 in) in fastening devices**
Satisfactory / Unsatisfactory / Not applicable
CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
Comments:
- 36. Check any S-hooks for non-compliant configuration. Hint: lower loop cannot extend beyond upper loop, lower loop must be aligned with connector body**
Satisfactory / Unsatisfactory / Not applicable
CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
Comments:
- 37. Check for drawstring entanglement at slides and sliding poles in accordance with Clause 12.4.6.2, 12.4.6.3 and 12.4.7. Note: 12.4.6.2 is a test of the slide starting point and slide bedway, 12.4.6.3 is a test of the slide enclosure device (i.e. hood, canopy, etc.) and 12.4.7 is a test for sliding poles (AKA fireman's pole)**
Satisfactory / Unsatisfactory / Not applicable
CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
Comments:
- 38. Check for crush and shear points. Note: must have movement to be non-compliant and exemptions present for: light-weight moving components, chains and their method of attachment, attachment of heavy duty coil springs, area between swinging element and toprail, track ride assemblies**
Satisfactory / Unsatisfactory / Not applicable
CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
Comments:
- 39. Check for suspended hazards. Note: Rope, cable, etc. must be above 2.1m (82.68 in) or if lower must be > 25mm (0.98 in) and bright colour recommended)**
Satisfactory / Unsatisfactory / Not applicable
CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
Comments:
- 40. Check for looping hazards > 125mm (4.92 in)**
Satisfactory / Unsatisfactory / Not applicable
CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
Comments:

ACCESS/EGRESS (Clause 13)

41. Check all steps and rungs for even spacing within a horizontal tolerance of +/- 6mm (0.24 in) and horizontal tolerance of +/- 2 degrees

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

42. Check all steps, rungs, platforms, landings, walkways, ramps, stairways, etc. to ensure they do not trap water or accumulate debris

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

43. Check all stairways, stepladders and rung ladders for slope, tread width and tread depth as per table #2

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

Age of intended user		
Types of access	18 months to 5 years	5 to 12 years
Rung ladders*		
Slope	75-90°	75-90°
Total ladder width†	≥ 300 mm (11.81 in)	≥ 400 mm (15.75 in)
Vertical rise (top of rung to top of rung)	≤ 300 mm (11.81 in)	≤ 300 mm (11.81 in)
Rung diameter	24-40 mm (0.94-1.57 in)	24-40 mm (0.94-1.57 in)
Stepladders		
Slope	50-75°	50-75°
Tread width		
Single-file access	300-525 mm (11.81-20.67 in)	≥ 400 mm (15.75 in)
Two abreast access	—	≥ 900 mm (35.43 in)
Tread depth		
Open riser	≥ 175 mm (6.89 in)	≥ 75 mm (2.95 in)
Closed riser	≥ 175 mm (6.89 in)	≥ 150 mm (5.91 in)
Vertical rise (top of step to top of step)	≤ 225 mm (8.86 in)	≤ 300 mm (11.81 in)
Stairways		
Slope	≤ 50°	≤ 50°
Tread width		
Single-file access	≥ 300 mm (11.81 in)	≥ 400 mm (15.75 in)
Two abreast access	≥ 750 mm (29.53 in)	≥ 900 mm (35.43 in)
Tread depth		
Open riser	≥ 175 mm (6.89 in)	≥ 75 mm (2.95 in)
Closed riser	≥ 175 mm (6.89 in)	≥ 150 mm (5.91 in)
Vertical rise (top of step to top of step)	≤ 225 mm (8.86 in)‡	≤ 300 mm (11.81 in)
Ramps (does not address wheelchair use)		
Slope (vertical/horizontal)	≤ 1:8	≤ 1:8
Width		
Single-file access	≥ 300 mm (11.81 in)	≥ 400 mm (15.75 in)
Two abreast access	≥ 750 mm (29.53 in)	≥ 900 mm (35.43 in)

- 44. Ensure stairways have 2 handrails at appropriate reach ranges or protective barriers up to 1.2-m (47.24 in) in step elevation and protective barriers are required above 1.2-m (47.24 in)**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 45. Check to ensure stepladders have minimum 1 handrail per side at a height less than 725mm (28.54 in) for users < 5 and less than 950mm (37.40 in) for user > 5**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 46. Check to ensure alternate hand support is available on steps with only one tread**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 47. Check all handrails and rungs for diameter or maximum cross-section between 24-40mm (0.94 – 1.57 in) and that climbers have a means of hand support while climbing**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 48. Check to ensure arch climbers and flexible components are not used as the sole means of access for users < 5, that flexible components are securely attached at both ends and that anchoring devices are below the full depth of the protective surfacing**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:
- 49. Check to ensure all rung ladders, flexible components and arch climbers do not have a stepping surface above the platform surface**
 Satisfactory / Unsatisfactory / Not applicable
 CSA Clause #: Hazard Class: Approximate budget cost for repair (\$):
 Comments:

GUARDRAILS AND PROTECTIVE BARRIERS ON ELEVATED SURFACES (Clause 13.4)
--

- 50. Check to ensure that guardrails and protective barriers do not contain a designated play surface (D.P.S. – flat surface greater than 50mm x 50mm (1.97 in) with a slope less than 30-degrees)**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

- 51. Check to ensure guardrails or protective barriers (to an appropriate height) are compliant on platforms above 500mm (19.69in) for users < 5, and on platforms above 750mm (29.53in for users > 5 and all openings are 375-mm (14.76 in) or less (or have a top horizontal rail)**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

- 52. Check to ensure protective barriers (to an appropriate height) are compliant on platforms above 750mm (29.53 in) for users < 5, and on platforms above 1.2m (47.24 in) for users > 5 and all openings are 375-mm (14.76 in) or less (or have a top horizontal rail)**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

- 53. Check to ensure access components are present between adjacent platforms greater than 300mm (11.81 in) for users < 5, and 450mm (17.72 in) for users > 5**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

- 54. Ensure adjacent platforms that would otherwise be subject to guardrails or protective barriers have some type of protective infill between platforms (i.e. precludes passage of torso probe)**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

REQUIREMENTS FOR SPECIFIC COMPONENTS OF EQUIPMENT (Clause 15)

55. BALANCE BEAMS:

- Height no greater than 300mm (11.81 in) for users < 5, and no greater than 400mm (15.75 in) for users > 5

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

56. UPPER BODY EQUIPMENT:

- Centre-to-centre distance between fixed rungs shall be no greater than 375mm (14.76 in)
- Hand-gripping devices shall be between 24-40mm (0.94 to 1.57 in) in diameter
- Rigid hand-grips shall not twist or rotate
- Distance to the first handhold of no greater than 250mm (9.84 in)
- Where access is provided by rungs the distance to the first handhold shall be at least 200mm (7.87 in), but no greater than 250mm (9.84 in)
- Maximum height of the take-off/landing structure shall be no greater than 450mm (17.72 in) for users < 5, and no greater than 900mm (35.43 in) for users > 5
- Maximum height of upper body devices shall be no greater than 1.5m (59.06 in) for users < 5, and no greater than 2.1m (82.68 in) for users > 5

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

57. SLIDING POLES:

- Clearance distance of 450-500mm (17.72 – 19.68 in) from platform surface to pole
- Accessed from one height only
- Distance from platform surface to top of pole a minimum of 1.5m (59.06 in)
- Sliding pole diameter no greater than 50mm (1.97 in)
- Pole continuous with no abrupt changes in direction
- Opening in guardrail or protective barrier no greater than 375mm (14.76 in) – no toprail option

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

58. SLIDE STARTING PLATFORM:

- Depth to be a min. dimension of 350mm (13.78 in) on composite structures and min. of 550mm (21.65 in) on independent slides
- Starting platform width shall be greater than or equal to the sliding section entrance
- 1.5m (59.06 in) vertical clearance on slide entry platform
- Platform surface subject to guardrail/protective barrier requirements where applicable

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

59. SLIDE SITTING SECTION:

- Slope shall not exceed 18-degrees from horizontal
- Handrails or hand support present to facilitate standing to sitting
- Enclosure or hand support present to channel a user into a sitting position
- Enclosure must extend within 125mm (4.92 in) of the sliding section to prevent lateral discharge (i.e. hood, canopy, etc.)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

12 CHECKLIST FOR ANNUAL INSPECTION - 2015-09-21

60. SLIDING SECTION:

- Slide and slide sidewalls smooth, continuous and allow unhampered flow of hand movement
- Height/length ratio not to exceed 0.577
- No span of sliding surface exceeding 50-degrees
- No regions of zero gravity (note: use slide radius of curvature test device)
- Slide width a minimum of 300mm (11.81 in) for users < 5, and minimum of 400mm (15.75 in) for users > 5
- Minimum sidewall height of 100mm (3.94 in)
- Slide is in shade or faces away from sun during peak hours
- Slide not constructed of wood or fiberglass

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

61. SLIDE EXIT SECTION:

- Rounded to a minimum radius of curvature of 10mm (0.4 in)
- Length of exit section a minimum of 275mm (10.83 in)
- If maximum slide elevation is 1.2m or lower (47.24 in) then slide exit height shall be between 0 and 275mm (0 and 10.83 in)
- If maximum slide elevation is > 1.2m (47.24 in) then slide exit height shall be between 175 – 380mm (6.9 – 14.96 in)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

62. SLIDE CLEARANCE ZONE:

- 525mm (20.67 in) clearance measured from inside of slide bedwall

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

63. TUBE SLIDES:

- Internal diameter of 575mm (22.64 in) or greater

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

64. SWINGS (TO-FRO AND ROTATING):

- Not attached to a composite playstructure and located in a low circulation area
- Support structure discourages climbing and contains no D.P.S.
- Swings are made of impact absorbing material and have rounded edges
- Bearing hangers have a means of reducing friction and wear
- Ensure swings are not hung with rope
- Swing seats are not cracked or damaged, especially where connectors are present
- Vertical distance between swing seat and protective surfacing shall not be less than 300mm (11.81 in)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

65. TO-FRO SINGLE USER SWINGS:

- No more than 2 swings within each bay
- Swings to accommodate no more than 1 user
- Seat weight of less than 1.4 kg (approx. 3 lbs.)
- Seating surface has minimum length of 300mm (11.81 in) and minimum width of 100mm (3.94 in)
- Ensure all baby seats have support on all sides and between the legs and no movable or adjustable elements are present (accessible swing seats are exempted from this requirement)
- Horizontal clearance of 600mm (23.62 in) to adjacent swing and 750mm (29.53 in) to swing supports (measured at 1.5m above the protective surfacing)
- Horizontal distance between bearing hangers of 500mm (19.69 in) and that chains create "V" shape

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

66. TO-FRO MULTI-USER SWINGS:

- No more than 1 swing within each swing bay
- Seat weight no greater than 20 kg (44 lbs.)
- Seating surface has a minimum diameter of 600mm (23.62 in)
- Minimum 2 suspension members per side (4 total)
- Manufacturer shall design to reduce tipping during use

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

67. ROTATING SWINGS:

- No more than 1 swing within each swing bay
- Seat weight no greater than 20 kg (44 lbs.)
- Distance from top of swing seat to support structure of 750mm (29.53 in) or greater

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

68. ROTATING EQUIPMENT:

- Platform is generally circular with speed limiting device and no oscillation
- Equipment located in a low traffic area
- No components protrude beyond perimeter of platform
- Maximum D.P.S. height of 350mm (13.78 in)
- Underside clearance for head probe
- Secure hand-grips are provided

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

69. SEESAWS:

- Fulcrum seesaws to have shock absorbing mechanism present under seats
- Distance between seesaws of at least 1.2m (47.24 in) when attached to one support structure
- Hand-grips at least 75mm (approx. 3 in) in length (or 150mm/ 6-in if intended for 2 hands)
- Hand-grips do not turn, twist or rotate or protrude beyond the sides of the seat
- Footrests are present on seesaws with spring centering mechanism
- Maximum slope of seesaw to be no greater than 25-degrees
- Maximum seat height no greater than 1.5m (59.06 in)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

70. SPRINGING/ROCKING EQUIPMENT:

- Seats designed to minimize the likelihood of use by more than the intended # of users
- Hand-grips at least 75mm (approx. 3 in) in length (or 150mm/ 6-in if intended for 2 hands)
- Footrests present with a minimum width of 90mm (3.54 in)
- Seat height is between 350 – 700 mm (13.78 – 27.56 in)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

71. LOG ROLLS:

- Rigid hand-grips must be provided (and within 24-40mm requirement)
- Highest point of roller must be no greater than 450mm (17.78 in)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

72. TRACK RIDES:

- Landing platforms to have minimum depth of 900mm (35.43 in)
- Riding zone clearance a minimum of 900mm (35.43 in)
- Structural elements not to pose a hazard during use
- Distance between adjacent track rides is at least 1.2m (47.24 in) when attached to one support structure
- Hand-gripping component height between 1.6 – 1.95m (63 and 76.77 in)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

73. CLIMBING NET STRUCTURES:

- Hand-gripping components between 16 – 40 mm (0.625 – 1.57 in)
- Connections are secure
- Foundation connections do not pose a hazard and located below the full depth of the protective surfacing

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

74. PLANAR NETS:

- **If angle of inclination is between 0-30 degrees and height is greater than 450mm (17.72 in) above the protective surfacing than the maximum opening size must be limited to 400mm (15.75 in) or less**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

75. SPATIAL NETS:

- **Maximum cross-sectional opening no greater than 700mm (27.56 in)**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

76. CRAWL TUNNELS

- **Clear and safe entry/exit points**
- **Adequate supervision and visibility**

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

AGE APPROPRIATE DESIGN AND OTHER DESIGN REQUIREMENTS (various clauses and figures)

77. Equipment not recommended for users under age 5:

- Sliding poles
- Track rides
- Log rolls
- Fulcrum seesaws
- Pulley/cable rides
- Freestanding arched climbers

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

78. Swinging exercise rings, animal swings, trapeze bars and swinging gates and doors are not recommended.

Note: This does not apply to these components on upper body devices

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

79. SAND PLAY AREAS:

- Located in a low circulation route
- Adequate shade present
- Depth of 200mm (approx. 8 in) present with a recommended depth of 450mm (approx. 18 in)
- Free of litter, debris and/or other hazardous material
- No standing water

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

80. SMALL CHILDREN'S FENCED PLAYSPACES:

To qualify the play area must be:

- Supervised use
- For users 18 months to 5 years
- Surrounded by fencing with a minimum height of 1.2m (47.24 in)
- At least one lockable entrance gate

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

81. EQUIPMENT WITH NO INFORMATION PROVIDED DUE TO INFREQUENCY OF INSTALLATION:

- Pulley/cable ride (see figure #30)
- Roofs (see clause 15.15)

Satisfactory / Unsatisfactory / Not applicable

CSA Clause #:

Hazard Class:

Approximate budget cost for repair (\$):

Comments:

SUMMARY		
Items/Issues	Number of issues of non-compliance from inspection	Approximate budget cost for retrofit/repair
A hazards		
B hazards		
C hazards		

OVERALL COMPLIANCE RATING: _____ out of 82 or _____%

***Compliance rating calculated by taking the total number of satisfactory answers and dividing by the total # of questions in the inspection report (in this case 82 possible questions). Multiply that result by 100 to get the compliance %.

RECOMMENDATIONS & CONCLUSION

[illegible]



The Corporation of the Town of Ajax

ORDER

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

ISSUED TO: ENDLESS FUN INC.
80 HOPKINSON CRESCENT
AJAX ON.,
L1T 4E1

ENDLESS FUN INC.
400 MONARCH AVENUE UNIT # 14
AJAX ON.,
L1S 3W6

PROPERTY: 400 Monarch Ave., Unit # 14, Ajax ON
Plan 481 PT BLK N NOW RP 40R4828 Part 4 to 17

FILE NUMBER: 16 101816

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 on or before **Friday, July 15, 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, Wednesday, June 15, 2016

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

Tami Abbott
(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
------	---------------------------------------

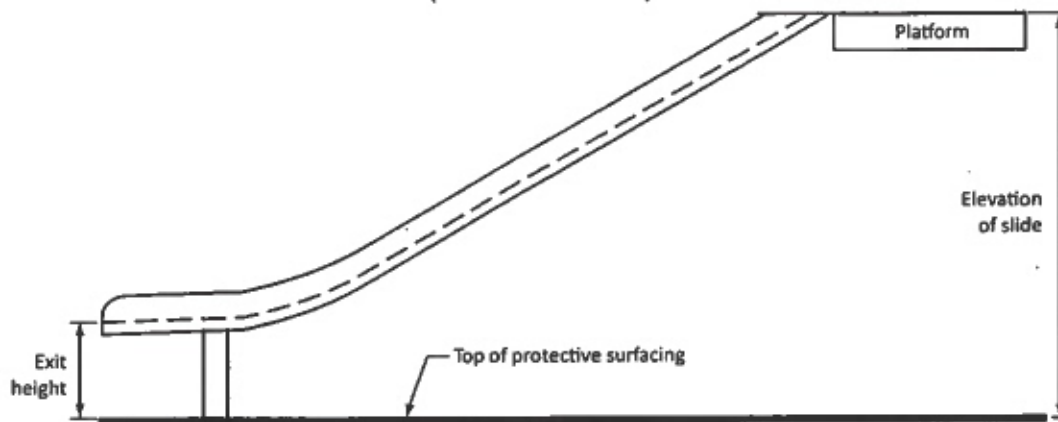
1. Install appropriate signage indicating owner/operators name and contact information. Such signage shall be "readily identifiable" and "clearly visible" and located within the play area as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 5 1.
2. Install appropriate signage indicating manufacturers name and contact information on play equipment as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 5, Item 2.
3. Install signage and identify areas within playground regarding composite play structures. Such signage shall indicate the appropriate age groups as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 5 Item 3.
4. As per Report submitted by the Certified Playground Inspector dated May 11, 2016 Section 6.3 Item 6:
 - a) ensure that all slides less than 1.2 m (47.24 in) in platform height shall have a minimum of 1.8 m (70.87in) of clearance which includes the protective surface zone, (see attached diagram), and
 - b) ensure that all slides greater than 1.2 m (47.24 in) in platform height shall have a minimum of 4.0 m (156 in) of clearance which includes the protective surfacing zone (2.4 m), plus the no encroachment zone (1.8 m).The width of protected no encroachment zone shall equal the slide bedway width plus .5 m on either side. (see attached diagram)
5. At 2 spiral stairs rises vary from 330 mm (13 in) to 430 mm (16.93 in), adjust the stairs so as to ensure even spacing within +/- 6 mm (1/4 in) and +/- 2 degrees tolerance as identified in the Report submitted by the Certified Playground Inspector dated May 11, 2016 Item 6.5 Item 13.



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 4.50 Accessory buildings, signs, fences, retaining walls and all other structures appurtenant to a property shall be structurally sound, maintained in a good state of repair, free of hazards and protected by paint or other weather resistant material so as not to present an unsightly appearance.
- 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.

Figure 41
Height of the exit region
 (See Clause 15.5.6.4.)



Notes:

- 1) If the elevation is less than 1.2 m (47.24 in), the exit height shall be not less than the finished grade and not greater than 275 mm (10.83 in).
- 2) If the elevation is more than 1.2 m (47.24 in), the exit height shall be between 175 and 380 mm (6.89 and 14.96 in).

Figure 42
Slide clearance
 (See Clause 15.5.7.1.)

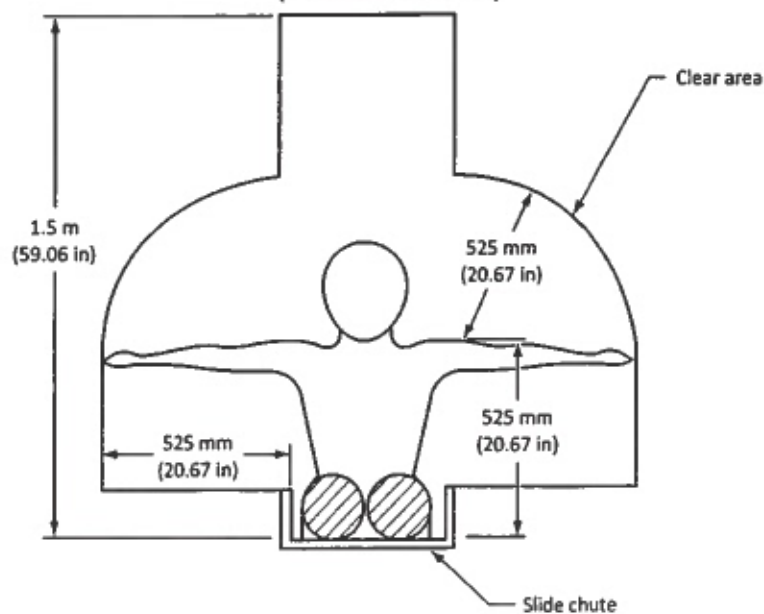
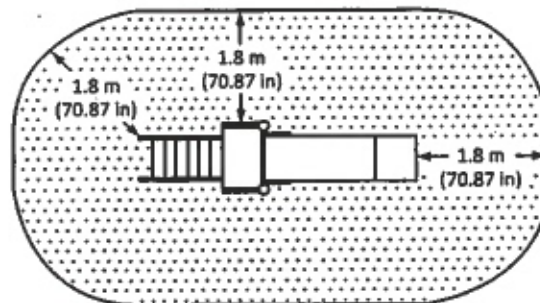


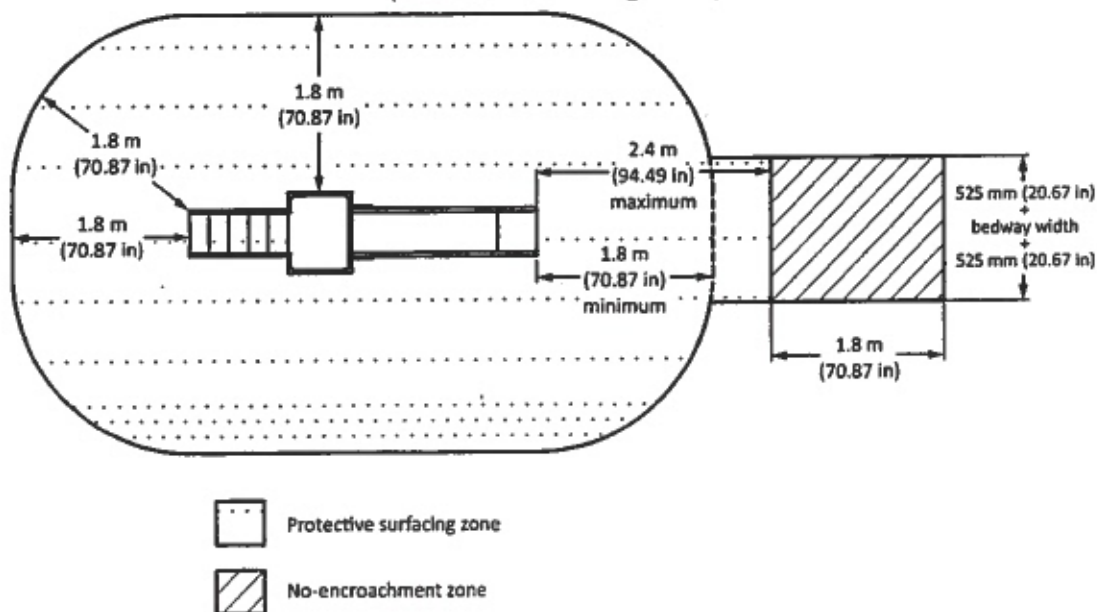
Figure 31
Protective surfacing zone for independent slides
with platform heights of 1.2 m (47.24 in) or less
 (See Clause 14.5.)



Plan view

 Protective surfacing zone

Figure 32
Protective surfacing and no-encroachment zones for independent
slides with platform heights greater than 1.2 m (47.24 in)
 (See Clause 14.5 and Figure 40.)



 Protective surfacing zone

 No-encroachment zone



ENDLESS FUN INC. - Kids Indoor Play and Party Centre
400 Monarch Ave. Unit 14, Ajax, Ont. L1S 3W6
www.endlessfun.ca, Phone: 905-239-9992

RECEIVED
TOWN OF AJAX

JUN 27 2016

LEGISLATIVE AND
INFORMATION SERVICES

Jun.27.16

Notice of Appel

To:

Secretary, Property Standards committee
Town of Ajax
65 Harwood Ave, South, Ajax
ON L1S 2H9

File Number: 16101816

I would like to appeal following items or conditions of the order on above mentioned file.

Schedule "A" Item 4 Section 6.3 Item 6: a & b.

Reason for appeal:

- Prior to installation we had enquired with CSA for any particulars or standards for indoor playground. It was mentioned to us; no standard regulation is currently in place for indoor play structures.
- The current inspector who has done our inspection has used the standards of an outdoor playground structure. Also it is mentioned in the report that these standards do not apply to Endless Fun indoor play ground structure.
- The current distance from the bottom of the slide to the supporting column is 133 inches. There is ample clearance between the column and the slide and also the column is padded.

I hope you will consider our request.

Sincerely,

Regi Mathew
Owner

Tuesday, June 28, 2016

Endless Fun Inc.
Kids Indoor Play and Party Centre
400 Monarch Avenue, Unit 14
Ajax, Ontario
L1S 3W6

And

Endless Fun Inc.
80 Hopkinson Crescent
Ajax, Ontario
L1T 4E1

SUBJECT PROPERTY: 400 Monarch Ave PT 4-17
PLAN 481 PT BLK N NOW RP 40R4828 PART 4 TO 17

FILE NUMBER: 16 101816

Dear Sir/Madam:

Please be advised that The Property Standards Committee is in receipt of your letter requesting an appeal to Order Number **16 101816** for the above subject property.

The Property Standards Appeals Committee will hear the appeal on **THURSDAY, AUGUST 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.

If you wish to have any hardcopy material included in the agenda package for the Committee's review, you must supply the Town with a copy of it on the Wednesday, one week before your appeal date. The material can be brought into Ajax Town Hall and left for my attention at the Information Desk between 8:30 a.m. to 4:30 p.m., Monday to Friday. Any documents you wish the Committee to review after this date must be done by a vote of the Committee on the day of the Appeal.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'K-Little'.

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

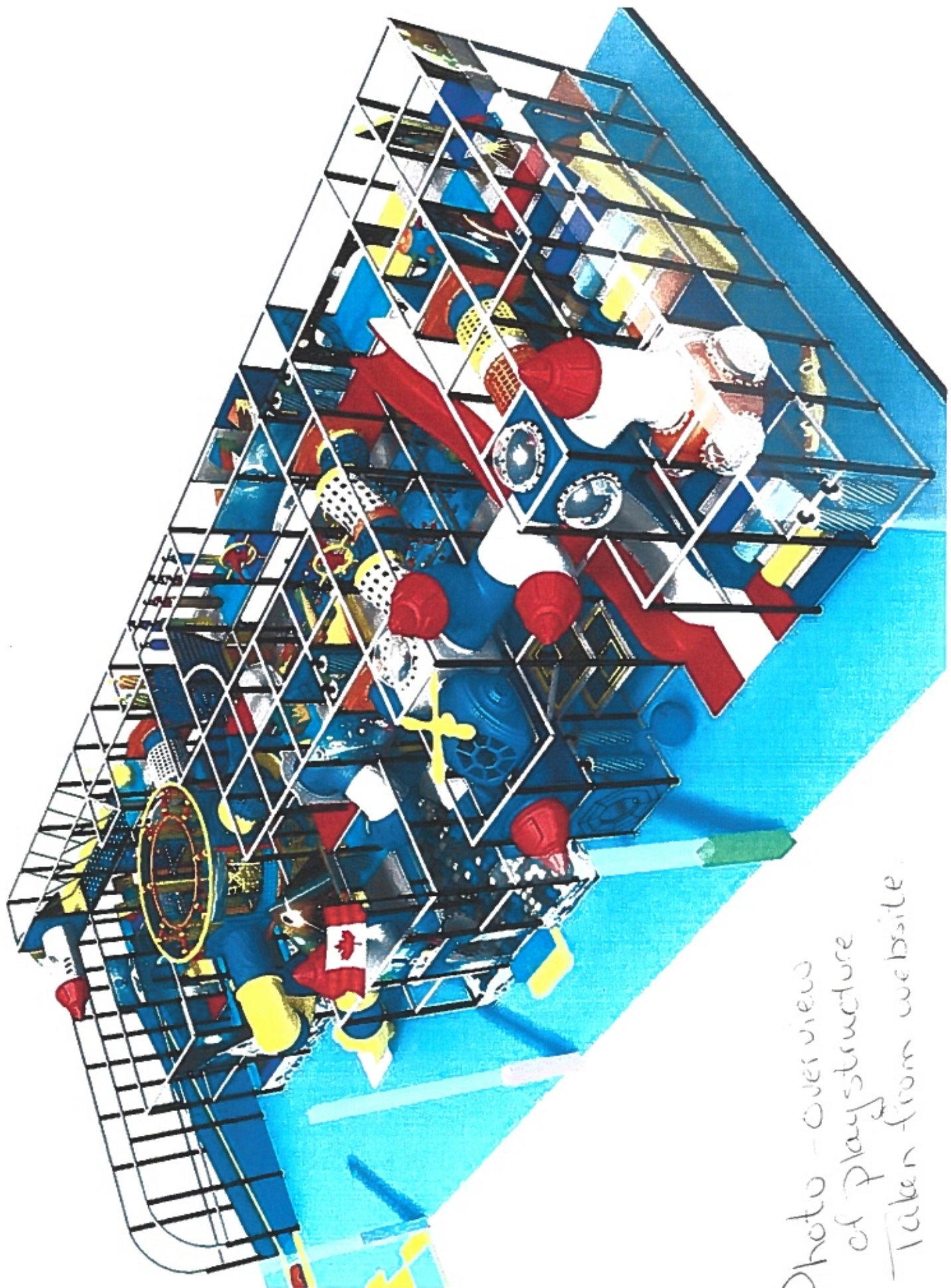


Photo - overview
of play structure
Taken from website



Photo
of enclosed
slide and
steps
Taken from
website



Photo of
Tuborggan
slive
Taken from
website.

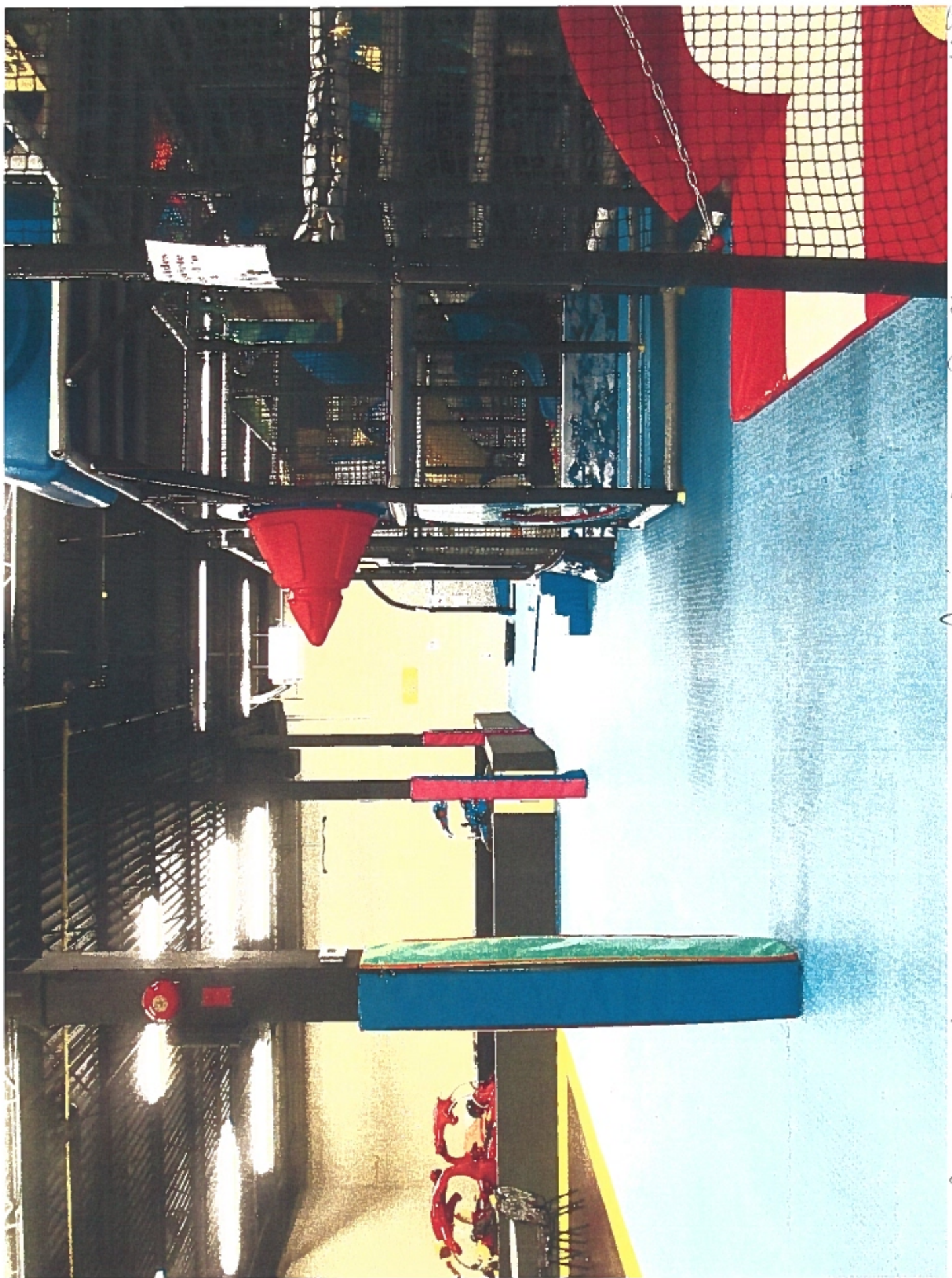


Black Line = Straight from
Slide to Knee Wall
2.5 m. (8.25 ft.)

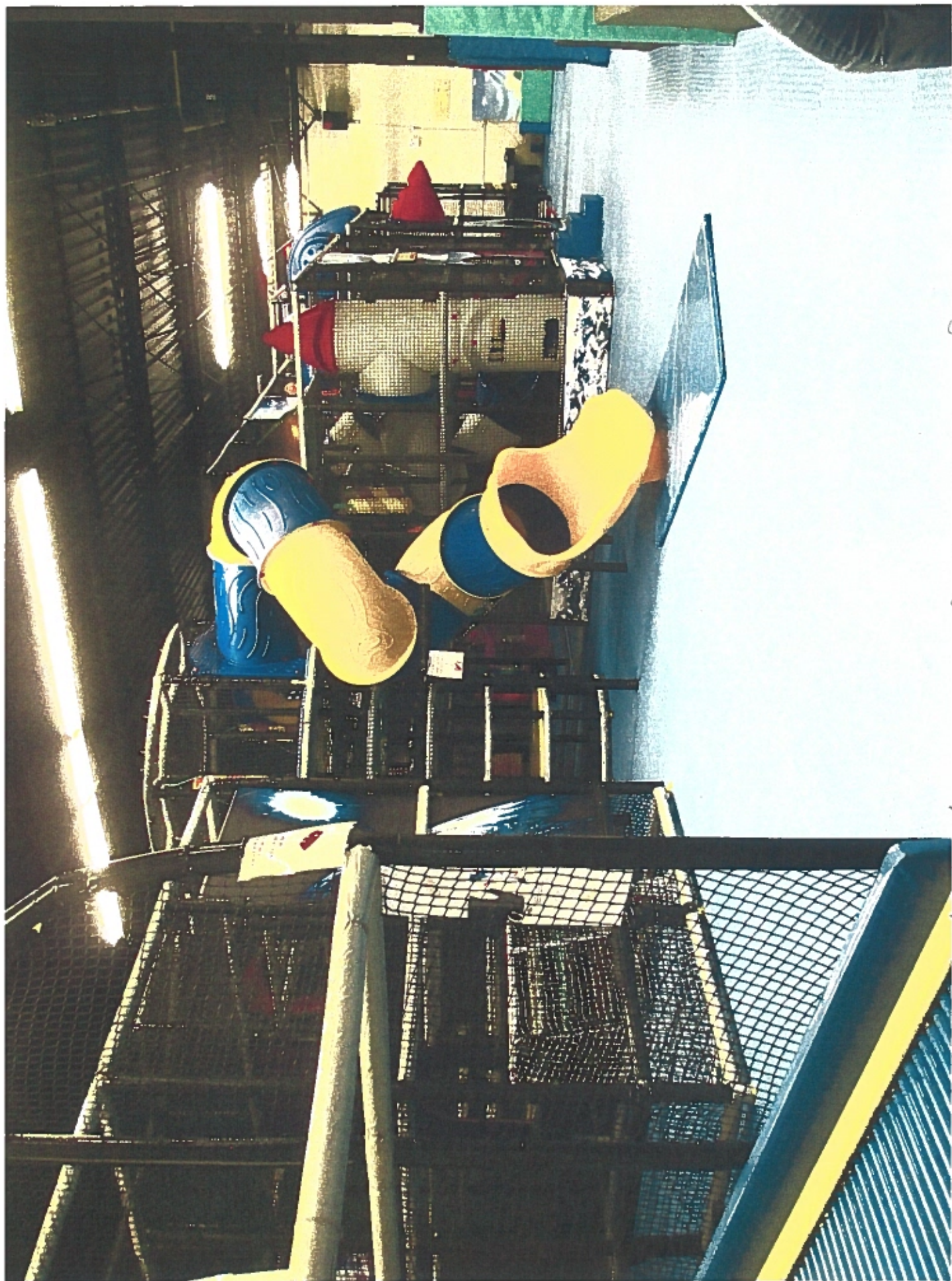
Yellow Line = Slide
Opening to Knee Wall
3.6 m. (11.88 ft.)

3.4 m (11.22 ft.)

CSA Z614, Children's play-spaces and equipment recommends outdoor slides that have a height greater than 1.2 m. of height to have a minimum of 3.6 m. and a maximum of 4.2 m. clearance which includes both a protective surfacing zone plus a no encroachment zone.



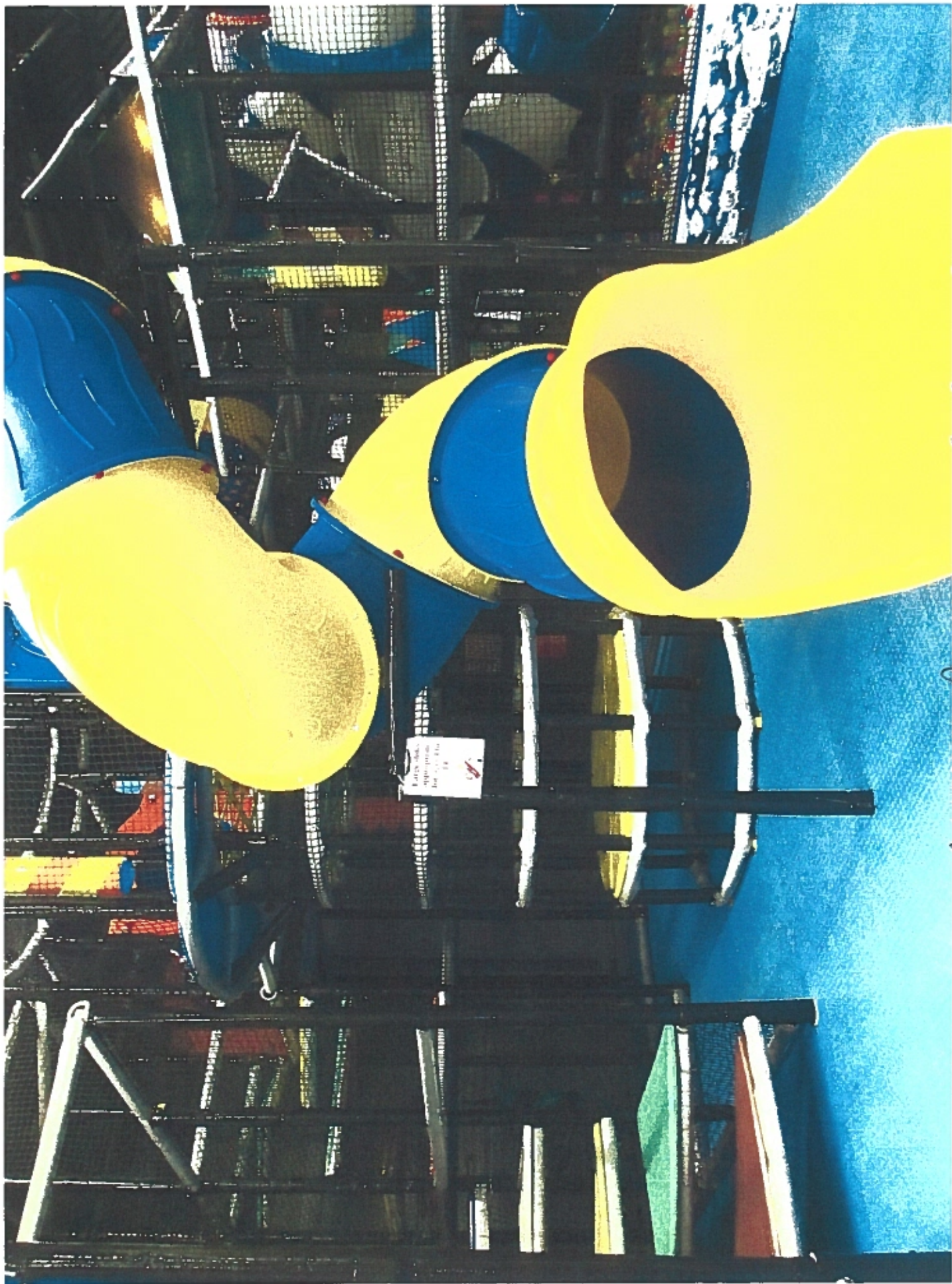
400 Monarch Ave, Unit 14, San Diego, CA 92108 July 19, 2000 Abbott Abbott 10/8



4600 Memorial Ave, Unit 14 Apex July 15 2016 J. K. Smith April 2018



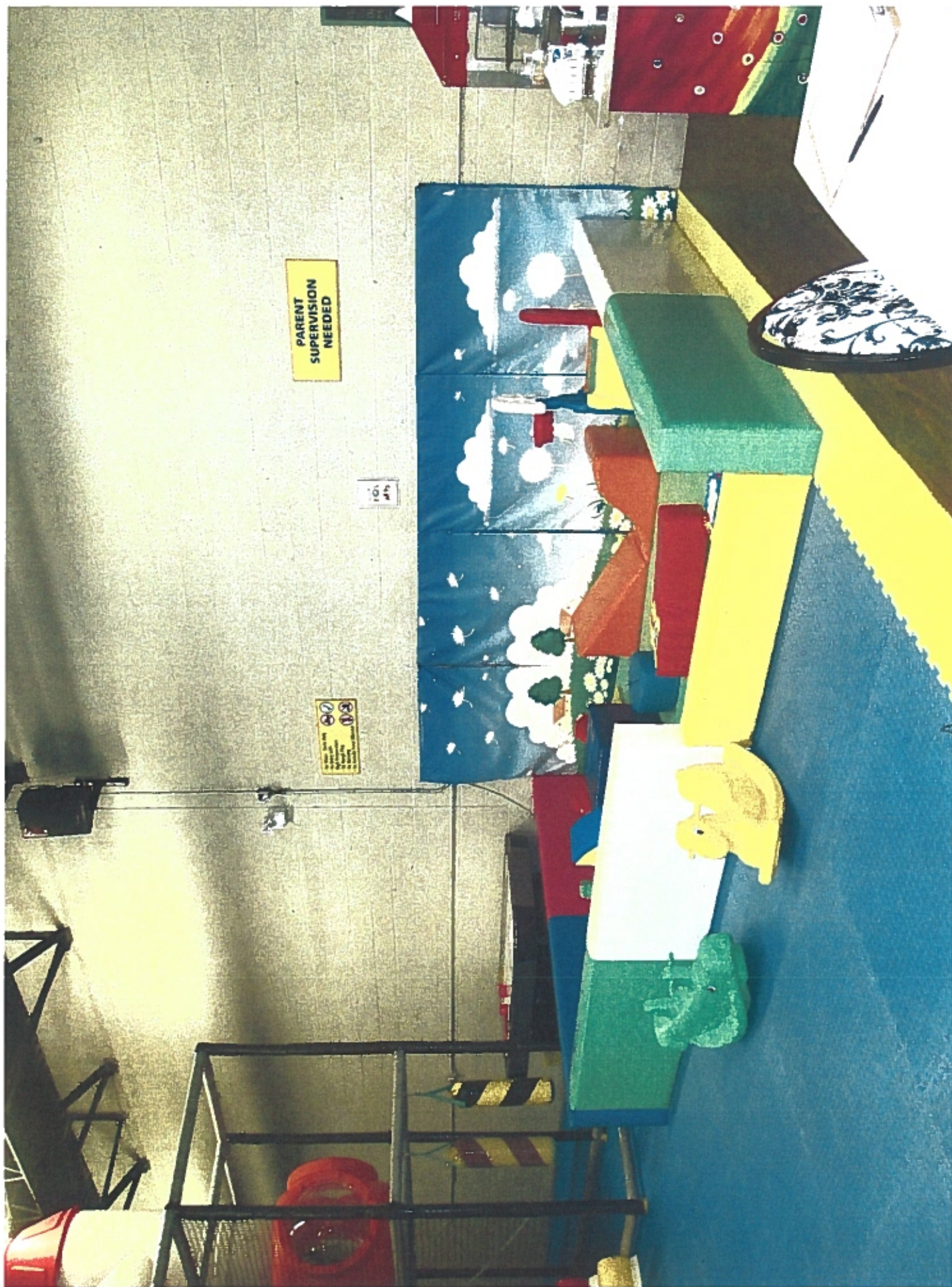
400 Menard Ave, Unit 14 Apr 14 Aug 19 2010 12-5-11 ABOTI SPS



400 Merriam Ave, Unit 14, Apex July 19, 2016 Abbott 2130-7 948



400 March Ave, Unit 14 Apr
 July 19 2016
 April 2017
 5 of 8



400 Mineral Ave, Unit 14, Apex July 19, 2016 7:45 PM 6/18



460 N. March Ave, Unit 14, Arver
July 19, 2006 Robert Abbott
FMS

