



GEORGINA

**THE CORPORATION OF THE
TOWN OF GEORGINA
Appeals Committee (Property Standards) Agenda**

Monday, May 26, 2025

7:00 PM

Pages

1. CALL TO ORDER

The Town of Georgina recognizes and acknowledges that we are on lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples, and on behalf of the Mayor and Council, we would like to thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship.

We also recognize the unique relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands and we join them in these responsibilities.

2. APPOINTMENT OF CHAIR

3. DECLARATION OF PECUNIARY INTEREST

4. EXPLANATION OF MEETING PROCEDURE

5. INTRODUCTION OF ADDENDUM ITEM(S)

6. APPROVAL OF AGENDA

7. REQUESTS FOR DEFERRAL OR WITHDRAWAL

8. PROPERTY STANDARDS APPEALS

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8.1 Recommencement of Property Standards Appeal 24-3044

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Verbal update from Manager of Municipal Law Enforcement, Mike Hutchinson.

Owner - Michael Hill, located at 817 Fairbank Avenue, Willow Beach.

Requesting appeal for Property Standards Order issued for "817 Fairbank Avenue".

9. ADOPTION OF MINUTES

9.1 Minutes of the meeting held on April 23, 2025.

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10. OTHER BUSINESS

11. NEXT MEETING

Next meeting will be held on June 12th, 2025 at 7:00pm.

12. MOTION TO ADJOURN

THE CORPORATION OF THE TOWN OF GEORGINA

IN THE

AMENDED BY:

REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. 2000-1040 (.....)

DATE 2000/04/03

BY-LAW No. 98- 106 (BU-1)

BEING A BY-LAW FOR THE PRESCRIBING OF STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY WITHIN THE MUNICIPALITY.

RECITALS

WHEREAS Section 15.1 of the Building Code Act, R.S.O. 1990, c.B.13, as amended, authorizes the passing of a by-law prescribing standards for the maintenance and occupancy of property within the municipality;

AND WHEREAS the Official Plan for the Town of Georgina includes provisions relating to conditions of maintenance and occupancy of property.

NOW THEREFORE the Council of the Corporation of the Town of Georgina enacts as follows:

SECTION 1: Interpretation

1.1 Short Title: This By-law may be cited as the "*Property Standards By-law*".

1.2 Definitions: In this By-law, unless stated otherwise, certain terms shall be defined as indicated in the lettered paragraphs of this section. When the words appear capitalized, the meanings prescribed in this section shall apply. When the words appear in lower case letters, they should be read as having their ordinary dictionary meaning.

- A) "APPLIANCES" shall include refrigerators, stoves, clothes washers, clothes dryers, dishwashers and hot water tanks;
- B) "APPROVED CONTAINER" means a container as defined in Town of Georgina By-law No. 96-119 (PWO-1).
- C) "BUILDING CODE ACT" means the Building Code Act, S.O. 1992, as amended;
- D) "COUNCIL" means the elected Council of the Town of Georgina;
- E) "DWELLING UNIT" means one or more rooms used, or intended for use as a single housekeeping unit, which may contain facilities for one or more of the following elements:
 - i) Cooking;
 - ii) Eating;
 - iii) Sleeping;
 - iv) Living; and/or
 - v) Sanitary Facilities.
- F) "EXTERIOR COMMON AREAS" includes roads, pathways, parking areas, garbage storage areas, yards and playground areas.
- G) "EXTERIOR WALL" includes all window components and trim, fascia, and soffits.
- H) "FIRE CODE" means the Fire Prevention and Protection Act, 1997;
- I) "GUARD" means a barrier, that may or may not have openings through it to prevent people from accidental falls;
- J) "HABITABLE SPACE" means a room or area used or intended to be

- used for living, sleeping, cooking or eating purposes and includes a washroom;
- K) "INTERIOR COMMON AREAS" includes laundry rooms, garbage rooms, corridors, boiler rooms, parking garages, storage areas and recreation rooms;
 - L) "LAND LEASE COMMUNITY" means a residential complex containing a series of individual DWELLING UNITS which are permanent structures;
 - M) "ORDER" means an order issued pursuant to section 15.2(2) or 15.7(1) of the BUILDING CODE ACT;
 - N) "OWNER" includes any PERSON who acts on behalf of the owner in the leasing, renting, or maintaining of a PROPERTY. "OWN", "OWNS", and "OWNED" shall have corresponding meanings;
 - O) "PERSON" includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate, and a natural person. "PERSONS", shall have a corresponding meaning.
 - P) "PROPERTY" means property as defined in section 15.1(1) of the BUILDING CODE ACT.
 - Q) "SEWAGE SYSTEM" means a municipal sanitary sewage system or a private sewage disposal system and includes a sewage system, and/or sewage works as defined in the Building Code.
 - R) "TOWN" means The Corporation of the Town of Georgina and, where the context so implies, members of its staff and Council;
 - S) "VEHICLE" includes motor vehicles, boats, trailers, recreational vehicles, off-road vehicles, motorized snow vehicles, farming implements, road building equipment and/or construction equipment such as a bulldozer or backhoe.
 - T) "WASHROOM" means an area which provides one or more of the following items:
 - i) toilet;
 - ii) washbasin;
 - iii) bathtub or shower.

- 1.3 Number/Gender: All words and personal pronouns relating to words contained in this by-law shall be read and constructed with the number and gender of the PERSON referred to in each case.
- 1.4 Headings: The headings of sections, paragraphs, clauses, and/or sentences in this by-law are inserted for ease of reference only and do not affect the interpretation of this By-law.
- 1.5 Severability: In the event that any of the provisions of this By-law are deemed invalid or void, in whole or in part, by any Court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.
- 1.6 Schedules: The schedules and/or attachments to this By-law form a integral part of it.
- 1.7 Legislation: Reference to this legislation within this By-law shall be deemed to include such legislation, as amended, including all successor legislation.
- 1.8 Scope: This By-law shall apply to all properties, buildings, structures, and premises located within the geographical boundaries of the Town of Georgina.

SECTION 2: General Provisions

- 2.1 Occupancy: No PERSON shall occupy or use a PROPERTY which does not conform with the standards set out in the schedules of this By-law, attached

hereto.

- 2.2 Permit Occupancy: No OWNER shall permit the occupancy or use of a PROPERTY which does not conform with the standards set out in the schedules of this By-law attached hereto.
- 2.3 Owners Duty To Conform: Every OWNER of a PROPERTY shall carry out repairs as required, and take such other remedial action necessary to conform with the standards contained within schedules of this By-law attached hereto on a continual basis.

SECTION 3: Orders and Penalties

- 3.1 Issuance of Order: Every officer who finds that a PROPERTY does not conform with any of the standards prescribed in Schedules attached hereto, may make an ORDER pursuant to the provisions of the BUILDING CODE ACT.
- 3.2 Appeal of an Order: Where a PERSON is served with an ORDER under section 15.2(2) of the BUILDING CODE ACT, and wishes to appeal the contents of the ORDER, they may file an appeal by:
- sending a Notice of Appeal to the secretary of the Property Standards Committee; and
 - such Notice sent by Registered Mail within 14 days of the ORDER being served.
- 3.3 Confirmation of Order: Every ORDER shall be deemed confirmed where an appeal has not been filed within the prescribed period.
- 3.4 Compliance with Order: Every PERSON to whom an ORDER is issued shall, where the ORDER has been confirmed, comply with the requirements and/or conditions of the ORDER by the prescribed date.
- 3.5 Failure to Comply with an Order: Failure to comply with the requirements of an ORDER shall constitute an offence pursuant to section 36 of the Building Code Act, S.O. 1992, c.23, as amended.
- 3.6 Completion of Work by the Municipality: Where an OWNER fails to comply with the conditions of an ORDER within the prescribed time period, the TOWN and its agent may enter upon the PROPERTY and take the actions necessary for compliance with the ORDER.
- 3.7 Recovery of Costs: All costs incurred by the TOWN under section 3.6 may be recovered as taxes upon the PROPERTY.
- 3.8 Certificate of Compliance: Where an OWNER has complied with the requirements of an ORDER, and requests a Certificate of Compliance, the investigating officer shall issue a Certificate upon receipt of the prescribed fee.
- 3.9 Fee - Issuance of Certificate of Compliance: Every PERSON requesting a Certificate of Compliance, shall pay the fee prescribed by COUNCIL in schedule "I" of this by-law. Such fee shall be paid at the time of placing the request.

SECTION 4: Penalties

- 4.1 Penalty: Every PERSON who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine in accordance with

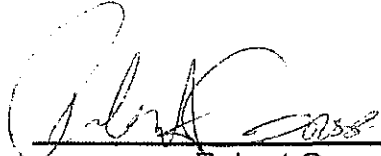
section 36 of the Building Code Act, S.O. 1992, c.23, as amended, for each offence committed.

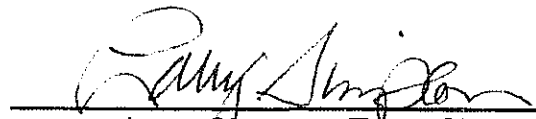
SECTION 5: Repeals and Coming into Force:

- 5.1 Repeal of Preceding By-law: By-law No 87-176 (BU-1) of the Town of Georgina is hereby repealed
- 5.2 Coming into Force: This By-law shall come into force upon the date passed by the Council for the Town of Georgina.

READ a first and second time this 17th day of August, 1998.

READ a third time and finally passed this 17th day of August, 1998.


Robert Grossi, Mayor


Larry Simpson, Town Clerk

Schedule "A" of By-law No. 98-106 (BU-1)

General Standards

- 1.0 Securement of Unoccupied BUILDINGS: Every OWNER of an unoccupied building or premises shall take the appropriate measure to secure the building or premises against unauthorized entry.
- 1.1 Materials used for Securement: Every OWNER shall ensure that all materials used in the boarding up, covering, etc. of entry ways and windows into an unoccupied building or premises are:
- a) affixed in a secure manner
 - b) treated with a preservative
 - c) color co-ordinated with the building or premises.
- 1.2 Vacancy longer than 90 days: Where a building or premises remains vacant for a period longer than 90 days, the OWNER shall ensure that all utilities other than those required to maintain the safety and security of the building or premises are disconnected.
- 2.0 General Maintenance: Every OWNER shall ensure that:
- a) every floor, stair, verandah, porch, deck, balcony and loading dock, every structure similar to any of them, and any covering, guard or surface finishing shall be maintained:
 - i) in a proper state of repair;
 - ii) free of defect or damage, any unsafe, dangerous or unsightly condition; and
 - iii) where applicable, in complete and proper working order at all times.
 - b) every cabinet, cupboard, shelf and counter top is maintained in a structurally sound condition, free from cracks and deterioration;
 - c) interior cladding of wall and ceilings is maintained free from holes, leaks, deteriorating materials, mold, mildew or other fungi;
 - d) a protective finish is to be applied to all repairs made to walls and ceilings;
 - e) all APPLIANCES supplied by the landlord in the instance of a rental unit shall be maintained in working order in a safe and efficient operating conditions at all times;
 - f) where a locker or storage is supplied as part of a rental accommodation, the area shall be kept free of dampness and mildew;
 - g) all common areas are to be kept clean;
 - h) garbage is removed regularly so as not to cause a risk to the health or safety of any person;
 - i) any chute or container used for the transportation or storage of garbage is cleaned and disinfected regularly so as not to cause a risk to the health or safety of any person;
 - j) every existing interior door shall be maintained so that it is capable of performing its intended function and any damage or missing parts shall be repaired or replaced;
 - k) in a mobile home park, trailer park or a LAND LEASE COMMUNITY:
 - 1) Private roadways within the park or community shall be:
 - ii) kept free of holes and obstructions; and
 - iii) maintained to control dust.
 - 2) excavations made for repairs shall be filled in and the grounds returned to their previous condition;

Schedule "B" of By-law No. 98-106 (BU-1)

Structural Elements

- 1.0 Basic Structural Integrity - Weight: The structural elements of every building or structure shall be maintained in a sound condition so as to be capable of safely sustaining their own weight and any load or force that may normally be imposed.
- 1.1 Structural Integrity - Protection from Weather: Every foundation wall, basement, cellar or crawl space floor, slab at ground level, exterior wall and roof shall be structurally sound, weather tight and damp- proofed and shall be maintained so as to reasonably protect against deterioration, including that due to weather, fungus, dry rot, rodents, vermin or insects.
- 2.0 Drainage: Storm water run off shall be drained from the grounds of the premises and any area below exterior grade so as to prevent excessive ponding, erosion or the entrance of water into a building or structure.
- 3.0 Roofing - General: Every roof shall be water tight.
- 3.1 Roofing - Maintenance: The roof and any cornice flashing, fascia, soffit, coping, gutter, rainwater leader, vents or other roof structure, shall:
 - a) be maintained so as to properly perform their intended function; and
 - b) be kept clear of obstructions, hazards and dangerous accumulations of snow and ice.
- 4.0 Maintenance of Fences and Guards: Retaining walls, GUARDS and fences in EXTERIOR COMMON AREAS shall be maintained in a structurally sound condition, free from hazards or defects, with a weather protective surface finish applied to all exposed components.

Schedule "C" of By-law No. 98-106 (BU-1)

Plumbing and Sewage Systems

- 1.0 General Maintenance - Plumbing: All plumbing and drainage systems and appurtenances shall be maintained free from leaks, defects or obstructions and adequately protected from freezing.
- 2.0 General Maintenance - Sewage System: Every sewage disposal shall be maintained in a good state of repair and free of defect.
- 2.1 Sewage System: In a mobile home park, trailer park or where a DWELLING UNIT is located within an un-serviced area of the municipality:
 - a) Sewage holding tanks parks shall be emptied whenever necessary;
 - b) Sewage connections and other components of a sewage system shall be provided and secured to prevent discharge of sewage outside of the SEWAGE SYSTEM.
- 3.0 Water Supply: Every kitchen sink, washbasin, bathtub and shower shall be provided, by safe equipment, with hot and cold running water.
- 4.0 Water Pressure: Adequate water pressure, sufficient for normal household use shall be available for each dwelling unit.
- 5.0 Mobile Homes: The provisions of section 4.0 of schedule "C" shall apply to a mobile home park or trailer park.
- 6.0 Water Temperature - Hot Water: The ordinary temperature of the hot water provided must be at least 43 degrees Celsius.
- 7.0 Washroom Construction: Every washroom shall be enclosed and shall have:
 - a) a water resistant floor; and
 - b) a door that can be:
 - i) secured from the inside, and
 - ii) opened from the outside in an emergency.
 - c) any walls and the ceiling around a bathtub or shower shall be water resistant.
 - d) no toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing, consuming or storing food.

Schedule "D" of By-law No. 98-106 (BU-1)

Electrical

- 1.0 Electrical Supply: Every OWNER shall provide a supply of electrical power to all HABITUAL SPACE.
- 2.0 Maintenance - General: The wiring and receptacles necessary to provide electrical power shall be maintained in a proper state and free of defect or damage, and shall comply with the Electrical Safety code under the Power Corporation Act.
- 2.1 Maintenance - Independent Community: Electrical supply and connections in a mobile home park, or trailer park supplied by the OWNER of the park or shall be maintained in a proper state, free of defect or damage and shall be sufficiently grounded.
- 3.0 Appliance Outlets: Every DWELLING UNIT shall have outlets suitable for a refrigerator and a stove.

Schedule "E" of By-law No. 98-106 (BU-1)

Heating

- 1.0 Acceptable Level of Heat: Heat shall be provided and maintained so that the room temperature at 1.5 meters above floor level and one more meter from exterior walls in all HABITUAL SPACES and in any area intended for heavier use by the occupants, including recreation rooms and laundry rooms but excluding locker rooms and garages, is at least 20 degrees Celsius.
- 1.1 Exemption to Section 1.0: Section 1.0 of schedule "E" does not apply to a premises in which the occupant can regulate the temperature as long as a minimum temperature of 20 degrees Celsius can be maintained.
- 2.0 Heating System - Residential Premises: Every residential premises shall have permanent heating equipment capable of maintaining the temperature levels required by subsection 1.0 of schedule "E".
- 3.0 Portable Heating Equipment - Prohibition: No HABITUAL SPACE shall be equipped with portable heating equipment as the permanent primary source of heat.
- 4.0 Test Standards: Only heating equipment approved for use by a recognized standards testing authority shall be provided in a room used or intended for use for sleeping purposes.
- 5.0 Supply of Services: Every OWNER shall ensure that:
 - a) fuel is supplied for the heating of HABITUAL SPACE on a continual basis in adequate quantities;
 - b) utilities supplied to HABITUAL SPACE shall be supplied continuously;
 - c) the supply of fuel and utilities may be interrupted for such reasonable period of time as may be required for the purpose of repair or replacement.
- 5.1 Exemption to Section 6.0: Subsections 6.0(a) and/or 6.0(b) of schedule "E" do not apply to an OWNER if a tenancy agreement makes the tenant responsible for the supply of fuel or utilities and the supply has been discontinued because of arrears in payment.
- 6.0 General Maintenance - Fuel Burning Devices: Heating systems, including stoves, heating appliances, fireplaces intended for use, chimneys, fans, pumps, filtration and other equipment provided to supply heat, shall be maintained in operational order and free of defect or damage.
- 7.0 Ventilation Requirement: Every space which contains heating equipment that burns fuel shall have an unobstructed natural or mechanical means of supplying the air required for combustion.
- 8.0 Fuel Storage: If the heating equipment burns solid or liquid fuel, a storage place or receptacle for the fuel shall be provided in a safe place and maintained in a safe condition.

Schedule "F" of By-law No. 98-106 (BU-1)

Lighting and Ventilation

- 1.0 Interior Lighting: All HABITUAL SPACE shall have artificial lighting to the level required by the Building Code.
- 2.0 Lighting Standards: All EXTERIOR COMMON AREAS and INTERIOR COMMON AREAS shall have artificial lighting sufficient so that those areas can be used or passed through safely and this artificial lighting shall be maintained in a good state of repair.
- 2.1 Exemption to Section 2.0: Artificial lighting in INTERIOR COMMON AREAS that meets the level required by the Building Code is sufficient for the purpose of Section 2.0 of schedule "F".
- 2.2 Location of Exterior Common Area Lighting: All artificial lighting located within, or used to illuminate an EXTERIOR COMMON AREA shall be mounted or erected in such a manner so as not to illuminate an adjacent property or public highway.
- 3.0 Ventilation Requirement: All HABITUAL SPACE shall have natural or mechanical means of ventilation in accordance with the Building Code.
- 4.0 Latch Restriction: Every window and exterior door, including a balcony door, that is capable of being opened and that is accessible from outside a dwelling unit or a building containing a dwelling unit, shall be equipped so that it can be secured from the inside.
- 5.0 Covering of Exterior Openings: Every existing opening in the exterior surface of a building designed for a door, window or skylight shall be equipped with a door, window or skylight capable of performing the intended function.
- 6.0 General Maintenance - Openings: Doors, windows, skylights, and all components thereof will be maintained so that:
 - a) they are weather tight; and
 - b) any damaged, missing or defective parts are repaired or replaced.
- 7.0 General Maintenance - Chimneys, Exhaust Vents, Etc.: Chimneys, smoke pipes, flues and gas vents shall be kept clear of obstructions and maintained so as to prevent the escape of smoke or gases into a building.
- 8.0 Toxic Fumes: Parking garages shall be maintained so as to prevent:
 - a) the accumulation of toxic fumes; or
 - b) the escape of toxic fumes into a building.

Schedule "G" of By-law No. 98-106 (BU-1)

Safety and Security

- 1.0 Unobstructed Exit: Every building containing more than one DWELLING UNIT shall for every DWELLING UNIT within it shall have a safe, continuous and unobstructed passage from every part of the interior to a safe exterior open space at street or ground level.
- 2.0 Secondary Exit Requirement: A secondary means of exit shall be maintained if the Building Code so requires.
- 3.0 Alarms: Every building containing a DWELLING UNIT shall, if required by the Building Code, FIRE CODE or Municipal By-law have the required number of operable smoke alarms and/or carbon monoxide alarms.
- 3.1 Provincial Statute Requirement: All alarms required under section 3.0 of schedule "G" shall be maintained in an operable state, free of defect or damage, in the locations required by the applicable statute or by-law.
- 3.2 Installation of Alarms: All alarms required under section 3.0 of schedule "G" shall be installed with permanent connections to an electrical circuit with no disconnect switch or shall be battery operated, in accordance with the provisions of the applicable statute or by-law.
- 4.0 Fire Fighting Provision - Independent Community: In a mobile home park, trailer park or a LAND LEASE COMMUNITY, every OWNER shall ensure that, where equipped all fire hydrants owned by the landlord are:
 - a) are tested annually, and maintained in an operable state free of defect or damage;
 - b) kept free from accumulations of snow and ice where access throughout the property may be gained during the winter months;
 - c) kept free from the accumulation of weeds, brush, debris, or any other item which may impede access;
 - d) have an adequate supply of water and adequate water pressure will be available for fire fighting efforts.
- 5.0 Protective Guards: A guard shall be provided and maintained along the open sides of stairs, ramps, balconies, mezzanines, landings or other areas where the vertical drop from the open side exceeds 60 centimeters.
- 6.0 Elevators: All elevators shall be properly maintained and kept in operation except for such reasonable time as may be required to repair or replace them.
- 7.0 Ground Hazards: Wells and holes in EXTERIOR COMMON AREAS shall be filled or safely covered or protected.
- 8.0 Security Doors and Intercom: Where equipped, every internal locking and release mechanism for a vestibule door, and the DWELLING UNIT to vestibule communication system shall be maintained free from defect and in complete and proper working condition.

Schedule "H" of By-law No. 98-106 (BU-1)

Abatement of Nuisances

- 1.0 Vermin, Rodents and Insects: Every premises shall be kept reasonably free of rodents, vermin and insects at all times.
- 1.1 Prevention of Vermin, Rodents and Insects: Openings and holes in a building that might permit the entry of rodents, vermin, insects or other pests shall be screened or sealed as appropriate.
- 1.2 Extermination of Vermin, Rodents, Insects, etc: The method used for extermination of vermin, rodents, insects or other pests shall be in accordance with municipal, provincial or federal regulations.
- 2.0 Exterior Yard Areas: All exterior yard areas shall conform to the following:
 - a) Free and clear of noxious weeds as defined in the Regulations to the Weed Control Act, as amended;
 - b) Free and clear of dead, decayed or damaged trees or other natural growth and the branches and limbs thereof that may create or cause an unsafe condition;
 - c) Lawns shall be kept trimmed and from becoming unreasonably overgrown. Hedges and trees shall be kept trimmed and from becoming unreasonably overgrown in a fashion that may affect safety, visibility or passage of the general public;
 - d) Cultivated or protected by suitable ground cover to prevent erosion of the soil;
 - e) Free and clear of rubbish, garbage, brush, waste, litter, or other debris and vehicle parts, equipment or materials that are currently disused in their present location;
 - f) Domestic storage such as, but not limited to, firewood, building materials, garden equipment and materials must be stored neatly, but not in the front yard, exterior side yard or in a manner that could have an adverse impact on abutting or neighbouring properties;
 - g) Free and clear of wrecked, discarded, dismantled, abandoned, derelict, inoperative or unlicensed vehicles unless such vehicle is required for business or farming purposes and then only in an arrangement to prevent an unsafe or unsightly condition;
 - h) Free and clear of structures that create an unsafe or unsightly condition;
 - i) Free and clear of unsafe accumulations of ice and snow;
 - j) Free and clear of abandoned or inoperative appliances;
 - k) Free and clear of derelict, inoperative or unused machinery or components thereof;
 - l) Free and clear of holes, pits, open wells or unsecured excavations which may create an accident hazard;
 - m) Free and clear of objectionable markings, graffiti or other defacement of fences, retaining walls and structures appurtenant to the property.
- 3.0 Standing Water: All exterior yard areas shall be kept free and clear of any debris that may retain water. All exterior yard areas shall be kept free and clear of standing water retained by ground depressions or excavations or by debris as defined.

3.1 Definitions for the Purposes of Section 3.0:

- a) "debris" means any materials, vessels or objects that are capable of retaining water and without limiting the generality of the foregoing, includes tires, cars, boats, containers of any kind, and also includes un-maintained garden fixtures, swimming pools, hot tubs, wading pools, artificial ponds and covers or tarps that may act as an enclosure for any such debris.
- b) "natural body of water" includes, but not limited to, creeks, streams, bogs, marshes, rivers, ponds and lakes.
- c) "standing water" means any water, other than a natural body of water that is being retained on the ground or by debris as defined previously.

4.0 Securement and Storage of Refuse: All refuse shall, while waiting for pickup or disposal, be kept in an approved container.

5.0 Appliance Safety: No appliance that is awaiting removal shall be stored on the exterior premises unless the latches, doors or lids of the appliance have been removed or the doors or lids have been secured in a manner that the appliance can not be accessible or locked either from the inside or outside. Without limiting the generality of the aforementioned appliance shall include refrigerator, freezer, ice box, dish washer, washing machine or dryer.

6.0 Exterior Surfaces: Driveways, ramps, parking garages, parking areas, paths walkways and exterior stairs and landings and any similar areas shall be maintained:

- a) to provide a safe surface for normal use; and
- b) where applicable, provided with clear distinguishable pavement markings.

Schedule "I" of By-law No. 98-106 (BU-1)

<u>Item</u>	<u>Fee</u>
Certificate of Compliance	\$150.00

Appeal 24-3044
“817 Fairbank Avenue,
Willow Beach”



ORDER TO REMEDY
VIOLATION OF STANDARDS OF MAINTENANCE
AND OCCUPANCY
Building Code Act, S.O. 1992, c.23, as amended, Section 15.2(2)

Date Order Issued: July 29, 2024
Issued To: HILL, MICHAEL AND HILL, SELMA
Property Location: 817 Fairbank Avenue
Town of Georgina, in the Regional Municipality of York
Property Description: PLAN 534 LOT 26
Roll Number: 1970-000-134-648-0000

WHEREAS an inspection of the above noted property was conducted by a Property Standards Officer for the Town of Georgina on **July 26, 2024**;

AND WHEREAS the officer observed certain violations of the Town of Georgina By-Law No. 98-106 (BU-1) as amended, that being a By-law governing the Standards of Maintenance and Occupancy with respect to the above noted property.

IT IS HEREBY ORDERED, that the violation(s) as set out in Addendum “A”, attached hereto and forming part of this order, be remedied and the property be brought into compliance with the standards set out in the Town of Georgina By-law No. 98-106 (BU-1) as amended, on or before **August 29, 2024** and maintained in compliance with said by-law.

TAKE NOTICE, upon each re-inspection of the property by the Property Standards Officer, if the property has not been brought into compliance with this order, then a **\$150 Re-inspection** Fee may apply, as permitted by Schedule ‘A’ to By-law No. 2010-0074 (AD-5), as amended. Such fee will be a debt to the municipality and may be collected as prescribed by the *Municipal Act*

TAKE NOTICE, failure to comply with the requirements of this order shall constitute an offence punishable by way of prosecution.

TAKE NOTICE, in addition to any legal proceeding commenced by the Town of Georgina, where such repair(s) or demolition are not completed within the time specified in this order, the municipality may carry out the repair(s) or demolition and all costs incurred by the municipality will be added to the tax assessment roll for the property and shall have priority lien status and collected in the manner prescribed by the *Municipal Act 2001 as amended*.

APPEAL TO PROPERTY STANDARDS COMMITTEE

TAKE NOTICE, an owner or occupant who has been served an order made under section 15.2(2) of the Building Code Act and who is not satisfied with the terms or conditions of the order, may appeal to the committee by sending an **Appeal Request** by registered mail to the secretary of the committee within fourteen days after service of the order and, in the event that no appeal is taken, the order shall be deemed to have been confirmed. A cheque or money order in the amount of **\$200.00** made payable to “The Town of Georgina” must accompany the Appeal Request to process the request. **Do not send cash in the mail.**

FINAL DATE FOR APPEAL: August 17, 2024

Order issued by:

Paige Broughton, M.L.E.O.(c)
Municipal Law Enforcement Officer
(905) 476-4305 Ext. 2279
pbroughton@georgina.ca

ADDENDUM “A”

By-law No. 98-106 (BU-1), as amended

RE: 817 Fairbank Avenue

NO.	ACTION TO CORRECT VIOLATION	LOCATION	BY-LAW SECTION
1.	Maintenance of Fences and Guards: Retaining walls, guards and fences in exterior common areas shall be maintained in a structurally sound condition, free from hazards or defects. Namely: Repair retaining wall with consent from 815 Fairbank Avenue.	Yard Area	Schedule “B” Section 4.0
2.	Upon receiving consent from co-owner, remove two (2) dead/dying trees that may create or cause an unsafe condition, shared with 815 Fairbank Avenue, marked with orange flagging tape.	Yard Area	Schedule “H” Section 2.0(b)

NOTE: Alternative methods of corrective action may be possible but must be approved by the Property Standards Officer

NOTE: Please be aware that York Region has a Forest Conservation Bylaw (2013-68) to prohibit or regulate the destruction or injury of trees. If you plan to do more than clear the hazard trees as required by this Order, you will need to contact York Region through Access York by phone at 1-877-464-9675 or by email at accessyork@york.ca.

Appeal of property standards notice

Thursday August 1, 2024

I am appealing the order to remedy, dated July 29, 2024, issued by Paige Broughton, M.L.E.O.

At issue is the location of the retaining wall built on the property located at 815 Fairbank Ave. The retaining wall was built to hold fill to cover a conduit placed in the drainage waterway located entirely on their property, and to provide a flat surface for their driveway.

Ignored was the certified Municipal survey marker, visible at the corner of the retaining wall. The marker was recently used by the Municipality when sewer and water was installed along the street. Page stated that the marker could have been moved and that she could not trust its location as being accurate. The survey marker shows that the wall is entirely built on the property located at 815 Fairbank Ave. Measurements were taken from existing buildings to the top edge of a rotting collapsing retaining wall leaning inward to 817 Fairbank Ave. causing an inaccurate measurement.

I am requesting an appeal to the Property Standards Committee, to be scheduled no earlier than September 16, 2024. I also request that any communication made before the above date be via email as I will be out of province.

Please find enclosed a check in the required amount.

Michael J Hill
817 Fairbank Ave
[REDACTED]



Photo: One
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Two
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Three
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Four
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Five
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Six
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Seven
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Eight
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Nine
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



Photo: Ten
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: July 26, 2024



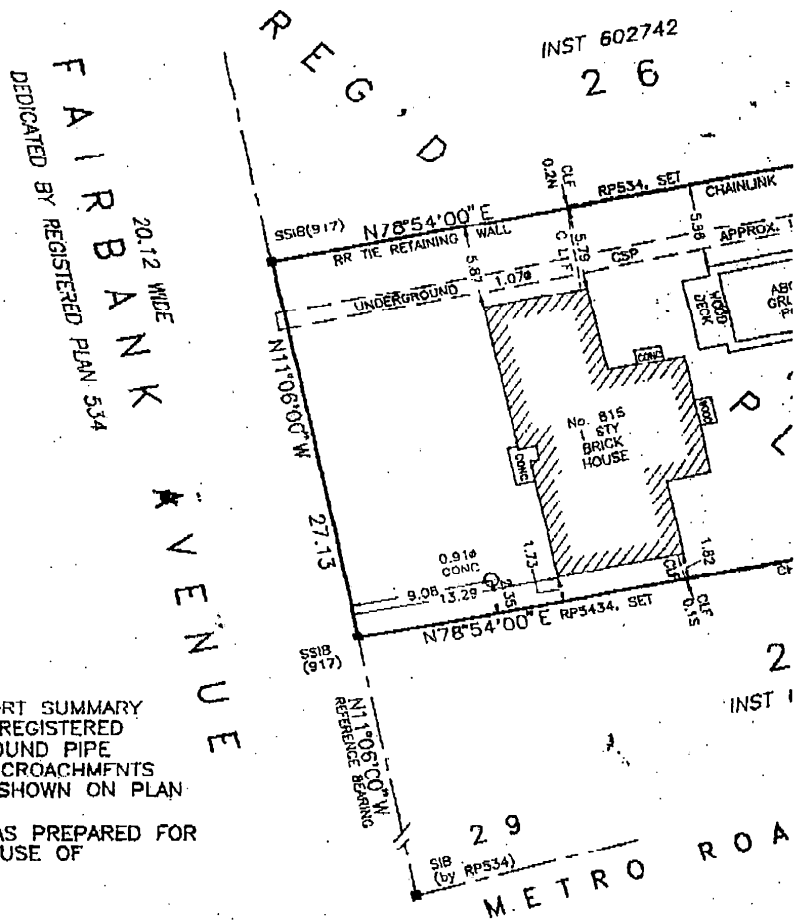
Photo: Eleven
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: August 1, 2024



Photo: Twelve
817 Fairbank Avenue, Town of Georgina, Region of York
Picture Taken by: P.Broughton
Date: August 13, 2024

TOTAL P.04

SURVEYOR'S REAL PROPERTY REPORT
 PART 1 - PLAN OF
LOT 27, REGISTERED PLAN 534
TOWN OF GEORGINA - REGIONAL MUNICIPALITY OF Y
GEOGRAPHIC TOWNSHIP OF NORTH GWILLIMBURY
SCALE 1 : 300
E.R.GARDEN LTD.
1996



PART 2 - REPORT SUMMARY
 NO EASEMENTS REGISTERED
 NOTE UNDERGROUND PIPE
 NO BUILDING ENCROACHMENTS
 FENCING IS AS SHOWN ON PLAN
 THIS REPORT WAS PREPARED FOR
 THE EXCLUSIVE USE OF
 FRED BUGDEN

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 1952488
 NOT TO SCALE
 THIS PLAN IS VALID
 UNLESS IT IS REPROCESSED
 OR REVISED
 ISSUED BY THE SURVEYOR
 E.R.GARDEN LTD.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS
 COMPLETED ON THE 20 DAY OF FEBRUARY 1996
 DATE
 FEBRUARY 2/96
 E.R.GARDEN LTD. 1721
 ONTARIO LAND SURVEYOR

LEGEND

FOUND
 PLANTED
 FOUND
 FOUND
 ALONG LINE
 CHAINLINK FENCE
 S/D OF FENCE
 FENCE CORNER
 IRON BAR
 STANDARD IRON BAR
 SHORT STANDARD IRON BAR
 OLD NOTE
 CORRUGATED STEEL PIPE
 S/D OF PIPE
 S/D OF POST

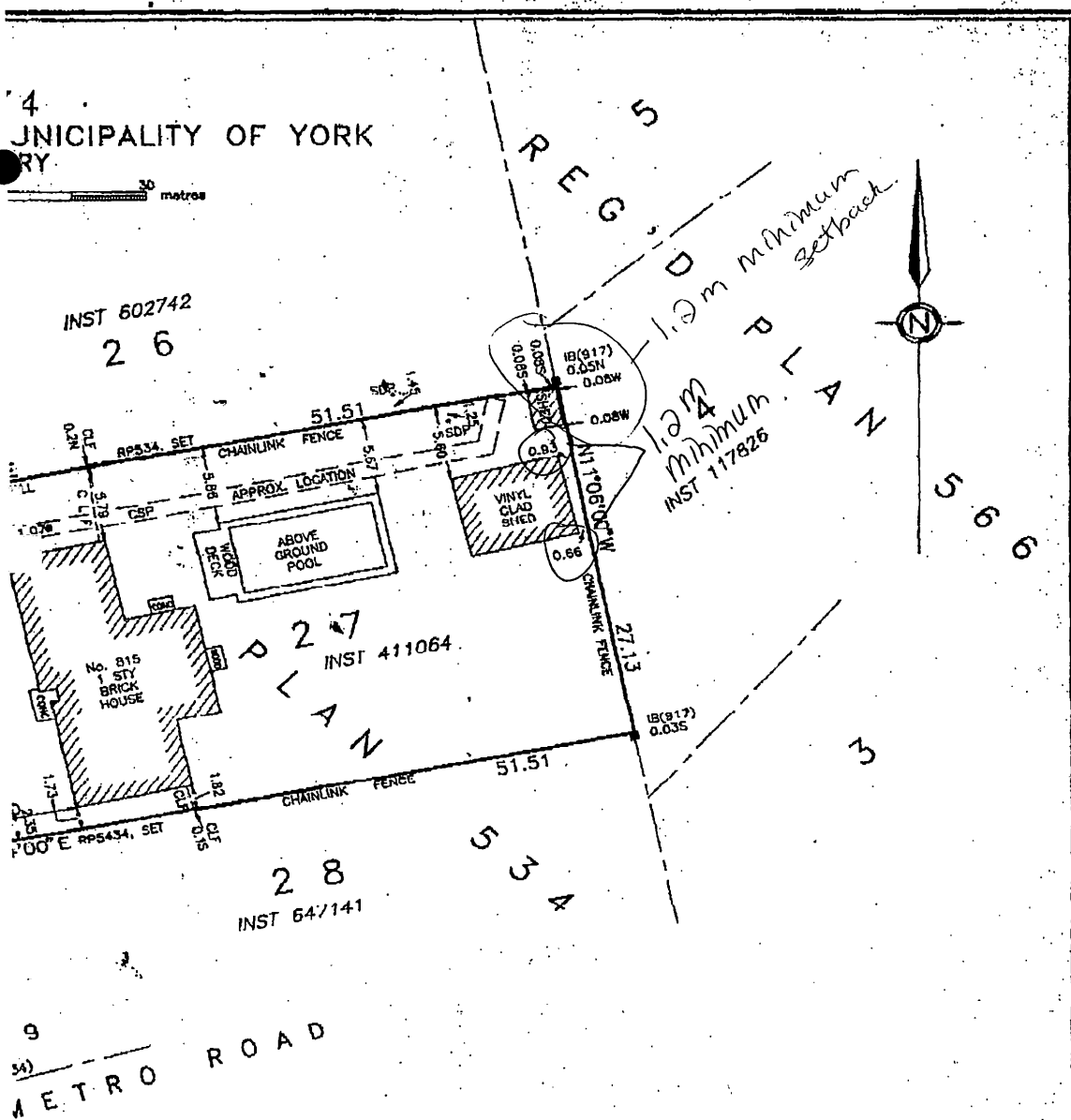
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO
 THE EAST LIMIT OF FAIRBANK AVENUE, HAVING A
 BEARING OF N11°06'W, AS SHOWN ON
 REGISTERED PLAN 534

TOWN OF GEORGINA

DATE March 12, 1996 BY K.B.

✓ House + Pool.

12 Shed



END

END	Q	--- FROM BAR
NOTED	22E	--- STANDARD FROM BAR
AND	33E	--- SHORT STANDARD FROM BAR
NO LINE	Q/N	--- OLD NOTE
GALV. LK. PLATE	OSP	CORRUGATED STEEL PIPE
40 IN PLATE	SDP	SATELLITE DISH POST
TYPE CYLINDER		

URE ASTRONOMIC AND ARE REFERRED TO
JMIT OF FAIRBANK AVENUE, HAVING A
N 11° 08' W, AS SHOWN ON:

**METRIC: DISTANCES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED TO FEET
BY DIVIDING BY 0.3048**

E.R. GARDEN LIMITED
1500 34th St.
ONTARIO LAND SURVEYORS
500 YONGE STREET SOUTH NEWMARKET, ONT. L3Y 4V2

D.G.GILES

FILE NO.

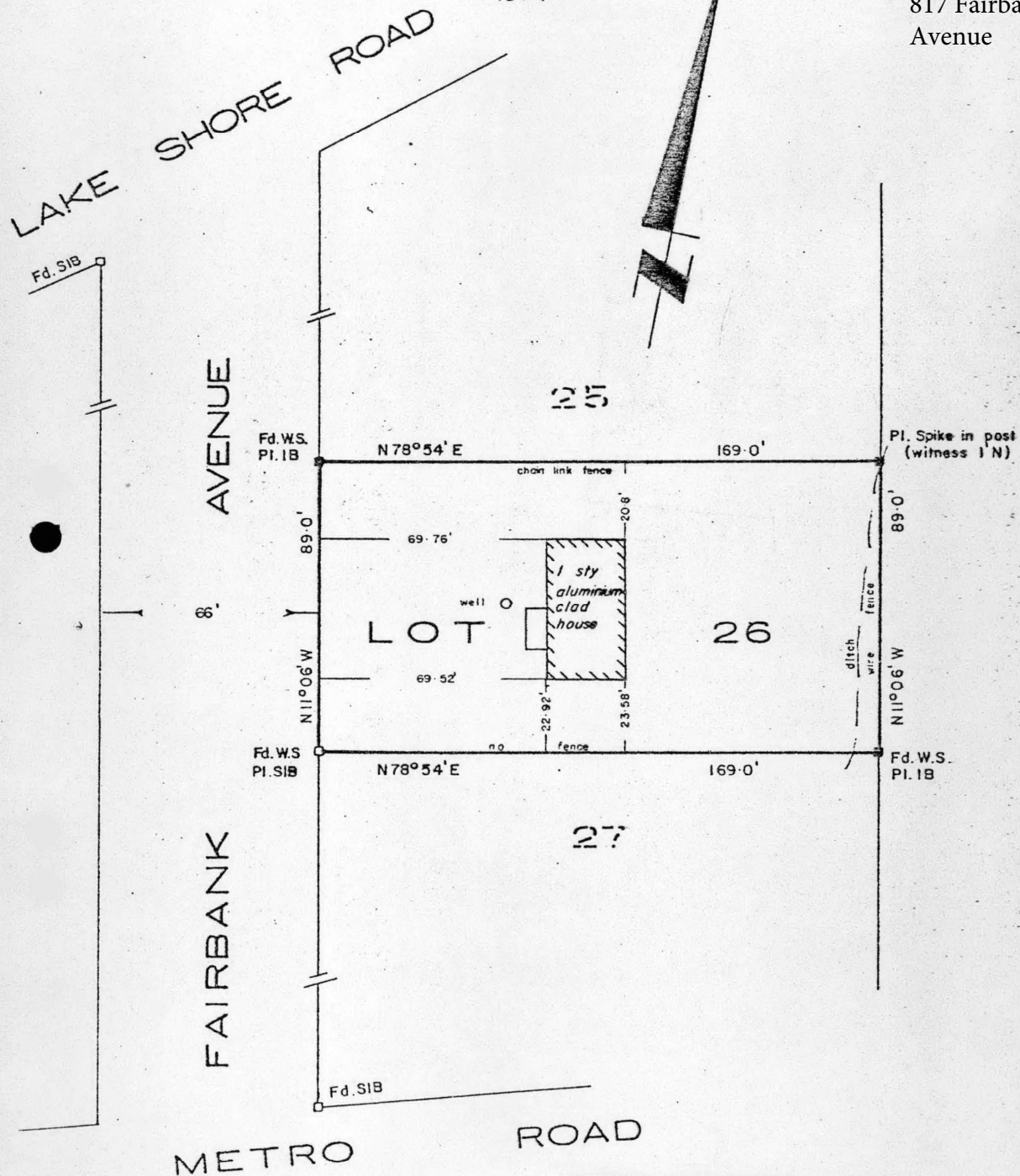
96-554

134-648

PLAN OF SURVEY OF LOT 26, REGISTERED PLAN N^o 534 TOWNSHIP OF GEORGINA - REGIONAL MUNICIPALITY OF YORK (Formerly Township of North Gwillimbury - County of York)

SCALE: 1" = 40'
1974

817 Fairbank
Avenue



BEARING REFERENCE

Bearings are astronomic and derived from R.P. 534

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT:

- This plan and survey are correct and in accordance with the Surveys Act and the Registry Act and the regulations made thereunder.
- This survey was completed on the 22th day of October, 1974.

LEGEND

- S.I.B. Denotes Standard Iron Bar 1" x 1" x 48"
- S.S.I.B. Denotes Short Standard Iron Bar 1" x 1" x 24"
- I.B. Denotes Iron Bar 5/8" x 5/8" x 24"
- Fd. Denotes Found as noted as to apparent designation
- Pl. Denotes Planted as noted as to apparent designation

Measurements shown are in feet and decimal parts thereof.
All hanging lines have been verified.

Oct 23/74

R. A. Garden
R. A. Garden, Ontario Land Surveyor
P.O. Box 309, Sutton, West, 722-5537



**THE CORPORATION OF THE
TOWN OF GEORGINA**

Appeals Committee (Property Standards) Minutes

Date: Wednesday, April 23, 2025
Time: 7:00 PM

Members of
Committee Present: Charlene Biggerstaff
Dan Fellini
Lee Dale

Staff Present: Lisa Hnatiw
Mike Hutchinson
Paige Broughton

1. CALL TO ORDER

The Town of Georgina recognizes and acknowledges that we are on lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples, and on behalf of the Mayor and Council, we would like to thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship.

We also recognize the unique relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands and we join them in these responsibilities.

2. APPOINTMENT OF CHAIR

Moved By: Councillor Fellini

Seconded By: Councillor Biggerstaff

Councillor Dale be appointed as Chair for tonight's meeting.

Carried.

3. DECLARATION OF PECUNIARY INTEREST

None.

4. EXPLANATION OF MEETING PROCEDURE

Councillor Dale provided an explanation of the meeting procedures and proper speaker etiquette.

5. INTRODUCTION OF ADDENDUM ITEM(S)

No addendum items.

6. APPROVAL OF AGENDA

Moved By: Councillor Biggerstaff

Seconded By: Councillor Fellini

Carried.

7. REQUESTS FOR DEFERRAL OR WITHDRAWAL

None.

8. PROPERTY STANDARDS APPEALS

1. Property Standards Appeal 24-3044

Owner - Michael Hill, located at 817 Fairbank Avenue, Willow Beach.

Requesting appeal for Property Standards Order issued for "817 Fairbank Avenue".

Mike Hill, owner of 817 Fairbank Avenue, addressed the committee, stating that the retaining wall in question is not located on his property. He referenced his property stake and land survey to support his claim. Mr. Hill further explained the purpose, structure and history of the retaining wall.

Councillor Fellini inquired whether the property stake had ever been moved. Mr. Hill responded that the stake has remained in its original position.

Paige Broughton, Property Standards Officer, provided a summary of the violations observed during the inspection conducted on July 26, 2024.

Councillor Biggerstaff requested clarification from Officer Broughton regarding the location of the retaining wall. Officer Broughton confirmed that the wall appears to be situated on the property line.

Councillor Dale asked Officer Broughton to identify which property corresponds to which side in the submitted photographs

Thiliban Baskaran, owner of 815 Fairbank Avenue and co-owner of the retaining wall, stated a willingness to repair the wall. However, he emphasized the need for a survey to verify the property boundaries.

Mike Hutchinson, Manager of Municipal Law Enforcement, elaborated on the situation, indicating that the retaining wall is a shared structure between 817 and 815 Fairbank Avenue.

Mr. Hill reiterated that the retaining wall leans toward his property, but emphasized that it was never located on his land and serves no structural function for it. He also mentioned that the wall was constructed one to two years prior to his occupancy.

The committee engaged in a detailed discussion regarding the matter.

Councillor Dale asked Mr. Hutchinson whether both property owners share responsibility for maintaining the portion of the wall on their respective properties. Mr. Hutchinson advised that both owners should work together in a civil manner to resolve the issue.

Recess:

A motion for a five minute recess was suggested.

Moved by: Councillor Fellini

Seconded by: Councillor Biggerstaff

Carried.

The committee recessed at 7:54 p.m. and reconvened at 8:12 p.m.

Motion to Defer:

Moved by: Councillor Biggerstaff

Seconded by: Councillor Fellini

The committee deferred their decision for the Property Standards Appeal at 817 Fairbank Avenue, File #24-3044, to allow for the Property Standards Officer to investigate any easements or encumbrances along the property line and retaining wall between 815 & 817 Fairbank Avenue. The committee will reconvene upon recommendation of the Committee Secretary.

9. ADOPTION OF MINUTES

Moved By: Councillor Fellini

Seconded By: Councillor Biggerstaff

That the minutes of the meeting held on April 3, 2025 be adopted as presented.

Carried.

10. OTHER BUSINESS

None.

11. NEXT MEETING

TBD

12. MOTION TO ADJOURN

Moved By: Councillor Fellini

Seconded By: Councillor Biggerstaff

The meeting adjourn at 8:18 p.m.

Carried.