

# ORDER

Pursuant to Subsection 15.2(2) of the Building Code Act, 1992

**Property Standards Order No. 23-125685 00 MLE**

**Order issued to:**

SCOTT DOUGLAS WIMBUSH  
150 ROSEMARY LANE.  
ANCASTER ON, L9G 2K7

**Municipal Address to which Order applies:**

150 ROSEMARY LANE  
HAMILTON, ONTARIO

**Property Identification Number:**

17434-0009 (LT)

An inspection on or about **August 21, 2023** of your property, **150 ROSEMARY LANE, HAMILTON (ANCASTER), ONTARIO** found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #10-221, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	20(2) A tree that is dead, or part of a tree that is dead, or in a decayed or damaged condition and that may be hazardous to persons or property, shall be removed.	<b>Remove the entire decayed and damaged Black locust and Black cherry trees located in the backyard. Flush cut stumps to grade. Remove damaged limb of Silver maple tree located in your backyard. Diagram attached. Clear the property of all existing and resulting woody debris.</b>

**You are ordered, no later than September 17, 2023 to carry out the required work and to clear the property of any resulting debris.**

The owner of any property which does not conform to the standards in this By-law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures or debris and shall leave the property in a graded and levelled condition. However no building or structure on a Part IV or Part V heritage property shall be altered or cleared, including but not limited to removed, demolished or relocated, except in accordance with the Ontario Heritage Act.

The City of Hamilton may carry out the work at your expense if you do not comply with this Order.

You may appeal this Order within 14 days of service of this order by delivering a Notice of Appeal together with the appeal fee (\$152.21 plus HST of \$19.79 for a total of \$172 via cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards Committee, City Hall, 71 Main St. W., 1<sup>st</sup> Floor, Hamilton, ON L8P 4Y5. The Notice of Appeal form can be found at <http://www.hamilton.ca/propertystandards> or picked up from the Secretary of the Property Standards Committee.

# ORDER

150 ROSEMARY LANE, HAMILTON, ONTARIO

**Notes:**

1. Failure to comply with this Order is an offence pursuant to paragraph 36(1)(b) of the Building Code Act, 1992 which could result in a fine of up to \$50,000 for a first offence and \$100,000 for a subsequent offence for an individual and \$500,000 for a first offence and \$1,500,000 for a subsequent offence for a corporation.
2. If such repairs are not completed within the time specified herein, the City of Hamilton may register this order on title with the Land Registry Office. Upon discharge of the order, the property owner shall be responsible to pay the fee for discharge of an order as set out in the City's *User Fees and Charges* by-law. Failure to obtain payment will result in the fee being added to municipal property taxes.

Issued on: August 24, 2023

Signature: Arben Pustina

**Arben Pustina**  
**Municipal Law Enforcement Officer**  
**905-546-2424 Ext. 3716**

For office use only	
Order drafted by: JJ	
Order served:	by <u>X</u> electronic service
August <u>24</u> , 20 <u>23</u>	_____ personal service
Serving officer's initials: <u>AP</u>	_____ registered mail