



Thursday, August 6, 2015 at 3:00 PM
Council Chambers

Agenda compiled on 06/08/2015 at 11:11
AM

**Appeal of Order to Comply
PLAN 11 LOT 14
91 Main Street North, Town of Newmarket**

The following information was provided to the Property Standards Committee for consideration:

1. Copy of Order to Comply dated June 11, 2015
2. Letter of appeal dated July 2, 2015, received July 2, 2015
3. Inspectors notes and photos from June 1, 2015

Introduction

The Chair introduces the Members of the Committee and explains the composition, purpose and powers of the Committee and outlines the procedure to be followed:

Section 15.3(3.1) Powers of Committee

“On an appeal, the committee has all the powers and functions of the officer who made the order and the committee may do any of the following things if, in the committee’s opinion, doing so would maintain the general intent and purpose of the bylaw and of the official plan or policy statement:

1. *Confirm, modify or rescind the order to demolish or repair.*
2. *Extend the time for complying with the order, 2002, c.9, s.24.”*

Section 15.3(4) Appeal to Court

“The municipality in which the property is situate or any owner or occupant or person affected by a decision under subsection (3.1) may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent. 2002, c.9, s.24.”

Opening Statements

The Property Standards Officer (PSO) gives details of the Order appealed and files the Order with the Committee.

The Owner/Appellant gives a brief statement outlining the points in dispute and the reasons he/she feels the Order should be varied.

Evidence

1. The Owner/Appellant states any facts believed to be relevant and calls any witnesses he may require.
 - Questions from Committee Members
2. The Property Standards Officer gives evidence.
 - Questions from Owner/Appellant
 - Questions from Committee Members

Argument

- Owner/Appellant
- Property Standards Officer
- Reply by Owner/Appellant.
“Reply” is not repetition but an opportunity to give new evidence or argument in response to points raised by the Property Standards Officer and not considered by the Owner/Appellant in his original submission.

Decision

Parties may be requested to withdraw while the Committee deliberates or the decision may be reserved to be communicated to both parties in writing at a later date.