

# The Corporation of the Town of Aurora

## By-law Number 6543-23

### Being a By-law to prescribe the standards for the maintenance and occupancy of properties in the Town of Aurora.

**Whereas** subsection 15.1(3) of the *Building Code Act, 1992*, S.O. 1992, c.23, (“Building Code Act”) permits the council of a municipality to pass a by-law prescribing standards for the maintenance and occupancy of properties within the municipality and for prohibiting the occupancy or use of such properties that do not conform with the standards;

**And whereas** subsection 15.1(3) of the Building Code Act also permits said by-law to require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

**And whereas** under sections 35.3 and 45.1 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 a by-law may be passed prescribing minimum standards for the maintenance of the heritage attributes of designated properties or properties situated in heritage conservation districts, provided that a by-law under section 15.1 of the Building Code Act is in effect in the municipality;

**And whereas** subsection 15.6(1) of the Building Code Act requires that a bylaw passed under subsection 15.1(3) of the Building Code Act provide for the establishment of a property standards committee;

**And whereas** the Council of The Corporation of the Town of Aurora deems it necessary to repeal By-law Number 4044-99, being a by-law to prescribe standards for the maintenance and occupancy of property within the Town of Aurora, and to replace it with this by-law;

**And whereas** the Council of The Corporation of the Town of Aurora deems it expedient to continue to regulate the maintenance of properties within the Town of Aurora;

**Now therefore the Council of The Corporation of the Town of Aurora hereby enacts as follows:**

#### Part I: Definitions, Interpretation and Application

##### 1. Short Title

1.1 This by-law shall be known and may be cited as the “Property Standards By-law”.

##### 2. Definitions and Interpretation

2.1 In this by-law, the following words shall have the following meanings:

- (a) **“Accessory Building”** means any subordinate building or structure which is separate or detached from the main building on the same Lot and is subordinate to a principle use of the main building or structure, is not used for human habitation, is located on the same Lot as the main building or structure and may, without limiting the generality of the foregoing, include a private garage, swimming pool, private greenhouse, patio, carport, boat

house, solar collector, garbage bin enclosure, raised play structures, and gazebos;

- (b) **"Agricultural Purposes"** means land designated for agricultural uses under the Zoning By-Law;
- (c) **"Bathroom"** means a room containing a bathtub or shower with or without a water closet (toilet) and lavatory (sink);
- (d) **"Barrier-Free"** means that a building and its facilities can be approached, entered and used by persons with physical or sensory disabilities;
- (e) **"Basement"** means as defined in the Building Code;
- (f) **"Building Code"** means the regulations made under section 34 of the Building Code Act, as amended or replaced from time to time;
- (g) **"Building Code Act"** means the *Building Code Act, 1992*, S.O. 1992, c. 23, as it may be amended or replaced from time to time;
- (h) **"Committee"** means the Property Standards Committee of the Town established pursuant to this by-law;
- (i) **"Council"** means the Council of the Corporation of the Town of Aurora;
- (j) **"Crawl Space"** means a space beneath a floor assembly with less than 1.8 meters of clearance height;
- (k) **"Director"** the department head responsible for the Bylaw Services division of the Town or his/her designate or successor;
- (l) **"Domestic Goods"** means goods associated with a Residential Occupancy and includes but is not limited to firewood, small amounts of building materials, garden equipment and furniture and household belongings and sports equipment that is in normal keeping with the principal use of the property;
- (m) **"Dwelling"** means a building or structure or part of a building or structure occupied or capable of being occupied in whole or in part for the purposes of Residential Occupancy and includes the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein;
- (n) **"Dwelling Unit"** means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;
- (o) **"Fire Code"** means the fire code, as amended from time to time, as established under the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4;
- (p) **"Front Yard"** means as defined in the Zoning By-law;
- (q) **"Full-Cut-Off Fixture"** means a luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a horizontal plane from the base of the light fixture where light is emitted and must be installed in a horizontal position as designed;

- (r) **"Habitable Room"** means any room in a Dwelling Unit designed, lawfully used or capable of being lawfully used for living, sleeping, cooking or eating purposes;
- (s) **"Heritage Attribute(s)"** means the attributes or features of a property, building or structure that contributes to the property's cultural heritage value or interest that are defined, described, or that can be reasonably inferred:
  - (i) in a by-law designating a property passed under section 29 of the Ontario Heritage Act and identified as heritage attributes, values, reasons for designation, or otherwise;
  - (ii) in a Minister's order made under section 34.5 of the Ontario Heritage Act and identified as heritage attributes, values, reasons for designation or otherwise;
  - (iii) in a by-law designating a heritage conservation district passed under section 41 of the Ontario Heritage Act and identified as heritage attributes, values, reasons for designation or otherwise; or
  - (iv) in the supporting documentation required for a by-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as heritage attributes, reasons for designation or otherwise;
- (t) **"Inoperable Motor Vehicle"** means a vehicle:
  - (i) that is in a wrecked, dismantled, partially dismantled, inoperative or abandoned condition; or
  - (ii) a motor vehicle that does not have a current and valid license plate attached, unless such vehicle is covered by a fitted vehicle cover and maintained in a good condition;
- (u) **"Lot"** means a property, lot or parcel of land described in a deed or other document legally capable of conveying land or shown as a lot or block on a registered plan of subdivision;
- (v) **"Medical Officer of Health"** means the Medical Officer of Health for the York Region Public Health Unit;
- (w) **"Multiple Dwelling"** means a building containing three or more Dwelling Units;
- (x) **"Municipal Act"** means the *Municipal Act, 2001*, S.O. 2001, C.25, as it may be amended or replaced from time to time;
- (y) **"Non-Habitable Area"** means any room in a Dwelling or Dwelling Unit other than a Habitable Room, and includes:
  - (i) a Bathroom, washroom, laundry, pantry, lobby, corridor, stairway, closet, Crawl Space, furnace room; and
  - (ii) any other space for service and maintenance of the Dwelling for public use or access to and vertical travel between storeys;

- (z) **"Ontario Heritage Act"** means the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as it may be amended or replaced from time to time, and including any regulations thereunder;
- (aa) **"Outdoor Lighting Fixtures"** shall include, but not be limited to, lighting for buildings and structures, including canopies, overhangs, parking lot lighting and outdoor lighting for all residential, commercial, promenade, and industrial uses;
- (bb) **"Part IV Heritage Property"** means property, including any building or structure located thereon, that has been designated by the Town under section 29, or by the Minister under section 34.5, of the Ontario Heritage Act;
- (cc) **"Part V Heritage Property"** means property, including any building or structure located thereon, which is located within a heritage conservation district that has been so designated by the Town under section 41 of the Ontario Heritage Act;
- (dd) **"Property Standards Officer"** means a property standards officer who has been assigned the responsibility of administering and enforcing by-laws of the Town passed under section 15.1 of the Building Code Act;
- (ee) **"Public Authority"** means the Government of Canada, the Province of Ontario, the Town, The Regional Municipality of York, the Lake Simcoe Region Conservation Authority and the Toronto and Region Conservation Authority and includes any commission, committee, school board, department or agency of the aforementioned entities;
- (ff) **"Rear Yard"** means any portion of the Yard that is not the Front Yard;
- (gg) **"Residential Occupancy"** means the occupancy or use of a building or part thereof by persons for whom sleeping accommodation is provided, but does not include occupancies or uses in which persons are harbored or detained to receive medical care or treatment and does not include occupancies or uses in which persons are involuntarily detained;
- (hh) **"Residential Property"** means any property that is used or designed for Residential Occupancy, and includes any land or buildings that are on such property or appurtenant to such occupancy and all Yards, landscaping, steps, walks, driveways, parking spaces and fences associated with the occupancy;
- (ii) **"Sewage"** means any liquid containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension, including floating materials, but does not include any storm or rain water, or uncontaminated potable water;
- (jj) **"Sewerage System"** means that Town's sanitary sewerage system or a private Sewage disposal system approved by the Town;
- (kk) **"Standards"** mean the standards of physical condition and of occupancy prescribed for properties under this by-law;

- (ll) **“Supplied Facility”** means an appliance, fixture or piece of equipment, including any related system, provided or established in conjunction with the use of property that is ancillary or incidental to the occupancy as may be specified within a lease agreement or required to be provided in accordance with the provisions of the Building Code, the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, or any other applicable by-law or legislation;
  - (mm) **“Surface-Treated”** means paved with concrete, asphalt, stone, brick or any aggregate treated with a binding material;
  - (nn) **“Town”** means The Corporation of The Town of Aurora or the geographical limits of the Town of Aurora as the context requires;
  - (oo) **“Vacant Building”** means any building that is or appears to be vacant, partially vacant, or unoccupied, or that, by reason of its unfinished or dilapidated condition appears to be in a state such that there is little or no control over unauthorized entry, but does not include:
    - (i) a Dwelling Unit occupied on a seasonal basis but otherwise maintained throughout the year and kept compliant with all applicable statutes, regulations and Town by-laws, including this by-law;
    - (ii) a detached building or structure which is naturally and normally incidental, subordinate, and devoted to another building located on the same Lot that is, or appears to be, occupied;
    - (iii) a building that is owned by a Public Authority;
  - (pp) **“Washroom”** means a room containing one or more water closets or one or more lavatories and may include other sanitary fixtures;
  - (qq) **“Yard”** means the land, other than publicly owned land, around and appurtenant to the whole or any part of a building or structure and lawfully used or intended to be used or capable of being used in connection with the building or structure;
  - (rr) **“Zoning By-law”** means The Zoning By-law of the Town of Aurora, as amended or successor thereof.
- 2.2 The terms water closet and lavatory in this by-law shall mean as it is attributed to such terms under the Building Code and the plumbing industry, with the term water closet referring to a flush toilet and the term lavatory referring to a permanent sink or washbowl with running water.
- 2.3 A term not defined in this section shall have the same meaning as the term in the Building Code Act or in the Building Code, if provided therein.
- 2.4 Unless otherwise specified, references in this by-law to parts, sections, subsections, clauses and schedules are references to parts, sections, subsections clauses, and schedules in this by-law.

- 2.5 The part and section headings contained throughout this document are for reference purposes only and do not form a part of this by-law. This by-law is to be interpreted without reference to such headings.
- 2.6 References in this by-law to any statute or statutory provisions include references to that statute or statutory provision as it may from time to time be amended, extended, or re-enacted.
- 2.7 This by-law shall be read with all changes in gender or number as the context requires.
- 2.8 References in this by-law to items in the plural include the singular, and references to the singular include the plural, as applicable.
- 2.9 The words “include”, “includes”, “including” are not to be read or interpreted as limiting the words, phrases, or descriptions that precede it.
- 2.10 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid or to be of no force and effect, it is the intention of the Town in enacting this by-law that such provision or part of a provision shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this by-law.
- 2.11 Where there is a conflict of the provisions between this by-law and any other by-laws of the Town with respect to property standards, the provision that establishes the highest standard to protect the health, safety and welfare of the general public shall apply.

### **3. Administration of this By-law**

- 3.1 The Director is delegated authority to and is responsible for administering this by-law.
- 3.2 The Director and Property Standards Officers of the Town are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections pursuant to this by-law, the Building Code Act, and any other enacted applicable by-law or legislation.
- 3.3 The Director is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or, with respect to administration, to external third parties deemed to be qualified and appropriate by the Director for such purposes.
- 3.4 Any fees required under this by-law or fees related to the administration and enforcement of this by-law shall be as required by the Town’s Fees and Charges By-law.

### **4. Application and Other Law**

- 4.1 The Standards for maintenance and occupancy of property prescribed in this by-law apply to all lands and property in the Town.
- 4.2 Where reference is made to the prescribed specifications or requirements of the Building Code, compliance alternatives as allowed for in Part 11 of the Building Code may be substituted.

- 4.3 Any provincial or federal regulation that imposes a higher maintenance requirement or specification shall supersede this by-law.

**Part II: Prohibitions, Duties and Requirements**

**5. Prohibitions and Requirements**

- 5.1 No person shall use, occupy or permit the use or occupancy of, rent, or offer to rent, any property or any portion thereof that does not conform to the Standards, specifications or requirements established in this by-law.
- 5.2 The owner of any property, which does not conform to the Standards, specifications or requirements established in this by-law, shall repair and maintain such property to conform to the Standards, specifications or requirements, or shall clear the site of all buildings, structures, debris or refuse and leave it in a graded and levelled condition.
- 5.3 Notwithstanding subsection 5.2, the owner of a Part IV Heritage Property or a Part V Heritage Property which does not conform to the Standards in this by-law shall repair and maintain the property to conform to the Standards and the property shall not be cleared of all buildings and structures that fail to do so.
- 5.4 In addition to and without limiting the above, every owner of property shall:
- (a) take immediate action to eliminate any unsafe condition;
  - (b) ensure that every Supplied Facility, appliance, fixture and equipment in or on the property is:
    - (i) constructed, installed, and maintained so that it will function safely and effectively,
    - (ii) kept in a satisfactory working condition, and
    - (iii) available for the use by the occupants and other users of the property in accordance with the Standards.
- 5.5 All repairs and maintenance shall be made in a good workmanlike manner with materials that are suitable and sufficient for the purpose and free from defects. Without restricting the generality of the foregoing:
- (a) the requirement that repairs be made in a "good workmanlike manner" includes ensuring that the component repaired can perform its intended function and finishing the repair in a manner reasonably compatible with adjoining decorative finishing materials; and
  - (b) the requirement that repairs and maintenance be made with "materials that are suitable and sufficient for the purpose" includes a requirement for materials reasonably compatible with adjoining decorative finishing materials.

**Part III: General Maintenance Standards**

**6. Yards**

- 6.1 Yards and vacant property shall be kept clean and free from rubbish or other debris and from objects or conditions that create or might create a health, fire or accident hazard or an unsafe condition.
  - 6.2 Yards and vacant property shall be graded in a manner to prevent the mounding of earth, dirt or rubble.
  - 6.3 Yards and vacant property shall be kept free of dead or decayed trees, including branches and limbs thereof, damaged trees that create an unsafe condition and heavy overgrowth of vegetation, unless such property is zoned for Agricultural Purposes.
  - 6.4 No Inoperable Motor Vehicle, or trailer that is in a wrecked, dismantled, partially dismantled, inoperative or abandoned condition, or any part of such a vehicle or trailer, shall be parked, stored or left outdoors on any property in the Town, unless it is part of an automotive repair establishment use, an automotive sales establishment (new or used) use, a vehicle compound use or salvage yard permitted by the Zoning By-law or otherwise permitted as a legal non-conforming use pursuant to the *Planning Act*, R.S.O. 1990, c. P.13.
  - 6.5 Domestic Goods may only be stored in the Yard if it is:
    - (a) in the Rear Yard provided that such storage shall be neatly piled; and
    - (b) in the Front Yard provided that such storage is neat and is limited to small amounts that is consistent with the permitted use of the property.
  - 6.6 No excessive storage shall be permitted in the Front Yard.
  - 6.7 All swimming pools, hot tubs, wading pools, garden fountains and artificial ponds shall be:
    - (a) maintained in good repair and in a working condition, and
    - (b) kept free of water that is malodorous or water that provides a breeding place for mosquitos, including that which may accumulate on or below a pool cover.
  - 6.8 No person shall keep any exterior lighting in a Yard, or that part of the Yard that he, she or it occupies or controls, where it is installed and maintained in such a manner as to allow light to shine beyond the boundaries of the property in excess of 20 lux onto an abutting Residential Property or into any Dwelling Unit windows.
7. **Vacant Buildings**
- 7.1 For the purposes of maintenance of Vacant Buildings, all provisions within this by-law that regulate interior conditions of a building shall not apply, provided that such building is boarded up and entry prevented as required in this section 7. Notwithstanding the foregoing, all provisions within this by-law that regulate exterior conditions and structural integrity shall apply to Vacant Buildings, with the exception of section 36.
  - 7.2 Notwithstanding all other provisions of this by-law, the provisions set out below shall apply to all Vacant Buildings:



- (a) the owner of the Vacant Building shall protect every such building against the risk of fire, accident or other such hazard and shall effectively prevent the entrance thereto of all unauthorized persons;
- (b) if the normal locking system or other security measures for the building do not prevent entry, the owner of the Vacant Building shall board up the building by covering any openings through which entry may be obtained with at least 12.7mm (1/2 inch) weatherproof sheet plywood securely fastened to the building and painted a colour compatible to the surrounding walls;
- (c) the owner or their agent shall secure the building to prevent accidental or malicious damage to the building or adjacent property;
- (d) if a building remains vacant for more than ninety (90) days, the owner or their agent thereof, shall ensure that all utilities serving the building are properly disconnected, but this provision shall not apply where such utilities are necessary for the safety or security of the building;
- (e) if a Vacant Building sustains structural damage the owner of such a building shall bring it into compliance with all structural and exterior maintenance provisions of this by-law or otherwise shall have such a building demolished in accordance with the Building Code Act.

7.3 For the purposes of this by-law, a building shall be presumed to be vacant for ninety (90) days if, based on visual inspections of the exterior over that period:

- (a) it appears to be vacant, partially vacant, or unoccupied, or
- (b) by reason of its unfinished or dilapidated condition appears to be in a state such that there is little or no control over unauthorized entry,

notwithstanding any intermittent or temporary periods of vacancy or occupancy within that inspection period. This presumption may be rebutted by evidence to the contrary on a balance of probabilities.

## 8. Sewage and Drainage

8.1 Sewage or organic waste shall be discharged into a Sewerage System.

8.2 No roof drainage, storm water drainage or sump pump discharge, or any other type of water discharge shall be discharged directly onto a sidewalk, street, boulevard, stair or onto the Lot of another property owner. Notwithstanding the foregoing, the requirements of this subsection 8.2 shall be subject to any water drainage plans approved by the Town.

8.3 Properties shall be graded:

- (a) such that storm water and pumped discharge water drains from the Yard and does not pond in a recurrent manner;
- (b) such that storm water and pumped discharge is prevented from entering into any building; and
- (c) in a manner that will minimize erosion of adjacent properties.

**9. Walkways**

9.1 There shall be a Surface-Treated walk leading from every:

- (a) main exterior entrance of every main building,
- (b) separately leased unit, and
- (c) fire exit from a building required under the Building Code or the Fire Code, to a paved driveway, to the sidewalk or to the street.

**10. Safe Access and Barriers**

10.1 Steps, walks, ramps, driveways, parking spaces and similar areas of a Yard shall be maintained to afford safe passage under normal use and weather conditions.

10.2 Accumulations of ice and snow shall be promptly removed from all main entrances and exits of occupied buildings.

10.3 Where buildings and property have been designated, designed, constructed or altered for Barrier-Free access, every Barrier-Free path of travel and all Barrier-Free features and equipment shall be installed in accordance with the Building Code, and shall be maintained in good repair and shall function as designed.

**11. Fences and Retaining Walls**

11.1 Fences shall be maintained in good condition and free from hazards. Fences shall be reasonably plumb, unless specifically designed to not be vertically plumb.

11.2 Retaining walls shall be safe, maintained, structurally sound and plumb, and capable of performing its intended function.

11.3 Where access is provided to the top edge of a retaining wall, a safety rail that is a minimum of 0.9 meters in height shall be provided and maintained in good working order when the difference in ground elevation exceeds 1.2 metres.

**12. Garbage Disposal**

12.1 Every building and every unit within a building shall utilize sufficient receptacles or garbage bags to contain all garbage and rubbish.

12.2 Outdoor garbage receptacles shall be:

- (a) made of rigid, watertight construction,
- (b) provided with a tight-fitting cover,
- (c) kept free of debris and loose litter on the outside or around such receptacles; and
- (d) screened from public view.

12.3 Garbage and rubbish shall be promptly stored in receptacles and made available for removal in accordance with any applicable Town by-laws.

- 12.4 If a garbage chute system is installed in a Multiple Dwelling, the system shall be maintained operative.
- 12.5 Every garbage chute, garbage disposal room, garbage storage area, garbage container or receptacle shall be washed and disinfected as often as is necessary to maintain a clean and odour-free condition.
- 12.6 If an exterior bulk or roll-off container garbage disposal system is used, it shall be equipped with covers or similar devices that can be opened or removed, but shall not be left open or removed, except when being loaded.
- 12.7 Any exterior bulk or roll-off garbage disposal system shall be large enough to contain all garbage and refuse generated between collections and not be loaded beyond the top of the container.
- 13. Surface Treatment of Outdoor Parking and Storage Areas**
- 13.1 The surfaces of open storage areas, off-street parking areas, loading and maneuvering areas in all zoning districts, shall be surfaced with asphalt, concrete, paving brick, block, or other similar material that is free from excessive cracks, potholes and delamination.
- 13.2 A storm drainage system is required that adheres to a storm water management plan registered on the property or otherwise approved by a Public Authority.
- 14. Pest Prevention**
- 14.1 Buildings on any property shall be kept free of infestation of rodents, vermin and insects at all times.
- 14.2 Extermination of rodents, vermin or insects may only be conducted in accordance with the provisions of the *Pesticides Act*, R.S.O. 1990, c. P.11 and its regulations, all as amended from time to time.
- 14.3 Openings and holes in any building, including chimneys, windows, doors, vents, holes for pipes and electrical fixtures, cracks, and floor drains shall be screened or sealed to reasonably prevent the entry of any rodents, vermin, insects, birds or other pests.
- 15. Foundations**
- 15.1 Foundation walls shall be maintained in good repair and structurally sound and shall be maintained by methods including but not limited to shoring of the walls, installing of subsoil drains at the footing, grouting masonry cracks, parging or waterproofing the walls.
- 15.2 Every building, unless the slab-on-grade type, shall be supported by foundation walls or piers which extend below the frost line or to solid rock.
- 15.3 All footings, foundation walls, piers and slabs-on-grade shall be of masonry or other suitable material.
- 15.4 Subsections 15.2 and 15.3 shall not apply to Accessory Buildings where the Building Code specifies that no foundation is required.
- 15.5 Every space below grade in a building shall be adequately drained.

**16. Structural Components**

- 16.1 Every part of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any additional load to which it may be subject through normal use.
- 16.2 Materials which have been damaged or show evidence of rot, smoke damage or other deterioration shall be repaired or replaced.
- 16.3 The exterior of every building shall be free from loose, rotted, warped, deteriorated, smoke damaged, or broken materials and objects.
- 16.4 All exterior surfaces shall be of materials which provide adequate protection from the weather.
- 16.5 Any building, Accessory Building or structure damaged by fire, storm or by other events or forces shall be either demolished or otherwise repaired to a condition to comply with all the provisions of this by-law, Building Code, Fire Code, and any other applicable legislation.

**17. Roofs**

- 17.1 A roof, including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the building.
- 17.2 All roofs shall be maintained free from loose or unsecured objects or materials and free from excessive or dangerous accumulations of snow, ice or both.

**18. Exterior of a Building**

- 18.1 The exterior walls of a building and its components shall be maintained so as to prevent their deterioration due to weather and the entry of animals and insects.
- 18.2 The exterior walls of a building and its components shall be maintained by:
- (a) the painting, restoring or repairing of the fascia board, soffit, cornice, walls, coping or flashing; and
  - (b) the damp proofing of joints and of the walls themselves.

**19. Driveway Delineation**

- 19.1 If paving is permitted as landscaping under the provisions of the Zoning By-Law, any hard surface area running along either the side of a driveway that is beyond the permitted width of the driveway, as permitted under the Zoning By-law, must be delineated or blocked-off so that vehicular access is permanently prevented beyond the permitted width of the driveway.

**20. Dampness**

- 20.1 The interior floors, ceilings and walls shall be kept free from dampness arising from the entrance of moisture through an exterior wall or a roof, or through a floor on grade.
- 20.2 Every attic or roof space above an insulated ceiling shall be vented to the exterior in accordance with the Building Code.

**21. Stairs, Porches, Balconies and Decks**

- 21.1 All interior and exterior stairs and all porches, balconies and decks shall be maintained so as to be free of holes, cracks and other defects that may constitute possible accident, tripping or falling hazards.
- 21.2 All treads, risers and walking surfaces on any stairs, porches, balconies and decks shall be uniform and any such items, as well as any supporting structural members, that show excessive wear, are broken, warped or loose, or are rotted or deteriorated, shall be repaired or replaced.

**22. Guards and Handrails**

- 22.1 All guards and handrails shall be installed and maintained in good repair and in accordance with the Building Code.
- 22.2 Openings through any guard which can be accessed by members of the general public shall be of a size that will prevent the passage of a spherical object having a diameter of 200mm, or more, for industrial occupancy properties. For all other properties, the openings in any guards shall be of a size that will prevent the passage of a spherical object having a diameter of 100mm, or more.
- 22.3 Handrails shall be terminated in a manner that will not obstruct pedestrian travel or create a hazard.
- 22.4 The open side(s) of a stair, balcony, deck, porch or landing shall be protected by a guard in accordance with the Building Code.
- 22.5 Unless it can be shown that the location and size of openings do not present a hazard, a guard shall be designed so that no member, attachment or opening located between 140 millimetres and 900 millimetres above the level protected by the guard will facilitate climbing.
- 22.6 If glass is used as part of a guard, it shall be:
- (a) safety glass of the laminated or tempered type conforming to CAN/CGSB-12.1-M, "Tempered or Laminated Safety Glass"; or
  - (b) wired glass conforming to CAN/CGSB-12.11-M, "Wired Safety Glass."

**23. Elevators**

- 23.1 Elevators shall be properly maintained in accordance with any applicable standards and kept in operation except for such reasonable time as may be required for repair or replacement.

**24. Water Supply**

- 24.1 Every building either occupied or intended to be occupied by persons shall be provided with a safe and adequate supply of potable running water.
- 24.2 Every kitchen sink, lavatory, bathtub or shower required by this by-law shall have an adequate supply of hot and cold running water.
- 24.3 All hot water shall be supplied at a temperature of between 45°C and 60°C.

**25. Plumbing**

- 25.1 All plumbing, drain pipes, water pipes and plumbing fixtures and every connecting line to the Sewerage System shall be maintained in good working order and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.
- 25.2 All plumbing fixtures shall be connected to the Sewerage System through a trap with a water seal and adequate vents.

**26. Washroom and Bathroom Facilities**

- 26.1 All buildings provided with potable water shall contain plumbing fixtures as set out in the Building Code.
- 26.2 All Bathrooms and Washrooms serving a building shall be located within the building and be accessible from within that building.
- 26.3 All Bathrooms and Washrooms shall be fully enclosed so as to provide privacy for the occupant.
- 26.4 Where Barrier-Free Washrooms have been required or provided, all features of such Washrooms shall be maintained including signage, grab-bars, special fixtures and door hardware as outlined in the Building Code.

**27. Lighting Standards – Interior Lighting**

- 27.1 Within all buildings of three or fewer storeys in building height, having a building area not exceeding 600 square metres and that are used for Residential Occupancies, business and personal services occupancies, a mercantile occupancies, medium hazard industrial occupancies or low hazard industrial occupancies:
- (a) every exit, except for exits serving only one Dwelling Unit, public corridor or corridor providing access to exit for the public, shall be equipped to provide illumination to an average level of not less than 50 lux at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or ramps;
  - (b) emergency lighting shall be provided in:
    - (i) exits;
    - (ii) principal routes providing access to exit in an open floor area;
    - (iii) corridors used by the public;
    - (iv) underground walkways; and
    - (v) public corridors;unless such exits, routes or corridors serve a single Dwelling Unit within a Residential Occupancy;
  - (c) every public or service area in buildings, including a recreational camp and a camp for housing of workers, shall have lighting outlets with fixtures controlled by a wall switch or panel;

- (d) when provided by incandescent lighting, illumination required shall conform to Schedule "B" and if other types of lighting are used, illumination equivalent to that shown in Schedule "B" shall be provided.

27.2 The emergency lighting required in paragraph (b) of subsection 27.1 shall be:

- (a) provided from a source of energy separate from the electrical supply for the building;
- (b) designed to be automatically actuated for a period of not less than 30 minutes when the electric lighting in the affected area is interrupted; and
- (c) provided to average levels of illumination not less than 10 lux at floor or tread level, but where incandescent lighting is provided, lighting equal to 1 watt per square metre of floor area shall be considered to meet this requirement.

Further, where self-contained emergency lighting units are used, they shall conform to CSA C22.2 No. 141-M, "Unit Equipment for Emergency Lighting."

27.3 Within all buildings exceeding three storeys in building height or having a building area exceeding 600 square metres or used for other occupancies not described in subsection 27.1:

- (a) an exit, a public corridor, a corridor providing access to exit for the public, a corridor serving patients or residents in a care and treatment occupancy or care occupancy, a corridor serving classrooms, an electrical equipment room, a transformer vault and a hoistway pit shall be equipped to provide illumination to an average level not less than 50 lux at floor or tread level and at angles and intersections at changes of level where there are stairs or ramps;
- (b) elevator machine rooms shall be equipped to provide illumination to an average level of not less than 100 lux at floor level;
- (c) for parking lots, walkways, stairs, porches, verandas, loading docks, ramps or other similar areas, a minimum level of illumination of 10 lux at ground or tread level and at angles and intersections at changes of level where there are stairs or ramps;
- (d) emergency lighting shall be provided in:
  - (i) exits,
  - (ii) principal routes providing access to exit in an open floor area and in service rooms,
  - (iii) corridors used by the public,
  - (iv) corridors serving classrooms,
  - (v) underground walkways,
  - (vi) public corridors,
  - (vii) floor areas or parts of them where the public may congregate in,

- (viii) floor areas or parts of them in day care centres where persons are cared for,
- (ix) food preparation areas in commercial kitchens,
- (x) principal routes providing access to exit in a floor area that is not subdivided into rooms or suites of rooms served by corridors in a business and personal services occupancy, a mercantile occupancy or an industrial occupancy,
- (xi) internal corridors or aisles serving as principal routes to exits in a business and personal services occupancy, a mercantile occupancy or an industrial occupancy that is subdivided into rooms or suites of rooms, and is not served by a public corridor,
- (xii) washrooms with fixtures for public use, and
- (xiii) any other occupancies and corridors as required under the Building Code.

27.4 The emergency lighting required in paragraph (d) of subsection 27.3 shall be in compliance with the Building Code requirements for such lighting in the building.

27.5 All interior lighting installed to provide the minimum level of illumination required by this by-law may be on circuits controlled by motion sensor-controlled switches, except where the lighting circuit is for an exit, including an exit stairway, or for emergency lighting.

27.6 A motion sensor-controlled switch permitted under subsection 27.5 of this by-law shall:

- (a) be designed for fail-safe operation so that if the motion sensor-controlled switch fails, the electrical fixture that it controls activates;
- (b) be of a type, the operation of which is not impaired by the presence of smoke;
- (c) control an area that is not more than 240 square metres;
- (d) if the illumination is for an access to exit:
  - (i) maintain an average level of illumination of 10 lux at all times, and
  - (ii) in addition to subparagraph (i) above, maintain the illumination within its area of control active for not less than 15 minutes after the activity that caused the lighting to activate has stopped or left its area of control;
- (e) if the illumination is for a space that is an access to exit from a residential area:
  - (i) activate all lighting between vertical partitions in the space,
  - (ii) activate all lighting within the space within two seconds of any movement either in or directly related to the area controlled by the motion sensor control switch;



- (f) provide coverage to all of the space so that there are no null zones.

## 28. **Lighting Standards – Exterior Lighting**

- 28.1 All Outdoor Lighting Fixtures shall be completely shielded Full-Cut-Off Fixtures, as further identified in Schedule “C” of this by-law.
- 28.2 Notwithstanding subsection 28.1, any wall-mounted lights that have been installed prior to effective date of this by-law may remain unshielded until December 31, 2029, but shall become permanently shielded no later than January 1, 2030.
- 28.3 All architectural lighting and building lighting shall be mounted such that the light is aimed down.
- 28.4 The use or placement of low wattage lights on a temporary basis for the purpose of commemorating a holiday, celebration or a special event is exempt from the requirements of this section 28, provided that such lights are only used for decoration or ornamentation and provided that such lights are temporary, removable, not permanently affixed and small-sized.

## 29. **Buffering**

- 29.1 A property that, because of its use, occupancy, or other reasons, creates a nuisance to other properties in the neighbourhood shall be buffered from these properties so as to minimize the effect of the nuisance by the provision and maintenance of:
  - (a) a barrier or deflectors to prevent lighting and motorized and non-motorized vehicle headlights from shining directly into a dwelling unit;
  - (b) a barrier to prevent wind-blown waste, wrappings, debris and similar things from littering or settling on adjacent properties;
  - (c) a visual screen or fence, of uniform construction and appropriate to the nature of the adjacent use, to minimize the visual impact of nuisances to persons at grade on adjacent properties or a public highway; and
  - (d) the provision and maintenance of a barrier of sufficient size and strength to prevent the dumping of debris or refuse in yards or vacant property.

## 30. **Clothing Drop Boxes**

- 30.1 Every owner of property on which a clothing drop box is used or located shall ensure that the clothing drop box is clean, in good repair and is free of graffiti, and shall ensure that all areas immediately adjacent to the clothing drop box are clean and free of litter, refuse and other debris.
- 30.2 An owner of property upon which a clothing drop box is placed that is in contravention of this section 30, or otherwise of this by-law, may be ordered to take any necessary action to remedy the contravention, including the removal of the clothing drop box from the property.

## 31. **Parking Garages**

- 31.1 The provisions of this section 31 do not apply to Residential Properties that serve three (3), or less than three (3), dwellings.
- 31.2 The walls, floors, ceilings and columns of every parking or storage garage shall be maintained free of holes, breaks or cracks, and impervious to water.
- 31.3 If a parking or storage garage has a common entrance and a capacity for more than five vehicles, it shall be painted as follows, and all painted surfaces shall be maintained in a state of good repair and reasonable cleanliness:
- (a) every ceiling, wall and column shall be painted white from 60 centimetres above floor level; and
  - (b) the remaining portion of the wall and the column from floor level to a height of 60 centimetres shall be painted black.
- 31.4 No machinery, boats, vehicles, trailers or parts of them that are in a wrecked, discarded, dismantled, inoperative or abandoned condition, or junk or rubbish shall be kept or allowed to remain in a parking or storage garage.
- 31.5 If a garage door allows for vehicular ingress or egress from a parking or storage area, and is equipped with an automatic closing mechanism, the garage door shall be equipped with a sensing device that does not allow the door to close when any person, animal or object is crossing its path.
- 31.6 Except as provided in subsection 31.7, every parking or storage garage shall be served by not fewer than two pedestrian exit doors.
- 31.7 In a building of not more than two storeys in building height, a parking or storage garage may be served by one pedestrian exit door if:
- (a) the floor area of the storage garage is 200 square metres or less;
  - (b) the maximum travel distance from any point within the parking or storage garage to the exit is 25 metres or less; and;
  - (c) the occupant load served by the exit is not more than 60 persons.
- 31.8 Every pedestrian exit door referred to in subsections 31.6 and 31.7:
- (a) shall be designed and installed to open in the direction of exit travel and shall swing on its vertical axis;
  - (b) shall have a reliable self-closing mechanism, and shall not at any time be secured in an open position;
  - (c) shall be designed and installed so that, when the door latch is released, the door will open easily in the direction of exit travel;
  - (d) shall, except as permitted under paragraph (e) below, be equipped with fastenings that allow the door to be readily opened from the inside without requiring keys, special devices or specialized knowledge of the door's opening mechanism; and;

- (e) may incorporate an electromagnetic locking device that does not incorporate latches, pins or similar devices to keep the door in the closed position if the following conditions are met:
    - (i) the building is equipped with a fire alarm system conforming to the Building Code;
    - (ii) the locking device is installed as an ancillary device to the fire alarm:
      - [1] upon activation of the fire alarm signal;
      - [2] in the event of a power failure or ground fault; and
      - [3] upon actuation of a manually operated switch accessible only to authorized personnel manning a central control facility at all times that the building is occupied;
    - (iii) a manually activated signalling box for the fire alarm system is located on the wall not more than 600 millimetres from the door;
    - (iv) if, upon release, the locking device must be reactivated manually by the actuation of the switch in (e)(ii)[3] above;
    - (v) a legible sign having the words EMERGENCY EXIT UNLOCKED BY FIRE ALARM is permanently mounted on the exit door with lettering on the sign that is at least 25 millimetres high with at least a five-millimetre stroke.
- 31.9 If more than one pedestrian exit door is required from a parking or storage garage, the exit doors shall be located so that the travel distance from any point on the floor area measured along the path exit travel to at least one exit door shall not be more than:
- (a) sixty-one (61) metres in any parking or storage garage that is an open parking or storage garage of not more than 10,000 square metres in building area and where no alternative use is made above the garage;
  - (b) forty-five (45) metres in any parking or storage garage that is equipped with a sprinkler system; and
  - (c) thirty (30) metres in any parking or storage garage that is not equipped with a sprinkler system.
- 31.10 Pedestrian exit doors in parking and storage garages shall be located and arranged so that they are clearly visible or their locations are clearly indicated and they are accessible at all times.
- 31.11 Every door providing access to a parking or storage garage used or intended for use exclusively by the residents of a Multiple Dwelling for the storage or parking of motor vehicles shall be equipped with:
- (a) a latch that will prevent entry to the garage except by the use of a key, coded card or similar device; and

- (b) a self-closing device designed to return the door to the closed and latched position after each use.

Notwithstanding, in case of conflict between this section and the Fire Code or the Building Code, the Fire Code and the Building Code shall prevail over this section.

31.12 If an exit door required under this section 31 does not open directly to the outside of a building, the exit door must incorporate wired glass panels over 50 percent of its surface unless it is also a door which is required to have a fire protection rating, in which case it must incorporate the maximum coverage of wired glass panels allowed by the Building Code.

31.13 If it is necessary to pass through an exit door required under this section 31 to obtain access to a lockable entrance door to the building, all doors through which a person must pass or pass by from the first required exit door to the outside of the building, except the lockable entrance door and the door opening directly to the outside, must incorporate wired glass panels over 50 percent of their surfaces.

31.14 If a door is required to incorporate wired glass panels under subsection 31.12 or 31.13, the door shall conform to any requirements of the Building Code and the Fire Code.

## 32. **Garage Exit Door Signs**

32.1 The provisions of this section 32 do not apply to Residential Properties that serve three (3), or less than three (3), dwellings.

32.2 For the purposes of this section, the following terms shall have the meanings indicated:

- (a) **"alert sign"** means the sign as described in the diagram in Schedule "A-1";
- (b) **"large safe-exit arrow"** means the sign as described in Schedule "A-2";
- (c) **"safe-exit door"** means a door leading to or constituting a required exit from a storage garage required and installed under the Ontario Building Code Act, the Building Code, any by-law respecting the construction of buildings passed under a predecessor of the Ontario Building Code Act or this by-law;
- (d) **"safe-exit route"** means a route in the storage garage from the parking stalls to a safe-exit door having less than five safe-exit route decision points;
- (e) **"safe-exit route decision point"** means a point along the safe-exit route where there is more than one option in the direction of travel;
- (f) **"small safe-exit arrow"** means the sign as described in Schedule "A-3".

32.3 In Schedules "A-1", "A-2" and "A-3", if a paint colour number is provided, for example, "GREY BODY (17178)," the part of the sign indicated shall be coloured to match the colour indicated by that number in Federal Standard 595B COLORS, dated July 1994, 7690-01-162-2210 Fan Deck.

- 32.4 All parking and storage garages shall have safe-exit routes designated in accordance with the provisions of this by-law.
- 32.5 All safe-exit doors shall have large safe-exit arrows displayed 1.5 metres above the floor, measured from the centre of the arrow to the floor, with the arrow pointing down. Notwithstanding, where the placing of arrows in accordance with this section would have the effect of covering all or part of the glazed portion of an exit door, the arrow may be displayed in an alternate location, if the location has been approved by the Property Standards Officer, or otherwise by the Town, as meeting the intent of this requirement.
- 32.6 All parking and storage garages shall have small safe-exit arrows prominently displayed on columns or walls 1.5 metres above the floor, measured from the centre of the arrow to the floor:
- (a) at least every 10 metres along the safe-exit route;
  - (b) at all safe-exit route decision points along the safe-exit route; and
  - (c) wherever a safe-exit route crosses a traffic aisle.
- 32.7 Any safe-exit door, the frame of any safe-exit door and the walls adjacent to any safe-exit door to a distance of one metre on both sides of the frame and to a height of three metres above the floor or to the soffit above the bulkhead over the door, shall be coloured green to match the colour indicated by number 14193 in Federal Standard 595B COLORS, dated July 1994, 7690-01-162-2210 Fan Deck.
- 32.8 All parking and storage garages shall have alert signs that are prominently displayed on columns or walls 2.1 metres above the floor, measured from the top of the sign to the floor, so that there is one alert sign for every 25 parking stalls in the parking or storage garage, with the alert signs being evenly distributed in the parking or storage garage, but located not more than 30 metres apart.

#### **Part IV: Maintenance of Buildings and Structures**

##### **33. Walls and Ceilings of Dwelling**

- 33.1 Every wall and ceiling on the inside of a Dwelling shall be maintained clean and free of holes, cracks and damaged and deteriorated surface material, and each repair shall be finished to reasonably match the existing walls or ceilings.
- 33.2 Where Dwelling Units are separated vertically by dividing walls, such walls shall meet the regulations set out in the Building Code.

##### **34. Floors**

- 34.1 Every floor of a building shall be reasonably smooth and level and be maintained so as to be free of all loose, warped, protruding, broken or rotted boards which might cause an accident or allow dirt to accumulate and all defective floors shall be repaired.
- 34.2 Where floor boards have been covered with linoleum or some other covering which has become worn or torn so that it retains dirt or might cause an accident, the linoleum or other covering shall be repaired, replaced or removed.

34.3 Every Bathroom and Washroom shall have a floor of water repellent construction with a water-resistant base moulding.

**35. Basements and Crawl Spaces**

35.1 Basements which are served by a stairway or entrance leading from the Dwelling or from outside the Dwelling shall have a concrete floor with a floor drain located at the lowest point of the said floor and connected to an approved drainage system.

35.2 Notwithstanding subsection 35.1, Basements or Crawl Spaces which are not served by a stairway may have a dirt floor, provided it is covered with a moisture proof covering.

35.3 Where equipment requiring service such as plumbing, clean outs, traps and burners is located in Crawl Spaces, an access way with a minimum area of 0.37 m<sup>2</sup> shall be provided to such equipment.

**36. Doors and Windows**

36.1 Exterior windows, exterior doors and Basement hatchways shall be maintained in good repair so as to prevent the entrance of wind, rain or snow into the building.

36.2 Rotted or damaged doors, doorframes, window frames, sashes and casings, weather stripping, broken glass and defective door and window hardware shall be repaired or replaced.

36.3 In a Dwelling Unit, all windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured.

36.4 Within buildings that have three (3), or more, stories and ten (10), or more, Dwelling Units apartment building occupancies, any window in a Dwelling Unit with the bottom edge of the operable portion located more than 1,800 millimetres above floor or ground on the other side of the window that opens within 1,070 millimetres of the floor:

- (a) for vertical sliding windows, shall incorporate latching or automatic engaging devices to restrict when engaged the opening of the operable sash to 100 mm opening space between the bottom sash rail and the sill;
- (b) for horizontal sliding windows, shall incorporate latching or automatic engaging devices to restrict when engaged the opening of the operable sash to a 100 mm opening space between the sash stile and jamb;

Notwithstanding, the aforementioned window opening restricting devices do not need to be provided for any windows where a guard with a minimum height of 1070 millimetres is constructed in accordance with the Building Code or where an exterior balcony is constructed for the full length of such a window.

36.5 Vertical sliding windows shall be provided with at least two (2) latching devices.

36.6 Horizontal sliding windows shall be provided with at least a single latching device.

36.7 Where screens are provided in a window or door, the screen shall be maintained in good condition.

**37. Kitchen, Bathroom and Washroom Facilities**

37.1 Except as provided in subsection 37.2, every Dwelling Unit shall contain plumbing fixtures consisting of at least:

- (a) a kitchen sink;
- (b) a water closet;
- (c) a lavatory; and
- (d) a bathtub or shower.

37.2 The occupants of more than one suite may share a water closet, lavatory, and bathtub or shower provided:

- (a) not more than a total of eight (8) persons occupy both Dwelling Units; and
- (b) access to the fixtures can be gained without going through rooms of another Dwelling Unit or outside the Dwelling.

**38. Kitchens**

38.1 Every self-contained Dwelling Unit shall contain a kitchen area equipped with a sink served with hot and cold water, storage facilities, a counter-top work area and space for a stove and refrigerator.

38.2 Every kitchen sink shall have a splash back and drain area of an impervious surface.

38.3 Every main cooking space shall provide an adequate and approved energy source.

**39. Ventilation**

39.1 Except as provided for in section 39.2, every Habitable Room shall have an opening or openings for natural ventilation to the exterior and such opening or openings shall have a minimum aggregate unobstructed area of 0.3 m<sup>2</sup> and shall be located in the exterior walls or through openable parts of skylights.

39.2 Notwithstanding subsection 39.1, an opening for natural ventilation may be omitted from a room if mechanical ventilation is provided, which is capable of changing the air at least once each hour.

39.3 Except as provided for in subsection 39.4, every Bathroom or Washroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through openable parts of skylights and all such openings shall have a minimum aggregate unobstructed free flow area of 0.1 m<sup>2</sup>.

39.4 Notwithstanding subsection 39.3 an opening for natural ventilation may be omitted from a Bathroom or Washroom where a system of mechanical ventilation has been provided, such as an electric fan with a duct leading to outside the Dwelling.

39.5 All systems of mechanical ventilation or air conditioning shall be maintained in good working order.

39.6 Every Basement and unheated Crawl Space shall be adequately vented to the outside air by means of screened windows which can be opened or by louvers with screened openings, the area of which shall be in accordance with the Building Code.

#### 40. Heating Systems

40.1 Every Dwelling shall be provided with a permanent heating system capable of maintaining a room temperature of 20°C at 1.5 m above floor level and 1 m from exterior walls in all Habitable Rooms, Bathrooms and Washrooms. Such heating system shall be maintained in good working condition so as to be capable of heating the Dwelling safely to the aforementioned required temperature.

40.2 No room heater shall be placed so as to cause a fire hazard to walls, curtains and furniture, or to impede the free movement of persons within the room where the heater is located.

40.3 Rigid connection shall be kept between all heating equipment, including cooking equipment, burning any fuel and a chimney or flue.

40.4 Rigid connections shall be kept between all heating equipment, including cooking equipment burning gaseous fuel, and the supply line, except that an approved flexible connection, not more than 600 mm long, may be installed to permit cleaning behind a stove used for cooking.

40.5 A space which contains a heating unit shall have natural or mechanical means of supplying sufficient combustion air.

40.6 Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel, a place or approved receptacle for storage of the fuel shall be provided and maintained in a convenient location at least 1.5 m from the furnace and properly constructed so as to be free from fire or accident hazards.

40.7 Equipment burning fuel shall be properly vented to a duct leading to an adequate chimney or a vent flue approved for that purpose.

40.8 Every chimney, flue pipe and flue shall be maintained so as to prevent gases from leaking into the Dwelling. Abandoned flues and chimneys shall be either removed or maintained in a safe condition, including being adequately capped.

40.9 All flues shall be kept clear of obstructions, all open joints shall be sealed and all broken and loose masonry shall be repaired.

40.10 Chimneys, flues and gas vents shall be installed and maintained so that under conditions of use the temperature of any combustible material adjacent thereto, insulated there from, or in contact therewith, does not exceed a temperature of 71°C.

40.11 Fireplaces and similar construction used or intended to be used for burning fuels in open fires shall be connected to an approved chimney and shall be installed in accordance with the regulations set out in the Building Code.

40.12 All heating equipment shall be installed to conform to the Building Code.



**41. Electrical and Lighting Services**

- 41.1 Every Dwelling Unit shall be wired for electricity and shall be connected to an operating electric supply system.
- 41.2 Lighting equipment shall be installed throughout every Dwelling Unit to provide illumination.
- 41.3 All electrical wiring, fixtures, switches, receptacles, and connections to them, as well as any rooms, structures or facilities that are used to house electrical facilities or connections, shall be maintained in a safe and complete condition and in good working order and in conformity with the Ontario Electrical Safety Authority and any other applicable laws or regulations.
- 41.4 Every Habitable Room, except a kitchen, shall have,
- (a) at least one (1) electrical outlets for the first 11 m<sup>2</sup> or portion thereof of floor area; and
  - (b) one (1) electrical outlet for each additional 9 m<sup>2</sup> or portion thereof of floor area.
- 41.5 Every kitchen shall have at least two (2) electrical duplex convenience outlets which shall be on separate grounded circuits.
- 41.6 Fuses or overload devices shall be in conformity with the Ontario Electrical Safety Authority and any other applicable laws or regulations.
- 41.7 Extension cords which are not part of a fixture shall not be permitted on a semi-permanent or permanent basis where it creates, or potentially creates, a hazardous condition or a tripping hazard.
- 41.8 An electrical light fixture shall be installed in every Bathroom, Washroom, laundry room, furnace room, kitchen, stairwell, and Basement.
- 41.9 Lighting shall not be permitted to directly shine from a Lot into a Dwelling Unit located on an adjacent Lot in excess of 20 lux.

**42. Occupancy Standards**

- 42.1 Any Non-Habitable Area shall not be used for living, sleeping, cooking or eating purposes.
- 42.2 The maximum number of occupants in a Dwelling Unit shall not exceed one person per 9 m<sup>2</sup> of Habitable Room floor area. For the purposes of computing the maximum number of occupants:
- (a) any child under one year of age shall not be counted,
  - (b) any child of more than one year of age but less than twelve years of age shall be deemed one-half person,
  - (c) any Crawl Space shall not be counted as part of the Habitable Room floor area, and

- (d) any Basement that does not meet the requirements for habitation set out in subsection 42.3 below shall not be counted as part of Habitable Room floor area.

42.3 No Basement shall be used as a Habitable Room unless, in addition to any Building Code requirements, it meets the following requirements:

- (a) floor and walls are constructed so as to be impervious to leakage of underground and surface runoff water and treated against dampness;
- (b) each Habitable Room shall meet all requirements for light, ventilation, area and ceiling height prescribed in this Bylaw and the Building Code; and
- (c) access to each Habitable Room shall be gained without passage through a furnace or boiler room.

42.4 The occupants of Dwellings shall:

- (a) limit occupancy of that part of the premises which he/she occupies or controls to the maximum number of occupants permitted by this by-law;
- (b) keep exits from his/her Dwelling Unit clean and unencumbered;
- (c) dispose of garbage and refuse into provided facilities in a clean and sanitary manner in accordance with the provisions of the Town's by-laws; and

unless the responsibility for which has been specifically assigned to the owner of the property that is different from the occupant pursuant to the terms of a lease agreement, occupants of Dwellings shall:

- (d) maintain that part of the premises which he/she occupies or controls in a clean, sanitary and safe condition;
- (e) maintain all plumbing, cooking and refrigeration fixtures and appliances as well as other building equipment and storage facilities in that part of the premises which he/she occupies or controls in a clean and sanitary condition, and provide reasonable care in the operation and use thereof;
- (f) exterminate insects, rodents or other pests within his/her Dwelling Unit.

#### 43. **Illegal Cannabis Grow Operations**

43.1 Buildings identified by any authorized police officer, or by any representative of the York Regional Police services, as an illegal cannabis grow operation shall require the following:

- (a) Mould Air Quality Report – At the owner's expense, a report prepared by a Certified Air Quality Assessment professional, trained and knowledgeable in this field, detailing mould spore samples and related air quality. Following the remediation pursuant to any such report, the owner will also provide a follow-up report, at their own expense, which confirms that air quality levels are consistent with a healthy environment have been attained at the premises.

- (b) Structural Report – where a Property Standards Officer reasonably believes that the structural integrity of any affected building is compromised, such Property Standards Officer may require the owner at their expense, to submit a report from a Professional Engineer confirming the structural integrity and adequacy of the building.
- (c) Electrical Report – Where a Property Standards Officer reasonably believes the building electrical system may pose an unsafe condition, such officer may require the owner, at their expense, to submit an Electrical Safety Authority Clearance Certificate.

If any orders, directives or remediation instructions/requirements are provided in any of the aforementioned reports, the owner of the property shall undertake, at their expense, any steps required to satisfy any such orders, directives or remediation instructions/requirements.

### **Part V: Heritage Property Standards**

#### **44. Heritage Property Standards**

44.1 In addition to the minimum Standards for the maintenance and occupancy as set out in this by-law, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall:

- (a) maintain, preserve, and protect the Heritage Attributes so as to maintain the heritage character and the visual and structural heritage integrity of the building or structure; and
- (b) maintain the property in a manner that will ensure the conservation of all Heritage Attributes.

44.2 Despite any other provision of this by-law, where a Heritage Attribute of a Part IV Heritage Property or a Part V Heritage Property requires repair, and the Heritage Attribute can be repaired without replacement, the Heritage Attribute shall be repaired:

- (a) in a manner that minimizes damage to the heritage values and attributes;
- (b) in a manner that maintains the design, colour, texture, grain, or other distinctive features of the Heritage Attribute;
- (c) using the same types of materials as the original and in keeping with the design, colour, texture, grain, and other distinctive features of the original, so long as one architectural period is not favoured at the expense of another; and
- (d) where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain, or other distinctive features and appearance of the original material.

44.3 Despite any other provision of this by-law, where a Heritage Attribute of a Part IV Heritage Property or a Part V Heritage Property requires repair, but the Heritage Attribute cannot be repaired without replacement, the Heritage Attribute shall be replaced:

- (a) using the same types of material as the original;
  - (b) where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain, or other distinctive features and appearance of the original material; and
  - (c) in such a manner as to replicate the design, colour, texture, grain, and other distinctive features and appearance of the Heritage Attribute.
- 44.4 Despite any other provision of this by-law, no building or structure on a Part IV Heritage Property or a Part V Heritage Property may be altered or cleared, including but not limited to removal, demolition, or relocation, except in accordance with the Ontario Heritage Act.
- 44.5 Where a building or structure on a Part IV Heritage Property or a Part V Heritage Property has been deemed unsafe and the owner is undertaking the necessary remedial measures to address the unsafe condition of the building or structure, the owner shall ensure that all necessary measures are taken to protect the Heritage Attributes and prevent damage or further damage to the Heritage Attributes.
- 44.6 Despite paragraph (d) of subsection 7.2 of this by-law, where a Part IV Heritage Property or a Part V Heritage Property remains unoccupied for a period of ninety (90) days or more, the Owner shall ensure that appropriate utilities serving the building or structure are connected as required to provide, maintain, and monitor proper heating and ventilation in order to prevent damage to the Heritage Attributes caused by environmental conditions.
- 44.7 In addition to paragraphs (a) and (b) of subsection 7.2 of this By-law, where a Part IV Heritage Property or a Part V Heritage Property remains unoccupied for a period of ninety (90) days or more, the owner shall protect such property, including any buildings or structures located thereon containing Heritage Attributes, against the risk of fire, storm, neglect, accident, intentional damage, or damage by other causes. The protection of such property shall also effectively prevent the entrance to any building by all animals and unauthorized persons and by closing and securing openings to the Building with boarding:
- (a) that completely covers the opening and is properly fitted in a watertight manner within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so that the exterior trim and cladding remains uncovered and undamaged by the boarding;
  - (b) that is fastened securely in a manner that minimizes damage to the Heritage Attributes and the historic fabric and is reversible or easy to Repair; and
  - (c) in a manner that minimizes visual impact.
- 44.8 Notwithstanding section 2.11 and anything else in this by-law, if there is a conflict between this section on Heritage Property Standards and any other provision in this by-law or any other Town by-law, the provision that establishes the highest standards for the protection of Heritage Attributes shall prevail.

**45. Property Standards Committee**

- 45.1 A Committee is hereby established pursuant to the Building Code Act.
- 45.2 The Committee shall consist of five (5) persons, as appointed by the Council.
- 45.3 The members of the Committee shall be paid such compensation, if any, as the Council may provide.
- 45.4 The Committee may, subject to the requirements below, any requirements of this of this by-law and the Building Code Act, establish its own rules of procedure and any member may administer oaths. The following requirements shall apply to the Committee:
- (a) three (3) members of the Committee shall constitute quorum;
  - (b) the members of the Committee shall elect a chair from among themselves and when the chair is absent through illness or otherwise, the Committee may appoint another member as acting chair;
  - (c) the Committee shall give notice or direct that notice be given of a hearing of an appeal to such persons as the committee considers advisable, and
  - (d) the members of the Committee shall not act as agents for any person on an appeal of their order to the Committee.
- 45.5 On an appeal, 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 this by-law and any applicable official plan or policy statement:
- (a) confirm, modify or rescind the order to demolish or repair;
  - (b) extend the time for complying with the order.

**Part VII: Inspection, Orders and Enforcement****46. Power of Entry and Inspection**

- 46.1 A Property Standards Officer, or any other individual authorized to enforce this by-law on behalf of the Town may, upon producing proper identification, enter upon any property at any reasonable time without a warrant for the purpose of inspecting the property to determine:
- (a) whether the property conforms with the Standards prescribed in this by-law; or
  - (b) whether an order made pursuant to this by-law has been complied with.
- 46.2 Where an inspection is conducted pursuant to this section, a Property Standards Officer, or any other individual authorized to enforce this by-law on behalf of the Town, 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.

46.3 A sample taken under paragraph (e) of subsection 46.2 shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if,

- (a) the person requests that the sample be divided at the time it is taken and provides the necessary facilities; and
- (b) it is technically feasible to divide the sample.

If a sample is taken and it is not divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.

46.4 A receipt for any document or thing removed under paragraph (b) of subsection 46.2 shall be provided by the person removing it and the removed document or thing shall promptly be returned after copies or extracts are made.

46.5 Copies of or extracts from documents and things removed under this section and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as and have the same evidentiary value as the originals.

46.6 Where a Property Standards Officer, or an individual authorized to enforce this by-law, has reasonable grounds to believe that an offence has been committed by any person, they may require the name, address and proof of identity of that person, and the person shall supply the required information.

#### 47. **Orders**

47.1 A Property Standards Officer, or any other individual authorized to enforce this by-law on behalf of the Town, who finds that a property does not conform with any of the Standards or requirements prescribed in this by-law may make an order:

- (a) stating the municipal address or the legal description of the property;
- (b) giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

- (c) indicating the time for complying with the terms and conditions of the order and giving notice that, if the repair or clearance is not carried out within that time, the municipality may carry out the repair or clearance at the owner's expense; and
  - (d) indicating the final date for giving notice of appeal from the order.
- 47.2 An order pursuant to this section shall be served on the owner of the property and such other persons affected by it as a Property Standards Officer determines and a copy of the order may be posted on the property in a location visible to the public.
- 47.3 An order issued pursuant to this section shall be served in accordance with the Building Code Act.
- 47.4 An owner or occupant who has been served with an order made under this by-law and who is not satisfied with the terms or conditions of the order may appeal to the Committee by sending a notice of appeal by registered mail to the secretary of the Committee within fourteen (14) days after being served with the order and paying the processing fee described in the Town's Fees and Charges By-law.
- 47.5 An order that is not appealed within the time referred to in subsection 47.4 shall be deemed to be confirmed.
- 47.6 The notice of appeal pursuant to subsection 47.4 shall be provided as required by any applicable rules of procedure established by the Committee and as required by the Building Code Act.
- 48. Order Non-Compliance and Cost Recovery**
- 48.1 If an order made pursuant to this by-law is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the Committee or a judge, the Property Standards Officer or the Director may cause the property to be repaired or demolished accordingly.
- 48.2 For the purpose of subsection 48.1, employees or agents of the Town may enter the property at any reasonable time without a warrant in order to repair or demolish the property.
- 48.3 The Town shall have a lien on the property for the amount spent on the repair or demolition under subsection 48.1 and the amount shall have priority lien status as described in section 1 of the Municipal Act.
- 49. Certificate of Compliance**
- 49.1 A Property Standard Officer may, after inspecting a property, issue to the owner of such property a certificate of compliance if the Property Standards Officer is of the opinion that the property complies with the Standards and requirements set out in this by-law.
- 49.2 Where an owner of a property request a certificate, pays the inspection fee established by the Town and a Property Standards Officer finds in their opinion the property to be in compliance with Standards and requirements of this by-law, the Property Standard Officer shall issue a certificate of compliance for the property.

**50. Offences**

50.1 Every person who fails to comply with an order issued under this by-law is guilty of an offence and upon conviction is liable to a fine.

**51. Administrative Penalties**

51.1 A Property Standards Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may require a Person to pay an administrative penalty if such Property Standards Officer, or other authorized individual, is satisfied that the Person has failed to comply with:

- (a) any provision of this by-law; or
- (b) an order issued pursuant to this by-law that is deemed confirmed or as confirmed or modified by the Committee or a judge.

51.2 Individuals authorized to enforce this by-law on behalf of the Town have the discretion to either proceed by way of an administrative penalty or a charge laid pursuant to the Building Code Act, the Ontario Heritage Act or the *Provincial Offences Act*, R.S.O. 1990, c. P.33. If a Person is required to pay an administrative penalty in respect of a contravention, the Person shall not be charged with an offence in respect of the same contravention.

51.3 The amount of the administrative penalty for a contravention shall be as established pursuant to the Administrative Penalty By-law.

51.4 A Person who is issued an administrative penalty notice shall be subject to the provisions and procedures as provided in the Administrative Penalty By-law.

**52. Presumption**

52.1 An owner of a property on which a non-compliance or contravention has occurred shall be presumed to have carried out or caused or permitted to be carried out the non-compliance or contravention, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

**Part VIII: General Provisions****53. Schedules**

53.1 The following Schedules attached to this by-law form and are part of this by-law;

- (a) Schedule "A-1" – Alert Sign;
- (b) Schedule "A-2" – Large Safe Exit Arrow;
- (c) Schedule "A-3" – Small Safe Exit Arrow;
- (d) Schedule "B" – Lighting for Public Areas
- (e) Schedule "C" – Shielding of Light Fixtures.

**54. Repeal and Transition**

54.1 By-laws Number 4044-99.P, Number 5489-13, Number 4921-07.P, as amended, are hereby repealed.

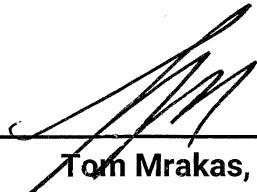



54.2 For the purpose of transition to this by-law, any orders issued or proceedings commenced pursuant to By-law Number 4044-99.P prior to the effective date of this by-law shall remain effective and be subject to the provisions of by-law 4044-99.P, as amended, as if unrepealed until such time as finally satisfied or disposed.

55. **Effective Date**

55.1 This by-law shall come into full force and effect on the date of final passage hereof.

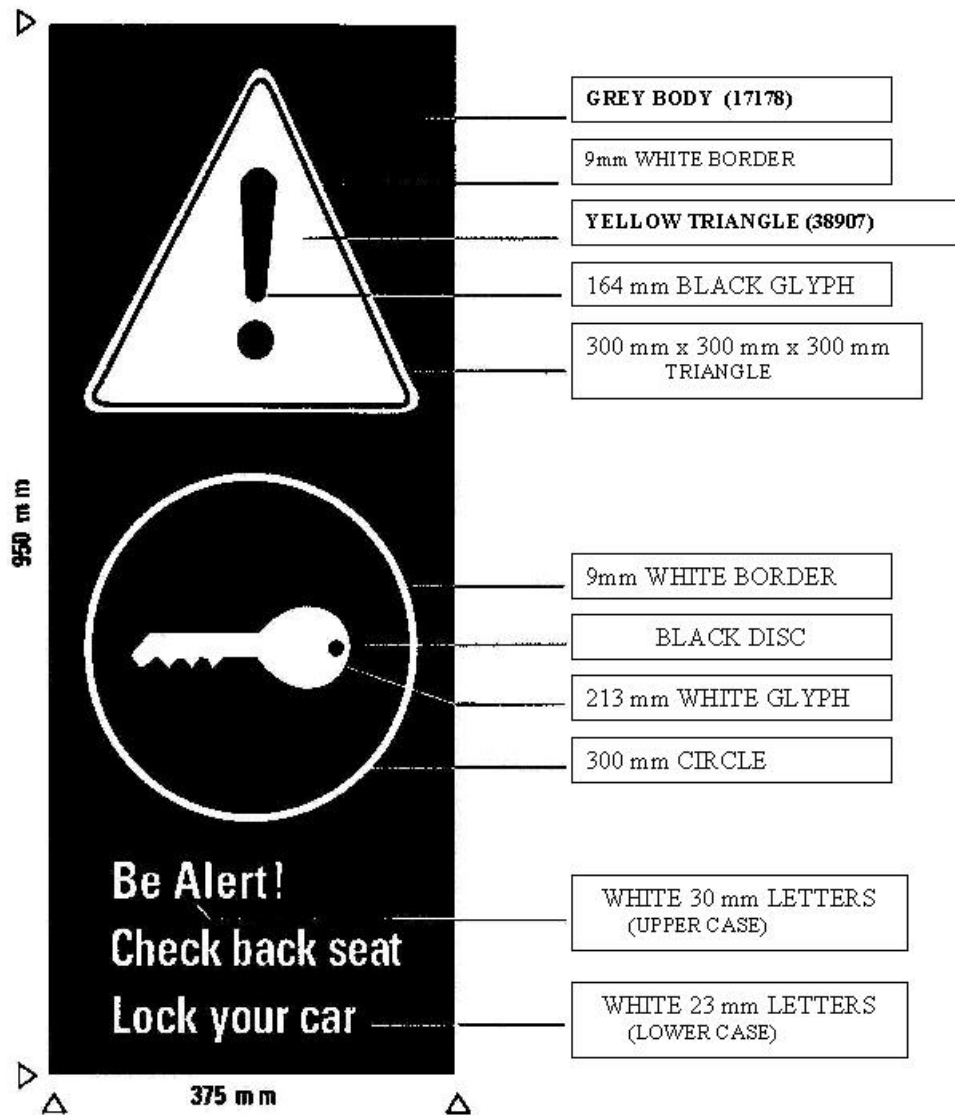
**Enacted by Town of Aurora Council this 26th day of September, 2023.**

  
\_\_\_\_\_  
Tom Mrakas, Mayor

  
\_\_\_\_\_  
Michael de Rond, Town Clerk

Schedule "A-1"

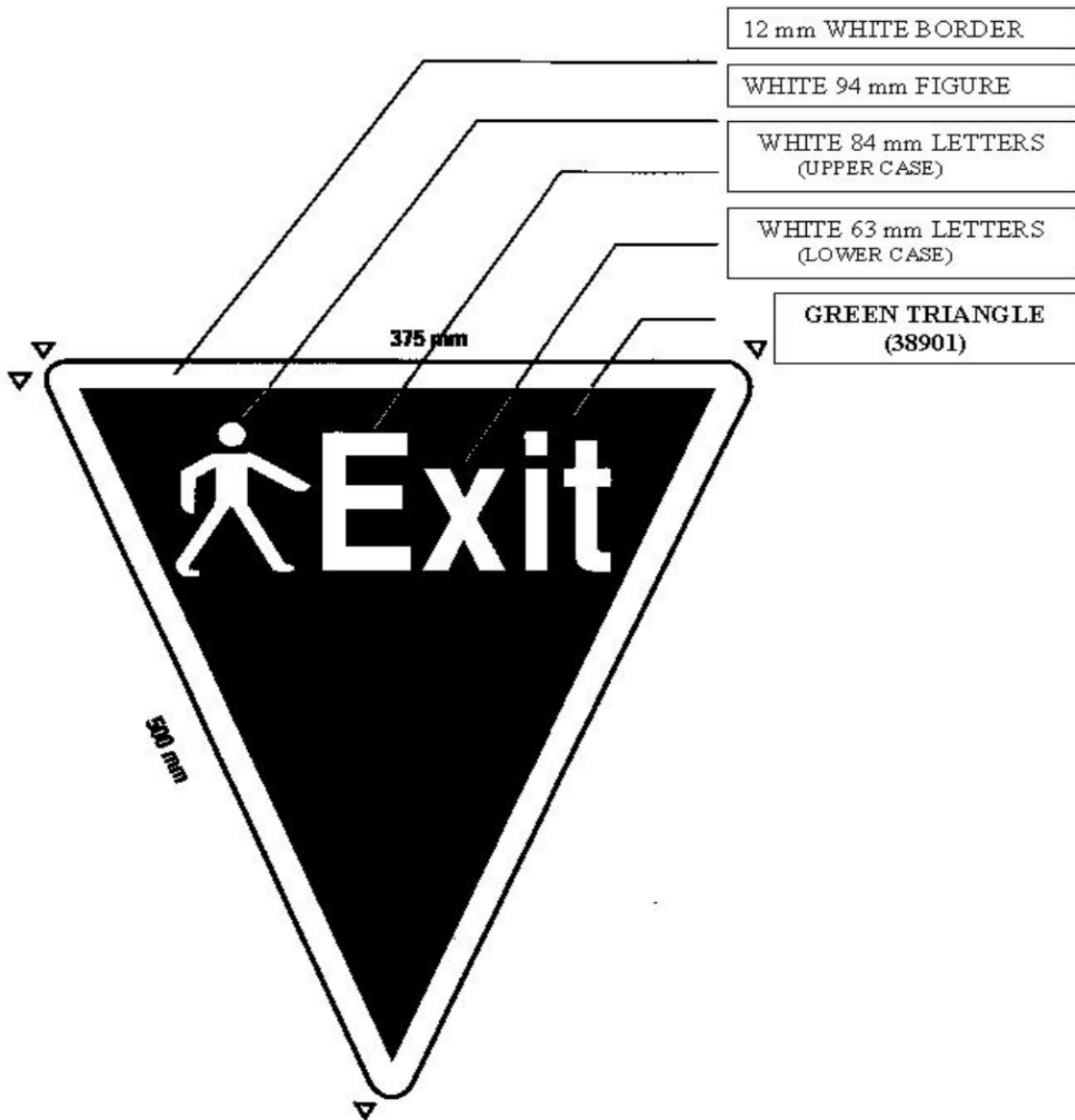
Alert Sign



SCHEDULE A-1 ALERT SIGN

Schedule "A-2"

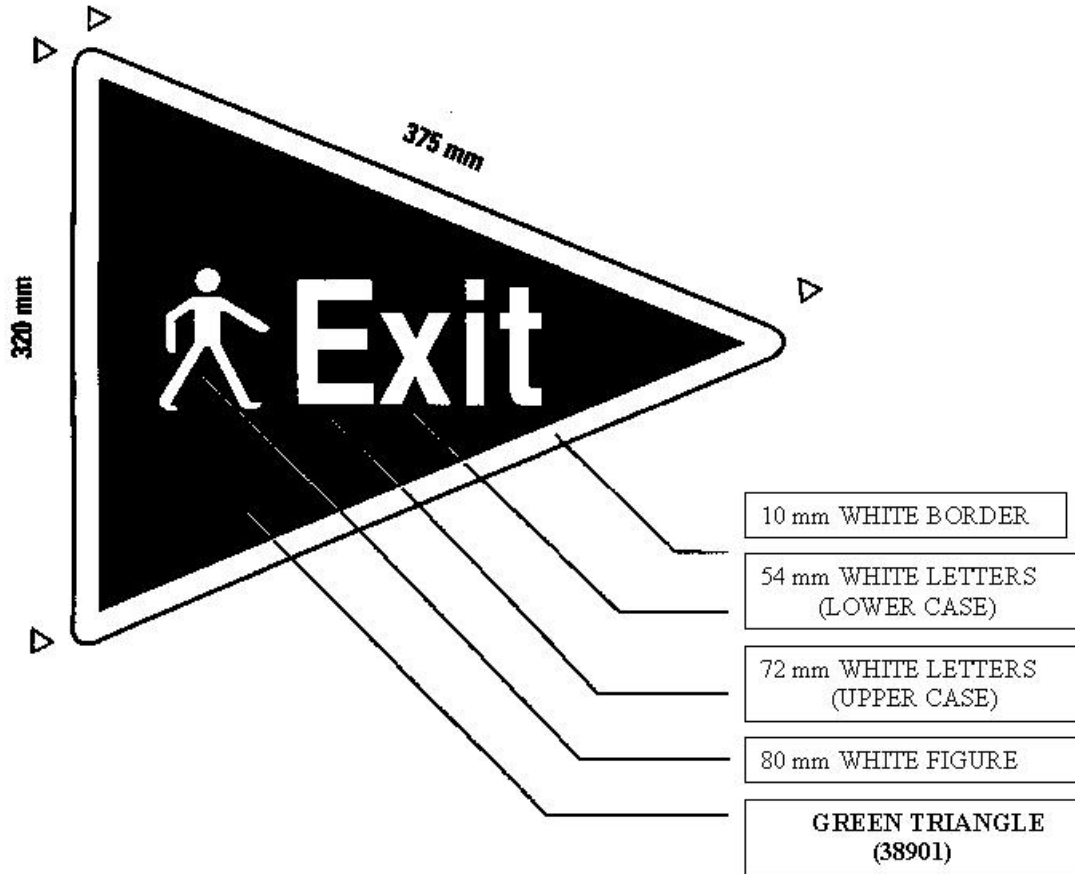
Large Safe Exit Arrow



**SCHEDULE A-2 LARGE SAFE-EXIT ARROW**

Schedule "A-3"

Small Safe Exit Arrow



**SCHEDULE A-3 SMALL SAFE-EXIT ARROW**

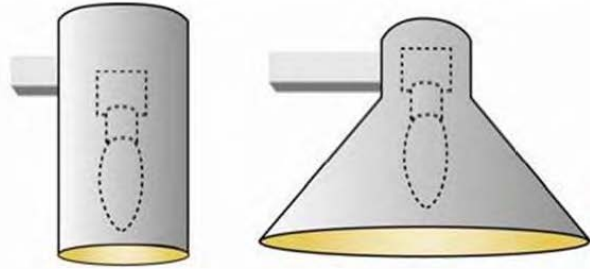
## Schedule "B"

<b>Lighting for Public Areas</b>	
<b>Room or Space</b>	<b>Minimum Illumination (Lux)</b>
storage rooms	50
service rooms	200
laundry rooms	200
garages	50
public water closet	100
service hallways	50
service stairways	50
recreation rooms	100
recreational camps and camps for housing of workers hallways, corridors, stairways and sleeping areas	100
kitchen	500
all other rooms	250

### Schedule "C"

### Shielding of Light Fixtures

Full-Cut-Off Fixtures shall be used for all exterior lighting and all exterior fixtures shall be oriented as to direct all light below the horizon, as the examples shown below.



Fully Shielded Fixtures

**ACCEPTABLE**

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

flat lens

Full Cutoff Fixtures

Fully Shielded Wallpack & Wall Mount Fixtures

Fully Shielded Walkway Bollards

Full Cutoff Streetlight

Fully Shielded Barn Light

Fully Shielded Fixtures

Fully Shielded 'Period' Style Fixtures  
bulb shielded in opaque top

Fully Shielded Decorative Fixtures  
bulb shielded in opaque top

Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures