

## OFFICE CONSOLIDATION

*This is a consolidation of the Town's by-law to establish standards for the maintenance and occupancy of property being By-law 98-155 as amended by By-law 99-126, 2004-14, 2004-152 and 2007-31. This is prepared for reference and information purposes only. The following consolidation is an electronic reproduction made available for information only. It is not an official version of the by-law. Official versions of all by-laws can be obtained from the Legislative Services section by calling (905) 584-2272. If there are any discrepancies between this consolidation and By-laws 98-155, 99-126, 2004-14, 2004-152 and 2007-31 the By-laws shall prevail.*

## THE CORPORATION OF THE TOWN OF CALEDON

### BY-LAW NO. 98-155

Being a by-law to establish standards for the maintenance and occupancy of property in the Town of Caledon and to repeal By-law Numbers 86-24, 87-247, 92-05, 92-71, 96-50

**WHEREAS** pursuant to section 15.1 (3) of the **Building Code Act**, (S.O. 1992, c.23, as amended), a by-law may be passed by the council of a municipality relating to property standards provided that an official plan that includes provisions relating to property conditions is in effect in the municipality;

**AND WHEREAS** the Official Plan for The Corporation of the Town of Caledon includes provisions relating to property conditions;

**AND WHEREAS** the Council of The Corporation of the Town of Caledon is desirous of passing a by-law under section 15.1(3) of the **Building Code Act**;

**NOW THEREFORE**, the Council of The Corporation of the Town of Caledon hereby ENACTS AS FOLLOWS:

### DEFINITIONS

1. In this by-law,
  - "building" includes a structure used for or intended for supporting or sheltering any use or occupancy;
  - "clerk" means the Clerk for The Corporation of the Town of Caledon;
  - "committee" means the Property Standards Committee established under this by-law;
  - "corporation" means The Corporation of the Town of Caledon;
  - "Council" means the council of The Corporation of the Town of Caledon;
  - "demolish" includes the doing of anything in the removal of a building or structure or part thereof;
  - "occupant" includes any person or persons over the age of eighteen years in possession of the property;
  - "officer" means a property standards officer who has been assigned the responsibility of administering and enforcing this by-law;
  - "owner" includes the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of the lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property;

"property" means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto, and all mobile structures, outbuildings, fences and erections whenever erected, and includes vacant property;

"repair" includes the provision of such facilities, and the making of additions or alterations or the taking of such actions as may be required so that the property shall conform to the standards established under this by-law;

"standards" means the standards of physical condition and occupancy of property set out in this by-law;

"Town" means The Corporation of the Town of Caledon in the Regional Municipality of Peel.

## **SCOPE**

2. This by-law shall apply to all property in the Town.

## **STANDARDS**

3. The standards for maintenance and occupancy of property set out in Schedule A to this by-law are prescribed as the minimum standards and Schedule A shall form part of this by-law.

## **PROHIBITION**

4. (1) No person shall use or occupy, or permit the use or occupancy of any property except in accordance with the standards set out in Schedule A.  
(2) The owner of any property which does not conform to the standards in Schedule A shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures, debris or refuse and leave it in a graded and levelled condition.

## **PROPERTY STANDARDS COMMITTEE**

[By-law 2007-31 effective Feb 20/07]

5. (1) Council will appoint a Property Standards Committee composed of seven members with at least one representative from each ward within the Town.  
(2) Committee members shall hold office for a term coincident with the term of the Council or until their successors have been appointed by Council.  
(3) A committee member shall serve no more than three consecutive terms.  
(4) The 2003-2006 term shall be considered to be the first term for those members of the 2006-2010 Committee who were members during the 2003-2006 term.  
(5) In the event of a vacancy in the members of the Committee, Council shall forthwith appoint a new member.  
(6) By majority vote, the Committee may recommend to Council removal and/or replacement of any members who are absent for three consecutive full meetings of the Committee in a calendar year, subject to circumstances surrounding the absence.  
(7) Members requesting a temporary leave of absence or intending to resign from the Committee should provide adequate written notice to the Chair prior to such action.

- (8) The Committee shall appoint a Chair and Vice-Chair. The Chair and Vice-Chair will hold office in alternate years, for one year.
- (9) In the absence of both the Chair and Vice-Chair, the committee will appoint from its members a Chair for that particular meeting.
- (10) Any member of the Committee may administer oaths.
- (11) A majority of the members constitutes a quorum for transacting the Committee's business.
- (12) The members shall provide for a secretary for the Committee.
- (13) The secretary shall maintain the records of the Committee, including minutes and records of all appeals to the Committee and decisions thereon.
- (14) The Chair, Vice-Chair and members of the Committee shall receive remuneration as follows:
  - (a) \$55.00 per meeting for the Vice-Chair and each member, and
  - (b) \$60.00 per meeting for the Chair.
- (15) All hearings of the Committee shall be in accordance with the provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990, s. S.22 as amended.

#### **PENALTY**

6. Any person who contravenes a provision of this by-law is guilty of an offence.

#### **REPEAL**

7. By-law numbers 86-24, 87-247, 92-05, 92-71, 96-50 are hereby repealed.

#### **SHORT TITLE**

8. This By-law may be referred to as the "Property Standards By-law".

By-law read three times and finally  
passed in Open Council  
this 21<sup>th</sup> day of December 1998.

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Carol Seglins, Mayor

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Marjory Morden, Clerk

## DEFINITIONS

1. In this Schedule;

“average level of illumination” means the average intensity of illumination from floor level to be calculated using at least one measurement for every nine square metres (96.9 square feet) of floor area;

“Building Code” means the regulations made under section 34 of the *Building Code Act, 1992*, S. O 1992, c. 23, as amended;

“dwelling” includes a building or structure or any part thereof which is intended to be used for the purpose of human habitation, and includes a building that would or could be used for such purposes except for its state of disrepair;

“dwelling unit” means one or more rooms located in a dwelling and used or intended to be used for habitation by any one or more persons;

“Electrical Safety Code” means the regulations made under section 113 of the *Electricity Act, 1998*, S. O. 1998, c. 15, Sch. A, as amended;

“Fire Code” means the regulations made under section 12 of the *Fire Protection and Prevention Act, 1997*, S. O. 1997, c. 4, as amended;

“multiple occupancy residential building” means a building containing more than two dwelling units;

## STRUCTURAL CAPACITY

2. Every building or structure or part of a building or structure shall be structurally sound and maintained in a condition so that it has sufficient structural capacity to resist safely and effectively all loads and the effects of loads and influences that may reasonably be expected, having regard to its expected uses and service life.

## FOUNDATION AND FOUNDATION WALLS

3. The foundations and the foundation walls of every building or structure or part of a building or structure shall be structurally sound and maintained in that condition so that all masonry cracks are grouted; walls, joists, beams or other exposed wood members are waterproofed; and so that there are adequate subsoil drains at footing levels and that jacking, underpinning or shoring under the authority of a valid Building Permit is done where necessary.

## EXTERIOR WALLS

4. (1) (a) The exterior walls of every building or structure or part of a building or structure must be structurally sound, weather proof and free of loose and unsecured objects and materials.
- (b) Improperly secured objects and materials shall be either removed, repaired or replaced.
- (2) All brick and stonework, cornices, entablatures, belt courses, parapet walls, corbels, terra-cotta trim, wall facings, and similar decorative features shall be maintained in good repair and safe condition with proper anchorage.
- (3) Cladding on the exterior walls of all buildings or structures shall consist of masonry, stucco, wood, metal or other similar materials that provide at a minimum the level of wind, water and vapour protection as required by the Building Code and shall be maintained in a state of good repair.

## **EXTERIOR DOORS, WINDOWS AND EXTERIOR TRIM**

5. (1) The exterior doors, windows and exterior trim of every building or structure or part of a building or structure, shall be maintained in a good state of repair, properly fitted to prevent the entrance of the elements and painted or otherwise treated to provide protection against decay and rust.
- (2) All windows in a multiple occupancy residential building that are capable of being opened shall be restricted from opening more than 100mm (4 in.) or with a heavy duty screen conforming to CAN/CSA-A440-M "Windows";
- (3) All dwelling units that are rented shall have screens installed in a secure manner on all windows capable of being opened windows and exterior patio doors.
- (4) All exterior doors and windows shall be equipped with locks that are maintained in a state of good repair and in an operative condition.

## **EXTERIOR STAIRS, PORCHES AND DECKS**

6. (1) All exterior stairs, stairways, decks, porches, awnings, canopies, fire escapes and other related structures shall be structurally sound, properly painted or otherwise treated, and free of loose and unsecured objects and materials.
- (2) Where there is a difference in elevation between adjacent levels of 600 mm (24 in.) or more, a guard shall be installed that is sound, rust/decay free, safe and clean and firmly fastened. Such guards shall comply with the requirements of the Building Code and be maintained in a state of good repair.
- (3) All exterior stairs and stairways with more than three (3) risers shall be provided with a handrail and guard that complies with the requirements of the Building Code and be maintained in a state of good repair.

## **BALCONIES**

7. (1) Balconies shall be structurally sound, and shall not allow the ponding of water.
- (2) All balconies shall be enclosed by a sound rust/decay free, safe and clean guard that has been treated or painted to resist rust or decay and firmly fastened to the main structure. Such guards shall comply with the requirements of the Building Code and maintained in a state of good repair.

## **ROOFS**

8. (1) (a) The roof of every building or structure shall be structurally sound weatherproof and free of loose and unsecured objects and materials.
- (b) Improperly secured objects shall be either removed, repaired or replaced.
- (2) All roof flashing shall be secured, free of rust and maintained in a serviceable condition.

## **CHIMNEYS**

9. Every chimney, smoke pipe, vent, flue or other similar apparatus serving a heating device, system or solid fuel burning appliance shall be maintained in a safe/usable condition and have all required inspections as required by the Fire Code.

## **TELEVISIONS AND RADIO ANTENNAE**

10. Television and radio antennae and other similar structures shall be securely anchored and maintained in a safe and good condition.

## **INTERIOR CEILINGS, WALLS AND DOORS**

11.
  - (1) All interior ceilings and walls shall be watertight, free from dampness, reasonably free from drafts and maintained in a safe and sound condition free of loose material.
  - (2) All paint, or other wall covering, which is stained or deteriorated shall be repainted and repaired.
  - (3) Missing or loose ceiling or wall tiles shall be repaired or replaced.
  - (4) Interior exit doors must be maintained in a good condition, in an operable condition for opening and closing, and shall be equipped with locks that are maintained in a state of good repair.

## **INTERIOR STAIRS**

12.
  - (1) Interior stairs, stairways, stairwells and landings of every building or structure shall be in a safe and clean condition, and
    - (a) shall be replaced or repaired in a good workmanlike manner if they have excessively worn, broken, warped or loose treads or worn tread coverings,
    - (b) handrails and guards that comply with the requirements of the Building Code shall be provided on all interior stairs with more than two (2) risers and maintained in a state of good repair.

## **FLOORS AND FLOOR COVERINGS**

13. All interior floors and floor coverings of every building or structure shall be:
  - (a) free from dampness and maintained in a safe and clean condition, and
  - (b) replaced or repaired in a good workmanlike manner if the floor boards or floor coverings become excessively worn, broken, warped or twisted.

## **LIGHTING**

14.
  - (1) Lighting fixtures shall be installed and maintained in all areas inside and outside every building or structure in compliance with the requirements of the Building Code including providing the required illumination levels.
  - (2) Exterior lighting fixtures shall be installed and maintained so as to prevent the light source from shining directly into a neighbouring dwelling unit or increasing the light intensity on any adjacent roads so as to create an unsafe condition.

## **H.V.A. C. AND MECHANICAL SYSTEMS**

15.
  - (1) All heating, ventilation and mechanical systems shall be provided, maintained and operated free of safety hazards and capable of maintaining adequate and suitable heat in accordance with the Town's applicable by-law.
  - (2) Any duct work that is part of a heating and/or ventilating system shall be kept in a clean and sanitary condition free of dust, mold, mildews, or any other health hazard.

## **ELECTRICAL SYSTEMS**

16. (1) All buildings, where required by the Building Code or the Electrical Safety Code, shall be connected to an electrical supply system and shall be wired to receive electricity.
- (2) The capacity of the connection to the buildings and systems of circuits and electrical outlets distributing the electrical supply within the buildings shall be adequate for the use and intended use and shall be maintained in good working order, free from fire hazards, and in compliance with the Electrical Safety Code.

## **DRAINAGE, PLUMBING AND SEWAGE SYSTEMS**

17. (1) All buildings shall be provided with drainage and plumbing systems which are installed in accordance with the requirements of the Building Code, maintained in good working order and free from leaks, defective dripping taps or other defects.
- (2) (a) Where water run-off from roof surfaces discharges into an eavestrough or gutter, the eavestroughs or gutters shall be connected to downspouts which are either connected to the storm sewer serving the building or discharge directly over the surface of the ground.
- (b) Where a downspout discharges directly over the surface of the ground, the downspout shall be provided with extensions to carry rainwater away from the building in a manner which will prevent soil erosion.
- (3) Where a building is served by a private sewage system, the sewage system shall be maintained in a good state of repair and in accordance with the requirements of the Building Code.
- (4) All dwelling units shall be provided with hot and cold running water along with a water closet, vanity and bathtub or shower located in the same room which shall be accessible from within the dwelling unit and have a door capable of being locked so as to provide privacy for the occupant.

## **LAUNDRY ROOMS, STORAGE ROOMS, RECREATION ROOMS, AND CHILDREN'S PLAY AREAS CONTAINED WITHIN MULTIPLE OCCUPANCY RESIDENTIAL BUILDINGS AS COMMON AREAS**

18. (1) Laundry and recreational equipment shall be maintained in a safe working state of repair.
- (2) All common use rooms including rooms used for storage, laundry, children play areas or recreational purposes shall be kept clean and free from health, fire and safety hazards.
- (3) All equipment in a children's play area shall be installed and maintained in a safe and operable condition.

## **PARKING GARAGES**

19. (1) Lighting fixtures in all parking garages shall be maintained in good working condition.
- (2) Every parking garage shall be illuminated with an adequate number of light fixtures so as to maintain an average level of illumination of at least fifty (50) lux (4.6 foot candles).
- (3) The minimum level of illumination at any location on a floor of a parking garage shall not be less than eleven (11) lux (1 foot candle).
- (4) One (1) measurement of intensity of illumination made at floor level for every nine (9) square metres (96.9 square feet) of floor area shall be used in establishing the average level of illumination.

- (5) All walls, columns and ceilings shall be painted white in colour and shall be maintained in a good state of repair.
- (6) All ventilation systems within parking garages shall be maintained in good working order at all times.

#### **GARBAGE, COMPOST, REFUSE STORAGE ROOMS AND VERTICAL REFUSE SPACE**

20. (1) All fire rated doors, closures and fire rated separations shall be installed and maintained on all garbage and refuse storage rooms as required by the Building Code and the Fire Code.
- (2) All refuse storage rooms, vertical refuse service spaces, exterior refuse enclosures and refuse containers shall be operable, accessible at reasonable times and maintained in a state of good repair and kept in a clean and sanitary condition free from accumulation of garbage, odours, insects and other pests.
- (3) Every person shall provide or install sufficient disposable or re-usable containers, garbage receptacles or garbage enclosures in buildings or on the property of sufficient size so as to safely contain all garbage, rubbish, waste and other refuse until it can be removed in accordance with the applicable by-law.
- (4) All garbage, refuse/waste containers, compost, compost containers and composters kept on a property shall be stored in a manner so as not to allow offensive odours to effect the surrounding properties or attract rodents, vermin, pests or other animals to the property.

#### **LAND**

21. All exterior property areas, including vacant land, shall be maintained in a clean and reasonable condition so as to prevent fire, accidents or health hazards, and in particular:
  - (1) (a) No wrecked, dismantled, inoperative, discarded, unused or unlicensed vehicles, trailers, boats, machinery or objects or parts thereof, or
  - (b) No vehicles, boats or trailers which do not openly display any permit, licence, certificate, plate or sticker, which is required pursuant to the provisions of the *Highway Traffic Act* or similar legislationshall be placed, stored or left on land, except where such articles are required and used for business purposes permitted under the Town's land use by-laws and where such articles are placed, stored, or left in a manner which avoids an unsafe or unsightly condition deleterious to the neighbouring environment.
- (2) Any part of a yard that is low lying or has excavated so that it accumulates water, shall be drained, filled and graded so that the water drains to a storm sewer or ditch. Swimming pools, ornamental pools and agricultural ponds shall not be included in this requirement.
- (3) Every hard surfaced walkway, driveway, parking area or laneway shall be evenly graded and maintained free of potholes or uneven sections.
- (4) Dilapidated, collapsed or unfinished structures and all accumulations of material, wood, debris or other objects that create an unsafe or unsightly condition, deleterious to the neighbouring environment, shall be removed.
- (5) All grassed and landscaped areas on developed lots or on vacant lots shall be cut and maintained in a reasonable condition in relation to the neighbouring environment.
- (6) All trees, hedges and bushes shall be maintained and trimmed in relation to the neighbouring environment and any decayed or damaged trees or limbs which create an unsafe condition shall be removed.
- (7) All exterior property areas, including vacant land, shall be maintained to prevent

accumulations of dust, dirt, rubbish, garbage, brush, waste and other debris.

- (8) All parking and loading areas on property shall be surfaced with the appropriate material so that no tracking of mud or other debris onto the highway occurs at any time of the year.

#### **FENCES/SCREENING/HOARDING**

22. (1) All fences, hoarding and other forms of screening shall be erected and maintained so that they:
- (a) do not cause or create an unsightly appearance;
  - (b) are structurally sound, in a vertical position;
  - i. are in a condition free of safety hazards and in a state of good repair; and
  - ii. are kept free of signs and posters unless such signs and posters are authorized by the Town.
- (2) Fences shall not be used as a support for any structure, object or thing that is capable of or is causing force to be exerted against or upon the fence.
- (3) Where the outside storage of goods, materials and equipment is permitted in accordance with the applicable land use by-law, such goods, materials and equipment shall be screened by fencing which is effective to avoid an unsightly condition deleterious to the neighbouring environment.

#### **LANDSCAPING**

23. All landscaping, hedges, trees, fences, curbs, retaining walls or similar changes to property which have been installed as part of a development or redevelopment project shall be maintained so as to ensure continuous compliance with the Town's requirements.

#### **PEST PREVENTION**

24. All interiors and exteriors of buildings shall be kept free of garbage and refuse at all times so as to prevent the infestation of pests such as rodents, vermin, insects, birds and methods used for exterminating rodents, vermin, and insects shall be in accordance with the provisions of the *Pesticides Act*, R. S. O. 1990, c. P. 11, as amended, and all regulations passed pursuant thereto.

#### **NOISE ABATEMENT**

25. All noise abatement systems and components shall be maintained so that they perform their intended function and are kept in a good state of repair.

#### **SWIMMING POOLS**

26. (1) All swimming pools, wading pools, artificial ponds, any accessory equipment or part or parts thereof shall be maintained in good repair free from leaks, mechanical or structural disrepair, or any other defects, accumulations of stagnant water, and free from any safety or health hazard.
- (2) All swimming pools, wading pools, artificial ponds, accessory equipment or part or parts thereof which are not operated shall be removed, or fitted with a suitable cover so as to prevent visual blight, the entrance of elements, and/or the infestation of pests or insects.

## **DRAINAGE**

27. (1) No person shall drain or cause to be drained any water from their property to adversely affect any adjacent or downstream properties.
- (2) No person shall block or cause a blockage of an established drainage area or swale that adversely affects any upstream properties.

## **GRAFFITI**

28. All property, including but not limited to, buildings, structures, fences or other objects shall be kept clean of graffiti at all times.

## **BOARDED BUILDINGS**

29. (1) Where the exterior doors, windows or other openings to vacant, partially vacant or abandoned buildings or structures are broken, improperly fitted or otherwise in disrepair the property owner shall board the building or structure as a security/safety repair measure so as to prevent the entrance of unauthorized persons, or elements, or the infestation of pests.
- (2) The boarding as required under subsection (1) shall comply with the following requirements:
  - (a) all boards used in the boarding shall be installed from the exterior and properly fitted within the frames of the opening in a watertight manner by nails or screws at least 50 mm in length and spaced not more than 150 mm on centre;
  - (b) all boards shall be painted or otherwise treated so that the colour blends with the exterior of the building; and
  - (c) all openings that are required to be boarded shall be securely boarded with a solid piece of plywood that is at least 12 mm thick or metal plate that is at least 3 mm thick.