

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF RYERSON
BY-LAW # 26 - 24**

PROPERTY STANDARDS BY-LAW

**BEING A BY-LAW TO PRESCRIBE STANDARDS FOR THE MAINTENANCE AND
OCCUPANCY OF BUILDINGS AND PROPERTY.**

WHEREAS Section 15.1 (3) of the Building Code Act, 1992 S.O. 1992, c. 23, provides that the Council of a Municipality may pass a By-law to do the following things:

- A. Prescribing standards for the maintenance and occupancy of the property within any defined areas and for prohibiting the occupancy or use of such property that does not conform with the standards;
- B. Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and neat condition;

NOW THEREFORE the Council of the Corporation of the Township of Ryerson enacts as follows:

1. GENERAL

1.1. Short Title

This By-law may be cited as the “Property Standards By-law”.

1.2. Defined Area

The standards for maintenance and occupancy of any property prescribed in this By-law apply to all properties in the Township of Ryerson.

1.3. Scope

No property shall be used and no building or structure or part thereof, shall be erected, altered, enlarged, maintained, used, or occupied for any purpose within the Township of Ryerson, except in conformity with the provisions of this By-law.

1.4. Validity

If any provision of this By-law is declared invalid for any reason, the remaining provisions shall remain in effect.

1.5. Effective Date

This By-law shall come into full force and effect as of the date of passing.

2. DEFINITIONS

2.1. “Accessory Buildings” A separate building or structure, which is incidental, subordinate, exclusively devoted to and located on the same principal lot as the principal use, building or structure but not including a building or structure which is used as the principal use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.

2.2. “Agricultural Use” Any agricultural use or uses, structures or buildings accessory thereto, including field crops, animal husbandry, tree nurseries and any other use customarily carried on in the field of general agricultural and which are not obnoxious, including the sale on the premises of producing grown or raised on the premises.

2.3. “Basement” One or more storey(s) of a building located below the first storey.

- 2.4. **“Bathroom”** A room containing at least one toilet, one hand basin or lavatory and one bathtub or shower.
- 2.5. **“Building”** Any structure having a roof, supported by columns or walls, and used for the shelter or accommodation of persons, animals, goods, or materials, whether occupied continuously or periodically and without limiting the generality of the foregoing, includes a deck, dock, or boat house.
- 2.6. **“Committee”** The Property Standards Committee as established in accordance with section 15 of the Building Code Act, 1992, S.O. 1992, c. 23.
- 2.7. **“Derelict Vehicle”** A motor vehicle that is inoperable for any reason, including age, appearance, condition, or lack of current licence plate and/or sticker.
- 2.8. **“Dwelling”** Any building, or part thereof, occupied, or capable of being occupied, for the purposes of permanent or periodic human habitation, and usually containing cooking, eating, living, sleeping and sanitary facilities, and have a private entrance from outside the building, or from a common highway or stairway inside the building, but does not include a tent, trailer, or room, or suite of rooms, in a hotel, motel or bed and breakfast.
- 2.9. **“Dwelling Unit”** A room or group of rooms in a building used, or capable of being used, for periodic or permanent human habitation, and usually containing cooking, eating, living, sleeping and sanitary facilities, and have a separate entrance from outside the building, or from a common hallway or stairway inside the building, but does not include a tent, trailer, or room, or suite of rooms, in a hotel, motel or bed and breakfast business.
- 2.10. **“Foundation”** A structure of a building through which the loads from the building are transferred to supporting soil or rock such as a footing, pile, or pier.
- 2.11. **“Garbage”** Animal or vegetable waste related to waste products resulting from handling, preparation, cooking, and consumption of food and drinks, as well as other solid waste material and goods resulting from residential, commercial, institutional and industrial operations.
- 2.12. **“Habitable Room”** Any room in a dwelling or a dwelling used or intended to be used for living, eating, sleeping, or cooking purposes.
- 2.13. **“Hazardous Waste”** Any waste defined as a hazardous waste by the Ontario Regulation 347, R.R.O 1990 enacted under the Environmental Protection Act, R.S.O 1990, c E. 19, as amended.
- 2.14. **“Maintain”** The preservation and keeping in good repair. Maintenance and maintained shall have the same meaning.
- 2.15. **“Means of Egress”** A continuous unobstructed path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or exit facility used for the escape of persons from any point within a building, a floor area, a room or a contained open space to a public thoroughfare or safe area if refuge usually located outside the building.
- 2.16. **“Multiple Dwelling”** A dwelling containing two or more dwelling units.
- 2.17. **“Non-habitable Room”** Any room in a dwelling unit other than a habitable room and includes a bathroom, water closet room, laundry room, corridor, stairway, closet, unfinished basement, boiler room, or space for service and maintenance of the dwelling.
- 2.18. **“Non-Residential Property”** A building or structure which is not occupied, or capable of being occupied, in whole or in part, for the purpose of human habitation, including the lands and premises appurtenant thereto, as well as all accessory buildings, out-buildings, fences, structures or erection on or in such property.

- 2.19. **“Occupancy”** The use, or intended use, of a building for shelter or enclosure of persons, animals, or property.
- 2.20. **“Occupant”** Any person or persons over the age of eighteen years in ownership or possession of the property.
- 2.21. **“Owner”** Includes the person for the time being managing or receiving the rent of or paying the municipal taxes on the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any person or who would so receive the rent if such land and premises were let. The term shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair or maintain the property in accordance with the standards for the maintenance and occupancy of property.
- 2.22. **“Person”** Any human being, associated, firm, partnership, incorporated company, corporation, agent, trustee, and the heirs, executors, or other legal representatives.
- 2.23. **“Property”** A building or structure, or part thereof, including the lands and premises appurtenant thereto and all yards, steps, walkways, driveways, parking spaces, accessory buildings, mobile homes, mobile structures, trailers, out-buildings, fences, and erections, and includes vacant land.
- 2.24. **“Property Standards Officer or By-law Enforcement Officer”** An individual who has been appointed by the Municipality and has been assigned the responsibility of administering and enforcing this by-law pursuant to subsection 3(2) and section 15 of the *Building Code Act*, 1992, S.O 1992, c. 23, as amended.
- 2.25. **“Repair”** Taking such steps as may be required to ensure that a property conforms to the prescribed standards of the By-law.
- 2.26. **“Sewage”** Any liquid waste containing animal, vegetable or mineral matter in suspension or solution, but does not include roof drainage or storm water.
- 2.27. **“Sewage System”** Properly maintained and functioning private sewage system.
- 2.28. **“Standards”** The standards of physical conditions of occupancy prescribed for property in this by-law.
- 2.29. **“Storey”** That portion of a building, other than the attic or basement, included between the surface of any floor, and the surface of the floor, roof deck, or deck ridge, next above it.
- 2.30. **“Structurally Sound”** Construction capable of withstanding the forces placed upon the building under normal use.
- 2.31. **“Structure”** Anything constructed or erected, the use of which requires location on or in the ground or attached to something located on or in the ground.
- 2.32. **“Waste or Waste Material”** Any articles or thing that have been cast aside, discarded, abandoned, or is deemed to be worthless, useless, or of no practical value, or is deemed to be used up in whole or in part or expected or worn out and shall include but is not limited to:
- (a) accumulations or deposits of litter, rubbish, garbage, trash;
 - (b) refrigerators, freezers, or other appliances or parts thereof;
 - (c) furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks;
 - (d) inoperative motor vehicles;
 - (e) paper, cartons, fabric, or carpets;
 - (f) furniture
 - (g) pipping, tubing conduits, cable and fittings or other accessories, or adjuncts to the piping, tubing, conduits, or cables;
 - (h) containers or pallets of any size, type, or composition;
 - (i) material resulting from, or as part of, construction of projects;

(j) rubble, inert fill except for loose soil, sand, or gravel.

2.33. **“Yard”** The land around the appurtenant to the whole or any part of a building or structure and used or intended to be used in connection with the building or structure, other than publicly owned land.

3. PROPERTY MAINTENANCE AND OCCUPANCY STANDARDS

3.1 General

3.1.1. Every property shall be kept clean and free from:

- (a) Garbage, waste, rubbish, debris or other objects or conditions that create, or may create a health, fire, or accident hazard;
- (b) Derelict vehicles, wrecked, dismantled, discarded, or abandoned machinery, and trailers or boats, unless it is necessary for the operation of businesses lawfully situated on the property;
- (c) Dilapidated, collapsed, or partially constructed structures which are not currently under construction pursuant to a valid building permit;
- (d) Dilapidated growth of grass, brush, noxious weeds and dead, decayed, or damaged trees or other natural growth;
- (e) Harmful insects, rodents, or other pests.

3.1.2. No vehicle including a trailer, or any part of such vehicle or trailer, which is in a wrecked, discarded, dismantled, inoperative or abandoned condition shall be parked, stored, or left outdoors on any property in the Township of Ryerson with the following exceptions:

- (a) Where a vehicle or trailer is being repaired by the owner for his or her own use;
- (b) Where a vehicle or trailer is operable and designated for off road use only by the manufacturer or MTO, this includes any farm equipment used for agricultural purposes;
- (c) Where a vehicle or trailer is normally licenced for only part of the year.

3.1.3. Surface conditions of yards should be maintained so as to:

- (a) Prevent pooling or ponding of storm or surface water;
- (b) Prevent instability of erosion of soil;
- (c) Prevent storm or surface water run-off from entering basements;
- (d) Be kept free of deep ruts, holes, excavating;
- (e) Provide for safe passage under normal use and weather conditions, day, or night; and
- (f) Not create a nuisance to other property.

3.1.4. All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete, or compacted stone and gravel, and shall be kept in good repair.

3.1.5. Steps, walkways, driveways, parking spaces and other similar area shall be maintained so as to afford safe passage under normal use and weather conditions day or night.

3.1.6. A building shall be kept reasonably free of rodents, vermin, and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of the current Provincial Pesticides Act and all regulations passed pursuant thereto. Any continuous openings in a dwelling

shall be screened with wire mesh or other such materials in order to exclude vermin, insects, and rodents.

3.1.7. All wells shall be capped with a structurally secure material and such caps shall be maintained in good repair in accordance with applicable standards.

3.2. **Water**

3.2.1. Every dwelling shall be provided with an adequate supply of potable water adequate for normal household use from a source that can be approved by the Medical Officer of Health and/or Ministry of Environment and Energy.

3.2.2. If for good and valid reasons, a non-potable source of water supply exists, it must be signed accordingly and be specifically labeled as unsafe for consumption.

3.2.3. All plumbing, including drains, water supply pipes, water closets, and other plumbing fixtures shall be maintained in good working conditions free of leaks and defects and water pipes and appurtenances thereto shall be protected from freezing.

3.3. **Temperature Standards**

Every dwelling shall be provided with a heating system capable of maintaining a habitable room temperature of 21 degrees Celsius.

3.4. **Heating System**

Heating systems shall be maintained in good repair, in accordance with applicable standards, to be capable of heating the building safely.

3.5. **Electrical Service**

Where a building is supplied with electrical services, existing wiring and electrical equipment shall be in good, serviceable, and safe conditions, as required by applicable electrical codes.

3.6. **Light**

Every habitable room, except for the kitchen and bathroom, shall have a window or windows, skylights or translucent panels that face directly to the outside. The glass area of a sash door may be considered as a portion of the required window area.

3.7. **Ventilation**

3.7.1. Every habitable room shall have an opening or openings for natural ventilations located in the exterior walls or through openable parts of skylights. However, an opening for natural ventilation may be omitted if ventilation is provided.

3.7.2. Bathroom Ventilation

Every bathroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through an openable part of a skylight. However, an opening for natural ventilation can be omitted where a system of mechanical ventilation has been provided.

3.7.3. Ventilation of Attic, Crawlspace Etc.:

Every attic and unheated crawlspace shall be adequately vented to the outside air.

3.8. **Kitchen**

3.8.1. Every dwelling shall contain a kitchen area equipped with a sink, serviced with potable water and an approved drainage system, and include storage facilities, a countertop work area, and space for a stove and refrigerator.

3.8.2. Cooking Capabilities

Every kitchen shall have an adequate and approved gas, electrical, or other fuel supply for cooking purposes.

3.9. Egress

Every dwelling shall have a direct means of egress to provide a safe continuous and unobstructed exit from the interior of the building to the street or grade level.

3.10. Fire Escapes, Alarms and Detectors

3.10.1. A listed fire alarm and a fire detection system approved by the Canadian Standards Association or Underwriters Laboratories of Canada, shall be provided by the owners of buildings of residential occupancies where sleeping accommodations are provided for more than ten (10) persons, except that such systems need not be provided where a public corridor or exit serves not more than four (4) dwelling units of individual leased sleeping rooms.

3.10.2. In addition to the provisions of Section 3.10.1 hereof, in every dwelling unit in a building a listed smoke alarm approved by the Canadian Standards Association or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed by the occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred shall be:

(a) Equipped with visual or audio indication that they are in operating condition and

(b) Mounted on the ceiling to wall between 150 and 300mm (6 to 12 inches) below the ceiling.

3.10.3. Buildings using a fire escape as a secondary mean of egress shall have the escape in good condition, free from obstructions and easily reached through an openable window or door.

3.11. Damaged By Fire or Other Causes

- a. Every owner or occupant of a building, accessory structure or structure that is damaged by a fire, storm or other causes shall:
 - i. Take immediate steps to prevent or remove any condition that may endanger persons on or near the property;
 - ii. Properly support and/or barricade the building or structure until necessary repairs or a demolition can be carried out;
 - iii. Repair the building or structure as soon as is practicable;
 - iv. Remove any smoke damaged or other defacement from the exterior walls of the building or structure and;
 - v. If necessary, demolish the building as is practicable with a valid demolition permit.

4. DRAINAGE AND SEWAGE

4.1. Sewage or organic waste shall be discharged into a sewage system where such system exists. Where a sewage system does not exist, sewage or organic waste shall be disposed of in accordance with the polices of the Environmental Protection Act.

4.2. Strom water shall be drained from the property to prevent excessive ponding, the entrance of water into a building or in such manner so as to not affect adjacent properties.

4.3. Exterior property areas shall be graded and maintained to prevent ponding of water creating an unsafe condition. Catch basins and swales shall be installed and

maintained where necessary to facilitate drainage and so as not to impede natural flow of water.

- 4.4. Where eaves-trough are provided, every eaves-trough, roof gutter and down spout shall be maintained and in good repair. Repairs include the repairing, replacing, or restoring of defective or missing parts or components. Where down spouts are not connected to a sewer, provisions shall be made to direct water drainage away from foundations to prevent soil erosion.

5. STRUCTURAL STANDARDS

5.1. Standards

5.1.1. Basements:

Every basement and crawlspace in a dwelling shall be adequately drained and ventilated to the outside air.

5.1.2. Foundations:

The foundation walls shall be maintained in good repair and structurally sound.

5.1.3. Cleanliness:

Where a public corridor or exit serves more than one dwelling unit, it shall be kept free of rubbish, debris, or conditions which constitute a fire, accident, or health hazard.

5.1.4. Occupancy Standards:

No person shall use or permit the use of a non-habitable room in a building for a habitable purpose.

5.2. Structural Capabilities

- 5.2.1. Every building and every structural member of building shall be maintained in a structurally sound condition to be capable of sustaining safely its own weight and any additional weight that may be out on it through normal use. Material which has been damaged or shows evidence of rot, or other deterioration shall be repaired or replaced.

- 5.2.2. Every exterior wall, roof, porch, chimney, or exterior portion of a building or structure shall be maintained in a manner to prevent a collapse and to provide adequate protection against weather, and to prevent conditions which do, or may, pose a risk of injury to the occupants of the dwelling or to the public in general.

- 5.2.3. Every stair, porch, balcony, or landing shall be maintained in good repair and be free of any defects which constitutes possible accident hazards.

- 5.2.4. Windows, roofs, exterior doors, and basement hatchways shall be maintained in good repair to prevent the entrance of outside weather elements into the building.

- 5.2.5. The exterior walls and their components shall be maintained to prevent their deterioration due to weather and shall be maintained by painting, restoring, or repairing the walls.

- 5.2.6. A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24 inches) between adjacent levels. A handrail shall be installed and maintained in good repair for all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, and balconies. Guardrails, balustrades, and handrails shall be constructed and maintained in a rigid nature, as defined in The Ontario Building Code.

5.2.7. Accessory buildings, fences, and other structures appurtenant to the property shall be maintained in a structurally sound condition, in good repair, and free from fire, health and safety concerns.

6. RENTAL PROPERTIES

6.1. All rental properties shall be maintained according to the requirements set forth in the Tenant Protection Act and amendments thereto and in accordance with the provisions of this By-law.

7. VACANT LANDS AND BUILDINGS

7.1. Vacated lands and buildings shall be maintained to the standards described in the By-law.

8. ADMINISTRATIVE AND ENFORCEMENT

8.1. Property Standards Committee

A Property Standards Committee shall be established to receive complaints made under this By-law and to forward valid complaints to the appropriate official of the Township of Ryerson. The Committee shall be comprised of all members of Council. The Chief Building Official and By-law Enforcement Officer shall be considered ex-officio members of the Committee.

8.1.1. All complaints must be submitted in writing, signed by the complainant, and submitted to the Secretary of the Property Standards Committee.

8.1.2. The Secretary shall, within a predetermined period of time, call a meeting of the Property Standards Committee.

8.2. Non-Compliance

The owner of the property does not conform to the standards set out in this By-law they shall repair and/or maintain said property to comply with the standards or the property shall be cleared of the non-conforming buildings, structure, debris or refuse and leave it in a neat and graded condition.

8.3. Notice of Violation

The notice shall be sent to the last known address of the owner and shall state the following:

8.3.1. That the property does not comply with the standards prescribed by this By-law and shall specify the standards with which the property does not comply.

8.3.2. That after a certain date specified in the notice of non-compliance by the Officer, the property will be subject to a reinspection at which time the Officer may issue an order.

8.3.3. That the Office may be contacted for the purpose of requesting information and advice or reporting what action is being or will be taken to effect compliance with this By-law.

8.4. Appeal of Notice

The following process shall be followed on all appeals:

8.4.1. When an owner or occupant upon whom an order has been served in accordance with the *Building Code Act*, 1992, S.O. 1992, c. 23., is not satisfied with the terms or conditions of the Order, he may appeal, by registered mail, to the Secretary of the Property Standards Committee within fourteen (14) days after service of the Order and, in the event that no appeal is taken, the order shall be deemed to have been confirmed.

8.4.2. The Secretary of the Property Standards Committee, in receipt of the notice of appeal shall:

- (1) Determine the date, place, and time of the hearing of appeal, which shall take place not less than seven (7) days and not more than thirty (30) days from the date of receipt of the aforesaid notice, and;
- (2) Give notice in writing of the date, place and time of the hearing referred to in paragraph 8.4.3, to both the appellant and the Office who issued the order.

8.4.3. The Secretary of the Property Standards Committee shall hold the hearing at the date, place and time set out in the notice.

8.4.4. The Property Standards Committee may

- (1) Confirm the order;
- (2) Modify or quash the order, or;
- (3) Extend the time for complying with the order provided that the general intent and purpose of this By-law is maintained.

8.4.5. The Property Standards Committee shall give its decision in writing.

9. ENFORCEMENT

This By-law shall be enforced on a complaint basis and pursuant to the provisions of Section 15 of the Ontario Building Code Act, as amended.

10. PENALTIES

Any person who fails to comply with an order issued pursuant to this By-law is guilty of an offence and, upon conviction, is subject to a penalty provided by the Building Code Act and/or the Provincial Offences Act.

11. POWER OF MUNICIPALITY TO REPAIR OR DEMOLISH

Where an owner or occupant of the property fails to take such steps as may be necessary to bring a property into compliance with this By-law, the Municipality, or person acting on its behalf, shall:

- (a) Have the right to enter upon the property to affect such repairs, clean-up, demolition or other remedial steps as may be required to bring the property into compliance with the standards herein and neither the Municipality, nor anyone acting on its behalf shall be liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the Municipality in the reasonable exercise of these powers; and
- (b) Shall have a lien on the property for the amount spent by, or on behalf of the Municipality in accordance with this By-law, together an administrative fee of 10% of the amount spent, and the total shall have priority lien status as described in Section 1 of the *Municipal Act*, 2011, S.O. 2001, c. 25.

12. CERTIFICATE OF COMPLIANCE

12.1. Issuance

Following the inspection of a property, the Officer may, or on the request of an owner, shall, issue to the owner a certificate of compliance if, in his opinion, the property is in compliance with the standards of this By-law.

12.2. Fees

Where a certificate of compliance referred to in Section 15 of the Ontario Building Code Act is issued at the request of the owner, the owner shall be required to pay the fee to the Municipal Corporation of the Township of Ryerson.

13. OTHER REMEDIES PROTECTED

The imposition of a penalty under this By-law shall not be a bar to further prosecution under this By-law and shall not preclude any other proceeding or remedy against a person or a building which does not conform to the standards of this by-law.

14. OTHER BY-LAWS

If a provision of this By-law conflicts with a provision of another By-law of the Corporation, the provisions which established the higher standard to protect the health, safety, and welfare of the occupants and of the general public shall prevail.

15. ENACTMENT

That this By-law shall come into force and take effect upon its passing.

Read a first, second and third time,
Signed and the seal of the
Corporation affixed thereto and
finally passed in open Council this
30th day of April, 2024

Original Signed by George Sterling

Mayor

Original Signed by Nancy Field

Clerk