



Office Consolidation

Minimum Maintenance By-law 104-96 (Property Standards)

**(as amended by By-laws 135-96, 101-98, 135-2008, 186-2008,
154-2012, 90-2016)**

**To establish standards for the maintenance and occupancy of
property in the City of Brampton and to repeal By-law 11-90**

INDEX

Office Consolidation Minimum Maintenance By-Law 104-96 (Property Standards)

Part I – Definitions	1	Part IV – General Provisions - Interior	16
Part II – Administration and Enforcement	7	Pest Prevention	16
Property Standards Committee	7	Basement Floors	16
Part III – General Provisions	8	Doors and Windows	16
Duties	8	Stairs and Landings	17
Manner of Making Repairs	8	Handrails and Guards	17
Yard	8	Egress	17
Sewage and Drainage	10	Walls and Ceilings	17
Walks	10	Floors	18
Safe Passage	11	Cleanliness	18
Fences	11	Water	18
Graffiti	11	Plumbing	19
Garbage Disposal	11	Kitchen and Bathroom Facilities	19
Antennae	12	Bathroom	19
Exterior Walls	12	Cooking Spaces	20
Roof	13	Heating System	20
Dampness	13	Electrical Service	21
Exterior Doors and Windows	13	Light	22
Handrails and Guards	13	Ventilation	22
Lighting	14	Basement, Cellar or Unheated Crawl Space	23
Ventilation	14	Parking Facilities	23
Occupancy Standards	14	Lodging Houses, Group Homes	24
Stairs and Porches	15	Part V – Heritage Buildings	25
Foundations	15	Part VI – Vacant Land	30
Structurally Sound	15	Part VI – Penalties	31
		Schedule “A” to By-law 104-96	32

The Council of the Corporation of the City of Brampton ENACTS as follows:

PART I

DEFINITIONS

In this By-law:

1. (1) “accessory building” means a detached building or structure subordinate to a main building or structure and includes any building or structure the use of which is incidental to that of a main building or structure, and shall include garages, drive sheds, barns, and similar storage facilities.
- (2) “basement” means that portion of a building between two floor levels which is partly underground but which has at least one half of its height from finished floor to finished ceiling above adjacent finished grade.
- (3) “bathroom” means a room which shall contain a water closet and basin and may contain a bathtub or shower.
- (4) “building code” means a regulation made under the Building Code Act, 1992 (**By-law 135-2008**).
- (5) “cellar” means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished floor to finished ceiling, below adjacent finished grade.
- (6) “City” means the Corporation of the City of Brampton.
- (7) “Committee” means the Property Standards Committee established pursuant to the provisions of this By-law.
- (8) “dwelling unit” means a unit that:
 - (a) consists of a self-contained set of rooms located in a building or structure,
 - (b) is used as a residential premises,
 - (c) contains kitchen and bathroom facilities that are used only by the occupants of the unit,
 - (d) is used as a single housekeeping unit, which includes a unit in which no occupant has exclusive possession of any part of the unit, and
 - (e) has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit (**By-law 135-2008**).

- (9) “electrical safety code” means the electrical safety code administered by the Electrical Safety Authority pursuant to the *Electricity Act, 1998* **(By-law 135-2008)**.
- (10) “fire code” means regulations made under the *Fire Protection and Prevention Act, 1997* **(By-law 135-2008)**.
- (11) “group home” means a supportive housing facility occupied by four (4) to ten (10) persons which is required to be registered pursuant to the City's Zoning By-laws.
- (12) “habitable space” means a room or area used or intended to be used for living, sleeping, cooking or eating purposes and includes a washroom; **(By-law 101-98)**
- (13) “lodging house” means a dwelling in which rooms or room and board are supplied for hire or gain, for more than two persons, but shall not include a hotel, motel or group home.
- (14) “mildew” has its ordinary meaning and includes a whitish growth produced by fungi **(By-law 135-2008)**.
- (15) “mixed use building” means a building containing one or more dwelling units and other uses not accessory to the dwelling units.
- (16) “mould” has its ordinary meaning, and includes any living organism or fungus in damp or decaying environment, which produces a superficial growth and also includes such superficial growth **(By-law 135-2008)**.
- (17) “multiple dwelling” means a building containing two or more dwelling units which are in use.
- (18) “non-habitable room” means a room other than a habitable room in a dwelling or dwelling unit, and includes a bathroom or shower room, toilet room, laundry room, boiler room, furnace room, pantry, closet, storage room, corridor, foyer, stairway, lobby and recreation room.
- (19) “officer” means a Property Standards Officer or other enforcement officer duly appointed by a By-law of the City to administer and enforce the provisions of this By-law.
- (20) “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 a lease, is required to repair and maintain the property in accordance with the standards for maintenance and occupancy of property.

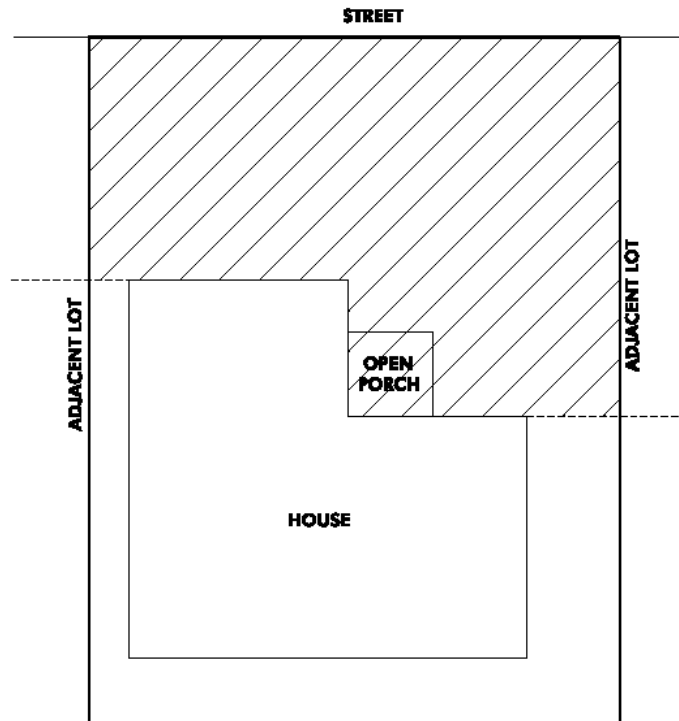
- (21) “person” shall mean and include any person, firm, partnership, association, corporation, company or organization of any kind.
- (22) “property” means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property, on which there are no structures of any kind.
- (23) “Peel Receptacle” means all or any of the following: Region of Peel issued garbage waste cart, Region of Peel issued recycling cart, and Region of Peel issued organics waste cart. **(By-law 90-2016)**

Note: Definitions below have been re-numbered to accommodate the addition of “Peel Receptacle”

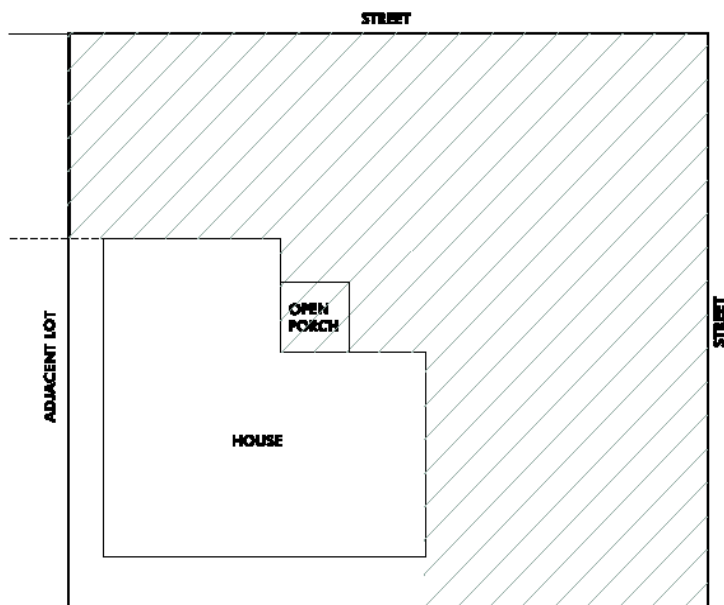
- (24) “repair” includes the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-law.
- (25) “sewage system” means an approved sanitary sewage system or an approved private sewage disposal system which is in compliance with the applicable by-law.
- (26) “vehicle” includes a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power driven equipment.
- (27) “yard” means the land, other than publicly owned land, around and appurtenant to the whole or any part of a building and used or intended to be used, or capable of being used in connection with the building.
- (28) “yard facing a street” means the hatched area shown in the following diagram **(By-law 135-2008)**:

Note: see below for additional definitions.

INTERIOR LOT



CORNER LOT



The following definitions were added pursuant to **By-law 154-2012**:

- a. "Building Code Act" shall mean the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended, and any successor legislation;
- b. "Heritage Property" means real property, including all buildings and structures thereon:
 - i. that has been designated by the City of Brampton under Section 29 of the *Ontario Heritage Act*, or that has been designated by the Minister under Section 34.5 of the *Ontario Heritage Act*, or
 - ii. that is located within a heritage conservation district which has been designated by the City of Brampton or any of its former municipalities under Section 41 of the *Ontario Heritage Act*,
- c. "Heritage Attribute" means, in relation to real property, and to the buildings on the real property, an attribute of the property, building or structure that contributes to its cultural heritage value or interest and that is defined or described:
 - i. in a by-law designating a property passed under Section 29 of the *Ontario Heritage Act*, and identified as a heritage attribute, value, reason for designation or otherwise; or
 - ii. in a Minister's order made pursuant to Section 34.5, Part IV of the *Ontario Heritage Act* and identified as a heritage attribute, value, reason for designation or otherwise; or
 - iii. in a by-law designating a heritage conservation district passed under Section 41, Part V of the *Ontario Heritage Act* and identified as a heritage attribute, value, reason 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 a heritage attribute, value, reason for designation or otherwise; or
 - v. the elements, features or building components including roofs, walls, floors, retaining walls, foundations and independent interior structures and structural systems that hold up, support or protect the heritage attributes and without which the heritage attributes may be at risk.
- d. "Heritage Coordinator" shall mean a Heritage Coordinator of the City of Brampton.

- e. "*Ontario Heritage Act*" shall mean the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 as amended, and any successor legislation.
- f. "Vacant Heritage Property" shall include any buildings and structures located on property designated under Section 29 or 34.5 of the *Ontario Heritage Act*, any property situated within a heritage conservation district designated under section 41 of the *Ontario Heritage Act* and either is or appears to an Inspector to be vacant, partially vacant, or unoccupied for more than ninety (90) days.

PART II

ADMINISTRATION AND ENFORCEMENT

Administration and Enforcement

2. The City may from time to time appoint Officers and such other staff as may be necessary to carry out the functions of this By-law, including the enforcement thereof.

Property Standards Committee

3.
 - (1) A Property Standards Committee is hereby established.
 - (2) The Committee shall be composed of not less than three (3) residents of the City appointed by Council.
 - (3) The term of the appointment shall be for the term of Council.
 - (4) A member shall serve for the term for which the member is appointed or until a successor is appointed by City Council.
 - (5) In the event of a vacancy in the membership of the Committee, Council shall forthwith fill the vacancy.
 - (6) A member of Council or an employee of the City or of a local board thereof is not eligible to be a member of the Committee, but a teacher employed by a board of education or school board is not deemed to be an "employee" for the purpose of this subsection.
 - (7) A member shall be deemed to have resigned if he fails to attend three (3) consecutive regular meetings.
4. Honoraria shall be paid to members of the Committee at the rate of Fifty Dollars (\$50.00) for each meeting attended, which Committee shall meet once a month or as required by Council.

PART III

GENERAL PROVISIONS

(This part prescribes the standards for every property situated in the City of Brampton, except vacant land)

Duties

5. Every owner shall ensure his property is maintained in accordance with the provisions of this By-law.
6. Every person to whom an order is issued under this by-law shall obey such order as required.

Manner of Making Repairs (By-law 135-2008)

- 6.1 (1) All repairs shall be made in a good and workmanlike manner with materials that are suitable for the purpose and free from defects.
- (2) Without limiting Section 6.1(1), the phrase “good and workmanlike manner” includes:
 - (a) ensuring the component repaired can perform its intended function; and
 - (b) finishing the repair in a manner reasonably compatible in design and colour with the adjoining decorative finishing materials.
- (3) The requirement that repairs be made with “materials that are suitable for the purpose” includes a requirement for materials reasonably compatible in design and colour with adjoining decorative finishing materials.

Yard

7. (1) A yard shall be kept clean and free from:
 - (a) hazardous objects or materials,
 - (b) domestic animal excrement,
 - (c) rubbish or other debris,
 - (d) holes, ruts and excavations that are actual or potential health, fire or safety hazards, or
 - (e) anything that may attract or harbour rodents or insects **(By-law 135-2008)**.

- (2) Lawns shall be kept trimmed and from becoming unreasonably overgrown, Hedges and trees shall be kept trimmed and from becoming unreasonably overgrown in a fashion that may affect safety, visibility or passage of the general public.
- (3) Domestic storage, such as firewood, building materials, garden equipment and materials must be stored:
 - (a) neatly; and,
 - (b) not in a yard facing a street **(By-law 135-2008)**.
- (4) A yard shall be cultivated or protected by suitable ground cover which prevents the erosion of the soil.
- (5) Every yard shall be kept clean and free from rodent and insect infestation and dead, decayed or damaged trees or other natural growth and the branches and limbs thereof which may fall and cause an accident **(By-law 135-96)**.
- (5.1) Dead, decayed or damaged trees, branches or other natural growth which may constitute an actual or potential health, fire or safety hazard must be removed and disposed of **(By-law 135-2008)**.
- (6) No vehicle which is in a wrecked, discarded, dismantled or inoperative condition or is unlicensed shall be parked, stored, or left in the yard unless such vehicle is required for business or farming purposes and then only in an arrangement such as to prevent an unsafe or unsightly condition **(By-law 135-96)**.
- (7) No vehicle shall be parked on any lot, except on a paved or appropriately finished surface **(By-law 135-2008)**.
- (8) Swimming pools and appurtenances thereto, including safety fences and gates, shall be kept in good repair, clean and free from health and safety hazards, including the pool water therein.
- (9)
 - (a) Where a zoning by-law permits outside storage, such storage shall not exceed the lesser of 2.44 metres (8 feet) or the height of a surrounding fence.
 - (b) Outside storage shall be maintained so as to prevent an unsafe or unsightly condition out of character with the surrounding environment.

- (c) The provision and maintenance of a surrounding fence shall be appropriate to the nature of the adjacent uses to minimize the visual impact of nuisances to persons at grade adjacent to the property.
- (10) All areas used for vehicular traffic, parking and facilities for loading and unloading, including loading spaces or bays shall be:
 - (a) kept free from dirt, surface dust and refuse;
 - (b) maintained in good repair;
 - (c) properly drained and;
 - (d) provided with curb stops or other restraining devices to prevent vehicular damage to structures on this or adjoining property.
 - (11) Whenever landscaping hedges, trees, fences, curbs, retaining walls or similar changes to property have been required by the Corporation as a condition of development or redevelopment, such works shall be undertaken and maintained so as to ensure continuous compliance with the Corporation's requirements.

Sewage And Drainage

- 8. (1) All sewage shall be discharged into an approved sewage system which is in compliance with the applicable by-law.
- (2) No roof drainage shall be discharged or channelled onto walkways, stairs, or onto adjacent lands.
- (3) Storm water, sump or swimming pool discharge, and water artificially brought on the land, shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement, cellar, or onto adjacent lands.
- (4) Adequate drainage shall be installed where there is recurring excessive ponding caused by surface water.

Walks

- 9. Every driveway, parking area and walk shall be surfaced with stone, gravel, asphalt, concrete or other material capable of providing a hard surface.

Safe Passage

10. Steps, walks, driveways and parking areas of a yard shall be maintained so as to afford safe passage under normal use and weather conditions.

Fences

11. All fences, retaining walls and structures appurtenant to a property, shall be kept in good repair, free from hazards, and where required, protected by paint, preservative or other weather resistant material unless the characteristics of the fence, retaining wall, screen or enclosure are designed to be enhanced by the lack of such material. All fences, retaining walls and other such structures shall be constructed in such a manner as to prevent all cartons, wrappers, paper, rubbish and debris from blowing onto adjoining property.

Graffiti

12. Objectionable markings, graffiti, or other defacement of fences, retaining walls and structures appurtenant to a property shall be removed and the surface restored.

Garbage Disposal

13. (1) Every building and every dwelling unit shall have sufficient appropriate receptacles to contain all garbage, rubbish, ashes and trade waste.
- (2) Receptacles shall be standard garbage bags or other standard garbage containers commercially sold for the purpose and provided with a tight fitting cover.
- (3) Garbage receptacles other than bags shall:
 - (a) be maintained in a clean state; and,
 - (b) not be stored in a yard facing a street (**By-law 135-2008**).
 - (c) despite sub-section (b), a Peel Receptacle as defined in this by-law may be stored in a yard facing a street, in an orderly manner adjacent to a building, provided that:
 - (i) the subject property does not have a side yard with a width of 1.0 metre or more;
 - (ii) the subject property does not have a rear yard access that is wider than the width of the Peel Receptacle;
 - (iii) the subject property does not have an accessory building, carport or garage; and

- (iv) if the subject property has a single car garage, it is deemed required parking according to zoning by-law amendment 270-2004.
- (d) where a subject property satisfies the criteria in sub-section (c), an Officer shall have the discretion to determine whether there is a reasonable alternative to storage in a yard facing a street and if there is a reasonable alternative, the property owner shall use that reasonable alternative to store the Peel Receptacle

(sections (c) and (d) were added pursuant to By-law 90-2016)

- (4) Garbage bags shall not be stored outdoors unless adequately protected from damage.
- (5) Every building shall be provided with vermin-proof storage space for garbage and trade waste and stored in an approved, acceptable, or appropriate area.
- (6) Containers shall be made available for the disposal of refuse which may be discarded by customers and the yard shall be kept free of such refuse.
- (7) Notwithstanding the foregoing, properly maintained compost heaps are permitted.

Antennae

- 14. Craneways, lightning arrestors, television and radio antennae and structures of similar character shall be maintained in good repair and free of fire and hazards and properly anchored and plumb, unless specifically designed to be other than vertical.

Exterior Walls

- 15. (1) The exterior walls and their components, including eavestroughs, downpipes, soffits and fascias, shall be maintained so as to prevent their deterioration due to weather or insects, and shall be maintained by painting, restoring, cleaning, or repairing of the walls, coping or flashing, by the waterproofing of joints and of the walls themselves by installing or repairing of termite shields and by the treating of the soil with poison, in accordance with the provisions of any relevant legislation.
- (2) Objectionable markings, graffiti, or other defacement of exterior surfaces shall be removed and the surface restored.

- (3) All canopies, marquees, signs, awnings, stairways, fire escapes, stand pipes, exhaust ducts, air conditioners and similar overhang extensions shall be:
 - (a) maintained in good repair;
 - (b) properly anchored; and
 - (c) protected from the elements and against decay and rust by the periodic application of a weather coating material such as paint or other protective treatment.
- (4) All air conditioners which are installed and operated directly over a public sidewalk shall be equipped with proper devices for the prevention of condensation drainage upon the sidewalk.

Roof

16. (1) A roof including flashings shall be kept in good repair and be maintained in a watertight condition so as to prevent leakage of water into the building. The attic shall be ventilated in conformance with the building code **(By-law 135-2008)**.
- (2) Every chimney, smoke or vent stack and other roof structures shall be maintained plumb and in good repair so as to be free from:
 - (a) loose bricks, mortar and loose or broken capping;
 - (b) loose or rusted stanchions, braces and attachments;
 - (c) fire or accident hazard.

Dampness

17. 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 cellar, basement or crawl space floor.

Exterior Doors And Windows (By-law 135-2008)

18. (1) Windows, exterior doors and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and rain into the dwelling.

- (2) Rotted or damaged doors, door frames, window frames, shutters, screens, sashes and casings, weather stripping, broken glass, and defective door and window hardware shall be repaired or replaced.

Handrails and Guards (By-law 135-2008)

19. Handrails and guards must follow the building code.

Note: The building code requirements for guards are complex and this by-law makes no effort to summarize them.

Lighting

20. Outdoor lighting shall be of a low-level, low-intensity nature; directed in a manner which will minimize glare and the undue intrusion of light on abutting properties, dwellings and streets.

Ventilation

21. Where mechanical ventilation is used, the ventilating duct which is on the exterior wall shall be located not less than 1.83 metres (6 feet) from a window located in an adjoining building.

Occupancy Standards (By-law 135-2008)

22. (1) The maximum number of occupants in a dwelling unit shall not exceed one person for each 14 sq. metres (150 sq. ft.) of the total floor area of all habitable rooms. For the purposes of Section 22(1), a child under twelve years of age shall be counted as .5 persons.
- (2) No room shall be used for sleeping purposes unless it has:
 - (a) a minimum width of 1.83 metres (6 feet); and,
 - (b) a floor area of at least 5.6 sq. metres (60 sq. feet).
- (3) A room used for sleeping purposes by two or more persons shall have a floor area of at least 3.7 sq. metres (40 sq. feet) for each person using the room.
- (4) The following are the rules governing the minimum ceiling height of rooms in a dwelling unit.

- (a) Ceiling height has its normal meaning, but where there is no ceiling, the height is measured to the lowest point of the exposed joist.
 - (b) The ceiling height must be 2.3 metres (7.5 feet) over at least fifty percent of the floor area or an average of 2.13 metres (7.0 feet) over all of the floor area.
 - (c) Any part of the floor area having a ceiling height of less than 1.37 metres (4.5 feet) is not considered in computing the floor area in Section 22(4)(b).
- (5) No kitchen, bathroom or hallway shall be used for sleeping purposes.

Stairs And Porches

23. An outside stair and any porch appurtenant to it shall be maintained so as to be free of defects which may constitute possible hazard, and all treads or risers that show excessive wear or are broken, warped or loose and all supporting structural members that are rotted or deteriorated shall be repaired or replaced.

Foundations

24. (1) The foundation walls and the basement, cellar or crawl space floor shall be maintained in good repair so that they may effectively support all loads imposed upon them and where necessary shall be so maintained by shoring of the walls, installing of subsoil drains at the footing, grouting masonry cracks, parging and water-proofing the walls or floors.
- (2) Every building, unless of the slab-on-grade type, shall be supported by foundation walls or piers which extend below the frost line or to solid rock and all footings, foundation walls, piers slabs-on-grade shall be of concrete or other suitable material.
- (3) Subsection (2) does not apply to accessory buildings.

Structurally Sound

25. (1) Every part of a building, including an accessory building, shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any load to which it may be subjected.

- (2) The exterior walls, roofs and other parts of the building shall be free from loose, rotted, warped and broken materials and objects. Such materials and objects shall be removed, repaired or replaced.
- (3) All exterior surfaces shall be of materials which provide adequate protection from the weather.

26. **(Deleted – By-law 101-98)**

PART IV

GENERAL PROVISIONS – INTERIOR

Pest Prevention

27. (1) Property shall be kept free of infestation by 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 any relevant legislation.
- (2) All windows and openings used or required for ventilation or exhaust and any opening in a basement or cellar, including a floor drain that may permit the entry of rodents, vermin or insects, shall be screened with wire mesh, metal grille or other durable material as will effectively exclude any of the above pests.

Basement Floors

28. (1) A basement, cellar or crawl space which is not served by a stairway may have a dirt floor provided it is covered with a moisture proof covering.
- (2) Basements or cellars which are served by a stairway shall have a concrete floor with a floor drain located at the lowest point of the said floor and connected to a sewage system or to an acceptable system of disposal.
- (3) A concrete floor in a basement or cellar shall be free from major cracks, breaks, or such as to create a hazardous condition.
- (4) Where a basement or cellar is served by an outside stairwell, the floor of the stairwell shall have a floor drain connected to an approved sewage system.

Doors And Windows

29. (1) All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured.
- (2) In a dwelling with three or more stories, all windows intended to be opened and all balcony doors shall have safety devices to prevent risk of accidents to children. Such safety devices shall be in conformity with the building code (**By-law 135-2008**).

- (3) Interior doors, closet doors, cupboard doors, counter tops, cupboards, vanities, shelving and their appurtenances shall be maintained in good repair.

Stairs And Landings

30. All inside stair and any landing appurtenant to it shall be maintained so as to be free of defects which may constitute possible accident hazards and all treads or risers that show excessive wear or are broken, warped or loose and all supporting structural members that are rotted or deteriorated shall be repaired or replaced.

Handrails and Guards

31. A barrier such as a handrail and guard shall be installed at a minimum height of 1.07 metre (42 inches) and maintained in good repair on the open side of a balcony, porch, landing and stairwell with a difference of 1.53 metre (5 feet) or more in elevation (**By-law 186-2008**).

Egress

32. (1) There shall be provided a means of egress from every floor area for the safety of every person in the building in accordance with the building code (**By-law 135-2008**).
- (2) All means of egress shall be maintained in good repair and free of objects or conditions which constitute an accident or fire hazard.
- (3) Every dwelling unit shall have a separate access so as to provide a safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level.

Walls And Ceilings

33. (1) Every wall and ceiling shall be free of holes, cracks, loose coverings or other defects.
- (2) Where occupancies or dwelling units are separated vertically, the dividing walls shall comply with the building code (**By-law 135-2008**).

- (3) Where a dwelling unit is separated horizontally from another dwelling unit or a non-residential occupancy, there shall be a finished ceiling which separates these occupancies in accordance with both the building code and fire code (**By-law 135-2008**).

Floors

34. (1) Every floor shall be smooth and maintained so as to be free of all loose, warped, protruding, broken or rotted boards that might cause an accident or allow dirt to accumulate and all defective floor boards shall be repaired or replaced.
- (2) Where floor boards have been covered with linoleum, tile, carpet, or some other covering that has become worn or torn so that it retains dirt or might cause an accident, the floor covering shall be repaired or replaced.

Cleanliness

35. (1) Every floor, wall, ceiling, fixture, appliance and equipment shall be maintained in a clean and sanitary condition as is appropriate to the use which is being made of the building.
- (2) Every building shall be kept free from rubbish, debris, or any condition which constitutes an actual or potential fire, health or safety hazard (**By-law 135-2008**).
- (3) Every building shall be kept free from visible mould or mildew (**By-law 135-2008**).

Water

36. (1) Every dwelling shall be provided with an adequate supply of potable hot and cold running water.
- (2) Hot water shall be supplied at a minimum temperature of 49 degrees C (120 degrees F).

Plumbing

37. All plumbing, drain pipes, water pipes and plumbing fixtures in every dwelling and every connecting line to the sewage system shall be maintained in good working order in accordance with the relevant legislation and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

Kitchen and Bathroom Facilities

38. (1) Every dwelling unit except as otherwise provided in subsection (2) shall contain plumbing fixtures consisting of at least:
- (a) a water closet;
 - (b) a kitchen sink;
 - (c) a washbasin;
 - (d) a bathtub or shower.
- (2) The occupants of not more than two dwelling units may share a water closet, washbasin and bathtub or shower, provided:
- (a) not more than a total of eight (8) persons occupy both dwelling units;
 - (b) access to the fixtures can be gained without going through rooms of another dwelling unit or outside the dwelling.
- (3) No toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing, consuming or storing food (**By-law 101-98**).

Bathroom

39. (1) All bathrooms or toilet enclosures shall be fully enclosed and shall have a door capable of being locked so as to provide privacy for the user.
- (2) Every bathroom shall have a floor of water repellent construction.
- (3) All bathroom facilities and bathrooms shall be kept clean and neat at all times.

- (4) The bathroom walls and ceiling of every bathroom shall be provided with a smooth surface and where paint is used as the surface coating it shall be maintained and painted as is necessary for cleanliness.
- (5) On non-residential properties, each bathroom shall be provided with toilet paper, soap and individual towels or other means of drying.
- (6) Every bathroom 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 930 sq. cms. (1 sq. foot).
- (7) An opening for natural ventilation may be omitted from a bathroom where a system of mechanical ventilation in proper working order has been provided, such as an exhaust fan with a duct leading to outside the building.

Cooking Spaces

40. (1) Every kitchen shall be provided with a supply of electricity that has been approved by the Ontario Hydro Electric Power Commission.
- (2) All combustible materials immediately underneath or within 30.5 cm (12 inches) of any cooking apparatus shall be fire retarded or covered with fire resistive material, except where such apparatus is installed in accordance with the requirements of the applicable codes. There shall always be at least 76.2 cm (30 inches) clear space above any exposed cooking surface of such apparatus.

Heating System

41. (1) Every dwelling shall be provided with a heating system capable of maintaining a room temperature of not less than 20 degrees C (68 degrees F) at 1.52 metres (5 feet) above floor level and 0.92 metres (3 feet) from exterior walls in all habitable rooms and bathrooms.
- (2) The heating system shall be maintained in good working condition.
- (3) Auxiliary heaters shall not be used as a primary source of heat.
- (4) No room heater shall be placed so as to cause a fire hazard to walls, curtains, and furniture, nor to impede the free movement of persons within the room where the heater is located.

- (5) Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel, a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location, and properly constructed so as to be free from fire or accident hazards.
- (6) An adequate supply of fuel shall be available at all times.
- (7) Equipment burning fuels shall be properly vented by a connecting duct or flue pipe leading to a chimney or a vent flue.
- (8) Where combustible materials are stored in the basement the fuel burning heating system shall be enclosed.
- (9) Every chimney, smoke pipe, flue and vent shall be maintained so as to prevent gases from leaking into the building or property, and shall be free of any defects.
- (10) A fuel burning central heating system in a mixed use building shall be located in a separate room having walls, ceiling and doors with a fire resistance rating of not less than one (1) hour.
- (11) Where in the opinion of an Officer there exists a hazardous condition due to storage in or use of a space adjacent to a heating system, the furnace shall be enclosed in accordance with the provisions of the building code **(By-law 135-2008)**.
- (12) All fuel shall be stored in a safe manner.

Electrical Service

42. (1) The electrical wiring and all equipment and appliances located or used in a building or on said property shall be maintained in good working order in accordance with the electrical safety code so as not to overload the designed size of the service so as not to cause a fire or electrical shock hazard **(By-law 135-2008)**.
- (2) No fuse or overload device shall exceed the capacity indicated on the fuse panel.
- (3) Every habitable room in a dwelling unit shall have at least one duplex electrical outlet in good working order:
 - (a) for the first 11.15 sq. metres (120 sq. feet) or less of floor area; and

- (b) for each additional 9.3 sq. metres (100 sq. feet) or less of floor area.
- (4) No person shall place an extension cord directly beneath a floor covering or through a transom, doorway, wall, ceiling or floor and no person shall use, cause or permit the use of an extension cord so placed.
- (5) All intercom system and security system wiring and appurtenances shall be maintained in good working order.
- (6) Where supplied, service equipment and appliances, such as stoves, refrigerators, washers and dryers and their components shall be maintained in good repair.

Light

- 43. (1) All habitable space shall have artificial lighting to the level required by the building code (**By-law 135-2008**).
- (2) Windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways and stairways, and in all stairways provided for use in case of fire or other emergency as required by the building code (**By-law 135-2008**).
- (3) Every habitable room in a dwelling or dwelling unit, except a kitchen, shall contain a window or skylight that complies with the building code (**By-law 135-2008**).
- (4) All public halls and stairs in multiple dwellings shall be illuminated at all times so as to provide safe passage at a minimum average of 21.6 lux (2 foot candles) at floor level.

Ventilation

- 44. (1) Every habitable room and every bathroom shall be ventilated in conformance with the building code (**By-law 135-2008**).
- (2) Where an aperture such as a window, skylight, or louvre is used for ventilation, the aperture shall be maintained so as to be easily opened, kept opened and closed.
- (3) Every room where people work shall have an opening or openings for natural ventilation which openings shall be located in the exterior walls or

through openable parts of skylights and shall have a minimum aggregate unobstructed free flow area of one percent of the floor area of the room.

- (4) An opening for ventilation may be omitted if mechanical ventilation is provided which changes the air two times each hour.
- (5) All systems of mechanical ventilation or air conditioning shall be maintained in good working order.

Basement, Cellar or Unheated Crawl Space

45. (1) Every basement or unheated crawl space should be adequately vented to the outside air by means of screened windows which can be opened or by louvres with screened openings, the area of which shall not be less than one (1) percent of the floor area for basements and 930 sq. cms. (1 sq. foot) per 46.5 sq. metres (500 sq. feet) of crawl space area.
- (2) An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.

Parking Facilities

46. (1) Parking facilities shall be maintained in a clean and safe condition.
- (2) Lighting in parking facilities shall be considered to be adequate if the number and arrangement to lighting fixtures is such as to provide an average level of illumination of at least 54 lux (5 foot candles) at floor level over the entire floor area with a minimum level of 10 lux (1 foot candle) at any location on the floor.
- (3) Lighting fixtures in all parking facilities shall be protected from accidental or malicious damage by the provision of wire screens or by other suitable means.
- (4) The walls, ceilings and columns of all parking facilities shall be luminous white and shall be suitable for application to the material of which the walls, ceilings and columns are formed and be washable and shall be washed or renewed as often as is necessary to maintain their original reflective value.
- (5) No machinery, boats, vehicles including trailers, or parts thereof which are in an unusable, wrecked, discarded or abandoned condition shall be stored or allowed to remain in any parking facility.

- (6) Mechanical ventilation for parking facilities shall conform with the requirements of the building code (**By-law 135-2008**).
- (7) If in the opinion of an Officer there is a doubt as to the structural adequacy or condition of a parking garage or appurtenance, the Officer may order that an examination and written report be prepared by a professional engineer, licensed in Ontario, and employed by the owner or his authorized agent.

Lodging Houses, Group Homes (**By-law 135-2008**)

47. Every lodging house and group home shall conform with the relevant provisions of the building code and fire code (**By-law 135-2008**).
48. All electrical wiring shall be in accordance with the electrical safety code, and a certificate of inspection shall be filed with the City (**By-law 135-2008**).
49.
 - (1) Every lodging house in which 3 or more persons are harboured, received or lodged shall comply with the following standards in addition to requirements of the Comprehensive Property Standards section of this by-law and all other relevant legislation.
 - (2) Adequate toilet and bathing facilities shall be provided and maintained, with at least one room, with access provided by means of an entrance from a common hallway or corridor, containing at least one wash-basin, one water-closet and one bathtub, for each five lodgers.
 - (3) Where food is prepared or intended to be prepared, adequate facilities shall be provided for the proper preparation and protection of food, with such equipment to be in safe operating condition at all times.
 - (4) No cooking or heating appliances shall be located or used in cupboards or clothes closets.

PART V
HERITAGE BUILDINGS
By-law 154-2012

50. In addition to the minimum standards for the maintenance and security of property in the City as set out in this By-law, the following minimum standards listed in Sections 51 to 60 apply to the maintenance and security of all buildings and structures on properties that are:
- a) designated under Section 29 or 34.5 of the *Ontario Heritage Act*, or
 - b) situated within a heritage conservation district, designated under Section 41 of the *Ontario Heritage Act*.
51. The Owner of a Vacant Heritage Property shall protect the Heritage Attributes of the property against the risk of fire, storm, neglect, intentional damage or damage by other causes by effectively preventing the entrance of the elements, unauthorized persons or the infestation of pests by boarding up and securing any openings to the building of the Vacant Heritage Property. Securing heritage resources shall comply with the following requirements:
- a) All boarding must be ½ inch S.P.F. exterior grade plywood (not particle board, fibre board or other forms of board sheathing);
 - b) Boarding must be cut to completely and securely fit within all exterior structural openings;
 - c) All boarding shall be maintained in good repair;
 - d) All boarding shall be installed from the exterior;
 - e) All boarding shall be fastened using wood screws only. Screws must be at least #8 gauge, countersunk and not less than 3 inches in length. Each screw shall be spaced not more than 3 inches on centre around the entire perimeter of each plywood board;
 - f) All boarding shall be fitted securely and in a watertight manner to fit within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding, and so as not to be easily detached by hand;
 - g) All boarding used on windows and door openings shall be painted using exterior grade paint in a matt black;

- h) All other boarding shall be painted using exterior grade paint in a colour that blends with the exterior of the building or structure;
 - i) Interior doors, except those in fire separations, should be fixed ajar at least 4 inches to allow air to circulate throughout in order to help prevent interior deterioration through excess humidity;
 - j) Where a structural opening is irregular in shape or unusually large, alternate security measures shall be required to adequately secure these openings, such as steel mesh screening, grills, security bars or cross-bracing over plywood;
 - k) If the aforementioned measures prove insufficient to secure openings, additional augmentation measures shall be required, consisting of the installation of steel mesh enclosures or steel panels over all boarded ground floor openings; and
 - l) The exterior shall be maintained in order to prevent moisture penetration and damage from the elements that may have an adverse impact on the heritage attributes.
52. The Owner of a Vacant Heritage Property shall ensure that all utilities serving the building are properly disconnected, terminated, or capped, unless such utilities are necessary for the safety and security of the property, or unless such utilities are otherwise required by law to remain connected.
53. The Owner of a Vacant Heritage Property shall ensure that the following security measures are taken with respect to the building or structure:
- a) Lock all doors and windows and ensure on-going maintenance;
 - b) Close all basement hatches, openings, walkways and windows;
 - c) Remove ladders, tools, equipment and other materials that might be used to gain interior access;
 - d) Remove rubbish, garbage, parts of vehicles and other equipment, discarded furniture, appliances, machinery and debris from inside buildings and structures and from around the property;
 - e) All floors above the first floor must be rendered inaccessible to entry by raising fire escapes and ladders to a height of at least four meters, and by removing or cladding towers that may be used to access the Vacant Heritage Property;

- f) Significant trees, plantings, grass, lawns, flower beds, hedgerows, bushes, vines and other vegetation on grounds surrounding vacant heritage buildings, structures and other resources shall be maintained and protected at all times in accordance with all relevant City by-laws;
- g) Chain-off driveways and all other direct means of vehicular access to the property, while still permitting authorized vehicular and emergency vehicular access when necessary; chains should be no greater than 10mm (3/8 inch) in diameter and of a grade 30 or comparable;
- h) Temporary metal security fencing may be required around the perimeter of a Vacant Heritage Property. The fence shall be 2 metres in height above grade, equipped with a horizontal top rail. The temporary fence shall be erected and securely anchored and maintained at all times with all gates locked with appropriate high-security pad locks. Barbed wire (minimum of two strands) shall be installed along the perimeter of each fence, projecting inward toward the area that is enclosed by the fence.

54. The Owner of a Vacant Heritage Property shall:

- a) Post "No Trespassing" signs on all exterior elevations, including all points of access to the property, and on gates and property fencing; and
- b) Post a heritage notice that complies with City planning application graphics and signage standards and states:

HERITAGE NOTICE

The structure on this property is a designated heritage resource protected under the Ontario Heritage Act and applicable municipal law.

Please help us conserve our heritage.

For more information contact City Heritage staff at 905-874-3825 or 905-874-3744.

Heritage Attributes

55. In addition to all of the requirements and minimum standards for the maintenance, and security of property set out in this Part V and elsewhere in this By-law, the Owner of a Heritage Property shall:

- a) maintain, preserve and protect the Heritage Attributes to maintain the heritage character, visual and structural heritage integrity of the building or structure; and
- b) maintain the property in a manner that will ensure the on-going protection and preservation of the existing Heritage Attributes.

Alterations of Heritage Attributes

56. Despite any other provisions of this By-law, in the case of buildings and structures located on properties that have been designated under Section 29, 34.5 or 41 of the *Ontario Heritage Act*, no owner shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's Heritage Attributes, unless the owner has acquired a heritage permit or other form of written consent from the City of Brampton.
57. Despite any other provisions of this By-law, in the case of buildings and structures located on properties that have been designated under Section 29, 34.5 or 41 of the *Ontario Heritage Act*, no owner shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's Heritage Attributes, unless the owner has acquired a heritage permit or other form of written consent from the City of Brampton.

Repair or Replacement of Heritage Attributes

58. In order to maintain, preserve and protect the Heritage Attributes of a Heritage Property, repair is always preferable to removal or replacement. The Heritage Attributes shall be repaired in a manner that:
- a) minimizes damage to Heritage Attributes;
 - b) maintains the design, finishes, form, physical appearance, colour, texture, grain and other distinctive features and qualities of the Heritage Attributes; and
 - c) is consistent with recognized conservation standards, best practices and processes for the conservation of built heritage resources.
59. Despite any other provisions of this By-law, where it can be demonstrated that the Heritage Attributes of a property cannot be repaired, the Heritage Attributes shall be replaced:
- a) using the same types of materials, design, finishes, form, physical appearance, colour, texture, grain and other distinctive features and qualities of the Heritage Attribute(s) being replaced.
 - b) where the same types of materials as the original are no longer readily available, alternative or substitute materials and finishes, that generally replicate the design, finishes, form, physical appearance, colour, texture, grain and other distinctive features and qualities of the Heritage Attributes may be used.

Demolition

60. Despite any other provision of this chapter, or the *Building Code Act, 1992*, no building or structure located on property that has been designated under Section 29, 34.5 or 41 of the *Ontario Heritage Act* may be altered or cleared, including but not limited to removed, demolished or relocated except in accordance with the *Ontario Heritage Act*.
61. Upon completion of demolitions and removals of structures, the affected site shall be cleared and cleaned of debris, graded, left free from holes or excavations and provided and maintained with a suitable ground cover.

Conflict

62. If there is a conflict between this Part V and any other provision in this By-law or any other City By-law, the provision that establishes the highest standard for the protection of heritage attributes shall prevail.

PART VI
(renumbered pursuant to By-law 154-2012)
VACANT LAND

- 50.* (1) Vacant land shall be kept clean and free from rubbish or other debris, and from objects or conditions that may create a health, fire or other hazard.
- (2) Ground vegetation and grass shall be kept cut to afford a reasonable and neat appearance.
- (3) No vehicle which is in a wrecked, discarded, unlicensed, dismantled, or inoperative condition shall be parked, stored or left on vacant land.
- (4) Vehicles, equipment, and materials not appurtenant to the property shall not be stored on vacant land.
- (5) Vacant land shall be graded, filled up, or otherwise drained so as to prevent ponding of storm water except on land used for agricultural purposes.

* **A correction to the numbering of this clause will be made through a future amendment to the Minimum Maintenance By-law.**

PART VII
(renumbered pursuant to By-law 154-2012)
PENALTIES

- 51.* (1) An owner who fails to comply with an order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than \$50,000.00 for a first offence and to a fine of not more than \$100,000.00 for any subsequent offence **(By-law 101-98, 186-2008)**.
- (2) Despite subsection (1), if a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$100,000.00 for a first offence and \$200,000.00 for any subsequent offence **(By-law 101-98, 186-2008)**.

52.* By-law 11-90 is hereby repealed.

* **A correction to the numbering of these clauses will be made through a future amendment to the Minimum Maintenance By-law.**

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council, this 10th day of June, 1996.

THE CORPORATION OF THE CITY OF BRAMPTON

Original Signed by: Peter Robertson, Mayor

Original Signed by: Kathryn Zammit, Deputy City Clerk

SCHEDULE "A" TO BY-LAW 104-96

For Inspections
Required for Registration or Licensing
unless a fee is provided for in another
By-law

\$100.00/per inspection

For Inspections
Required as a result of complaints

\$100.00/per inspection
for every inspection