



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 135-2008

A By-law to Amend Minimum Maintenance By-law 104-96  
to make a number of housekeeping amendments

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WHEREAS Section 15.1 of the *Building Code Act* permits the Council of a municipality to pass a maintenance standards by-law if an official plan includes provisions relating to property conditions is in effect;

AND WHEREAS the Official Plan adopted by By-law 358-2006 on Oct 11, 2006 contains such provisions;

AND WHEREAS Council also wishes to make a number of housekeeping amendments to improve the property maintenance standards in Brampton;

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

1. In this By-law, Minimum Maintenance By-law 104-96 is referred to as By-law 104-96.
2. The following definition is inserted Section 1 of By-law 104-96:  
"electrical safety code" means the electrical safety code administered by the Electrical Safety Authority pursuant to the *Electricity Act, 1998*."
3. The definitions of "balustrade", "day nursery" and Subsection 1(11) are deleted from Section 1 of By-law 104-96.
4. The following definitions of "mould" and "mildew" are added to Section 1 of By-law 104-96:  
"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;  
"mildew" has its ordinary meaning and includes a whitish growth produced by fungi;".

5. The definition of "dwelling unit" in Section 1 of By-law 104-96 is replaced by the following:

"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."

6. The definition of "building code" in Section 1 of By-law 104-96 is replaced by the following:

"building code" means a regulation made under the *Building Code Act, 1992*."

7. The following definition is inserted in Section 1 of By-law 104-96:

"fire code" means regulations made under the *Fire Protection and Prevention Act, 1997*."

8. The subsection numbers, for example, "(1)", "(2)", etc., are deleted from Section 1 of By-law 104-96.

9. The definitions in By-law 104-96 are:

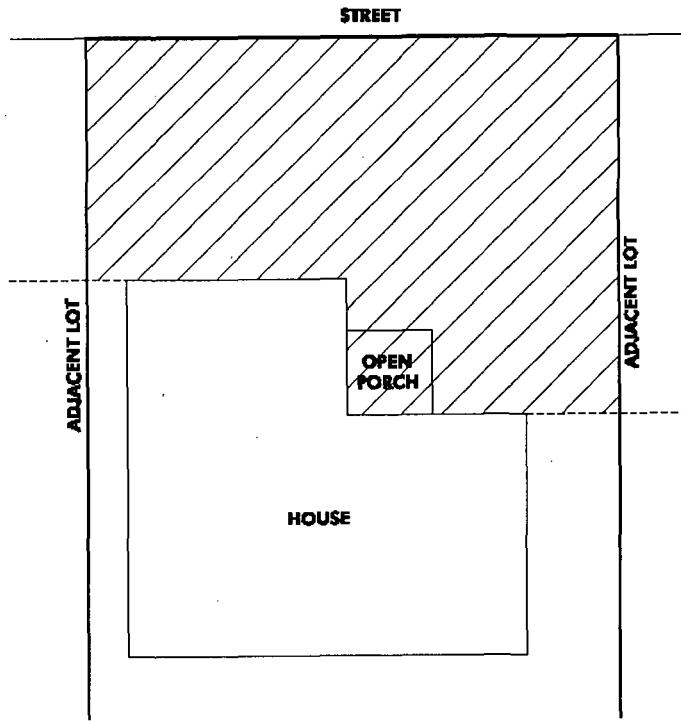
- (1) rearranged in alphabetic order;
- (2) set out in regular font rather than in bold underline;
- (3) given double quotes; and
- (4) placed in lower case, except for "Committee" and "City".

10. The phrase "*Ontario Building Code*" is replaced by "building code" and "*Ontario Fire Code*" by "fire code" in Sections 16(1), 29(2), 32(1), 33(2), 33(3), 41(11), 44(1), 46(6), and 47 of By-law 104-96. The phrase "Building Code" in Sections 43(1), 43(2) and 43(3) of By-law 104-96 is placed in lower case. The phrases "Hydro Electric Power Commission Regulations" in Section 42(1) and "*Ontario Electrical Safety Code*" in Section 48 of By-law 104-96 are replaced by the phrase "electrical safety code".

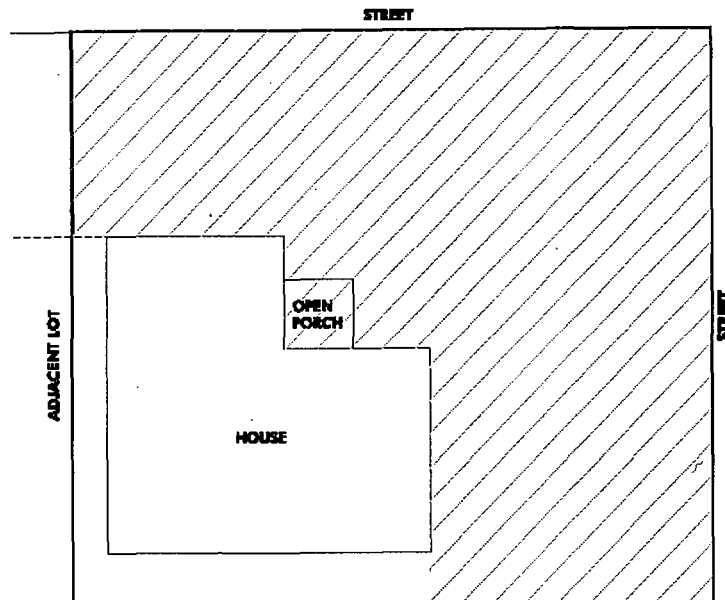
11. The following definition of "yard facing a street" is added to Section 1 of By-law 104-96:

“yard facing a street” means the hatched area shown in the following diagram:

**INTERIOR LOT**



**CORNER LOT**



12. The following is inserted into By-law 104-96 as Section 6.1:

"Manner of Making Repairs"

- 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."
- 13. Section 7(1) of By-law 104-96 is replaced by the following:
 

"Yard

  - (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."
- 14. Section 7(3) of By-law 104-96 is replaced by the following:
 

"7. (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."
- 15. The following is inserted as Section 7(5.1) of By-law 104-96:
 

"7. (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."
- 16. Section 7(7) of By-law 104-96 is replaced by the following:
 

"7. (7). No vehicle shall be parked on any lot, except on a paved or appropriately finished surface."
- 17. Section 13(3) of By-law 104-96 is replaced by the following:
 

"13. (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."
- 18. The heading to Section 18 of By-law 104-96 is replaced by the following:
 

"Exterior Doors and Windows".
- 19. Section 19 of By-law 104-96 is replaced by the following:
 

"Handrails and Guards

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."

20. Section 22 of By-law 104-96 is replaced by the following:

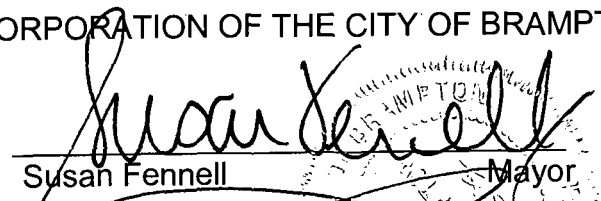
"Occupancy Standards

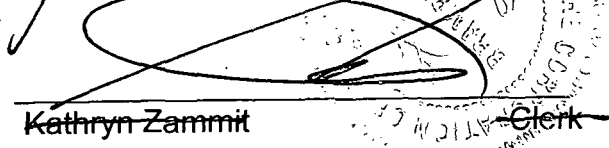
22. (1) The maximum number of occupants in a dwelling unit shall not exceed one person for each 14 sq. metres (150 sq. ft.) of the total floor area of all habitable rooms. For the purposes of Section 22(1), a child under twelve years of age shall be counted as .5 persons.
- (2) No room shall be used 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."
21. The heading to Section 18 of By-law 104-96 is replaced by the following:
- "Interior Doors and Windows"
22. Section 35(2) of By-law 104-96 is replaced by the following:
- "35. (2) Every building shall be kept free from rubbish, debris, or any condition which constitutes an actual or potential fire, health or safety hazard."
23. The following is inserted as Section 35(3) of By-law 104-96:
- "35.(3) Every building shall be kept free from visible mould or mildew."
24. The heading "LODGING HOUSES, GROUP HOMES AND DAY NURSERIES" following Section 46 of By-law 104-96 is replaced by the heading "LODGING HOUSES, GROUP HOMES".
25. The subheading "Lodging Houses" immediately preceding Section 47 in By-law 104-96 is deleted.

- 26. The phrase "Every lodging house, group home and day nursery" in Section 47 of By-law 104-96 is replaced by the phrase "Every lodging house and group home".

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 28 day of May, 2008.


THE CORPORATION OF THE CITY OF BRAMPTON

  
Susan Fennell Mayor

  
Kathryn Zammit Clerk

Peter Fay, Deputy City Clerk

Approved as to form and content

  
Ted Yao,  
Legal Counsel