



By-law 79-2025
of The Corporation of the City of Oshawa

Being a By-law to further amend the Property Standards By-law 01-2002, as amended, to revise the regulation and governance standards for the maintenance and occupancy of property within the City of Oshawa.

Whereas Section 15.1(3) of the *Building Code Act*, 1992, S.O. 1992 c. 23, authorizes the passing of a By-law for prescribing standards for the maintenance and occupancy of property; and,

Whereas the Council of the City of Oshawa deems it desirable to enact and pass a By-law for prescribing standards for the maintenance and occupancy of property within the City, for prohibiting the occupancy or use of such property that does not conform with the standards and for requiring property that does not conform with the standards to be Repaired and maintained to conform with the Standards or the site to be cleared of all Buildings, structures, debris or refuse and left in a graded and leveled condition; and,

Whereas the Official Plan for the City of Oshawa includes provisions relating to property conditions; and,

Whereas at its meeting of February 24, 2025, City Council approved Report SF-25-08 dated February 5, 2025 which provided technical amendments to Property Standards By-law 1-2002, as amended ("Property Standards By-law") to align the Property Standards By-law with the 2024 Ontario Building Code which came into effect January 1, 2025;

Therefore, it is enacted as a by-law of The Corporation of the City of Oshawa as follows:

1. The Property Standards By-law is hereby amended by revising the page numbers, section headings and numbers, and subsection headings and numbers in the Table of Contents to reflect the following changes in this Amending By-law, as necessary.
2. Section 1 of the Property Standards By-law is further amended by capitalizing the first letter of the word "property" in Article 1.2.1.

3. Section 1 of the Property Standards By-law is further amended by adding a new Article 1.4.1.1 immediately after Article 1.4.1, as follows:

“1.4.1.1 Notwithstanding the foregoing, where the Property does not conform with the Standards due to alternative or acceptable solutions previously accepted by the City under the Ontario Building Code, where proven by the Owner to the satisfaction of the City, the alternative or acceptable solution shall prevail to the extent the alternative or acceptable solution does not conform with the Standards.”
4. Section 1 of the Property Standards By-law is further amended by deleting Article 1.4.2 in its entirety and replacing it with the following:

“1.4.2 The Owner of any Property that does not conform to the Standards shall Repair the Property to conform to the Standards or, alternatively, shall clear the Property of all Buildings, Structures, debris and refuse and shall leave the Property in a graded and leveled condition. The Owner shall obtain a building permit for the demolition of any Buildings or Structures as required by the City.”
5. Section 1 of the Property Standards By-law is further amended by capitalizing the first letter of the word “occupant” in Article 1.18.4.
6. Section 1 of the Property Standards By-law is further amended by deleting “General Fees and Charges By-law 13-2003” and replacing it with “Fees and Charges By-law 109-2024” in Articles 1.17.1, 1.18.4 and 1.19.1.
7. Section 2 of the Property Standards By-law is further amended by adding the Definition of “Access to Exit” immediately after the definition of “Accessory Building”, as follows:

“**“Access to Exit”** means that part of a means of egress within a floor area that provides access to an Exit serving the floor area.”
8. Section 2 of the Property Standards By-law is further amended by capitalizing the first letter of each of the words “block townhouse” and “street townhouse buildings” within the Definition of “Apartment Building”.
9. Section 2 of the Property Standards By-law is further amended by capitalizing the first letter of each of the words “townhouse” and “street townhouse buildings” within the Definition of “Block Townhouse”.

10. Section 2 of the Property Standards By-law is further amended by deleting the Definition of “Building” in its entirety and replacing it with the following:

“**Building**” means any structure consisting of a roof supported by walls or columns which is used or intended to be used for the shelter, accommodation or enclosures of Persons, animals, goods, chattels or equipment and includes a carport.”
11. Section 2 of the Property Standards By-law is further amended by adding the definition of “Exit” immediately after the definition of “Dwelling Unit” as follows:

“**Exit**” means that part of a Means of Egress, including doorways, that leads from the floor area it serves to a separate Building, an open public thoroughfare, or an exterior open space protected from fire exposure from the Building and having access to an open public thoroughfare.”
12. Section 2 of the Property Standards By-law is further amended by deleting the Definition of Habitable Room in its entirety and replacing it with the following:

“**Habitable Room**” means a room in a Dwelling used, designed to be used or capable of being used for human living, sleeping, cooking or eating purposes, and is not a Washroom.”
13. Section 2 of the Property Standards By-law is further amended by capitalizing the first letter of each of the words “apartment building” and “block townhouse” within the Definition of “Lodging House”.
14. Section 2 of the Property Standards By-law is further amended by deleting the definition of Means of Egress in its entirety and replacing it with the following:

“**Means of Egress**” means a continuous path of travel provided for the escape of persons from any point in a Building or contained open space to a separate Building, an open public thoroughfare, or an exterior open space protected from fire exposure from the Building and having access to an open public thoroughfare. Means of Egress includes Exits and Access to Exits.”
15. Section 2 of the Property Standards By-law is further amended by deleting the Definition of “Ontario Building Code” in its entirety and replacing it with the following:

“**Ontario Building Code**” or “**OBC**” means Ontario Regulation 163/24: Building Code, made under the *Building Code Act*, S.O. 1992, c.23, as amended, or any successor thereof.”

16. Section 2 of the Property Standards By-law is further amended by adding the word “Municipal” in front of the definition of “Sewerage System”, and moving the definition within Section 2 to immediately follow “Medical Officer of Health”, so it reads as follows:

“**“Municipal Sewerage System”** means the system of sewers connected to any sewage treatment plant operated by the Regional Municipality of Durham for service of the inhabitants of the City of Oshawa.”

17. Section 2 of the Property Standards By-law is further amended by capitalizing the first letter of the word “building” within the Definition of “Restaurant”.
18. Section 2 of the Property Standards By-law is further amended by adding the definition of “Structure” immediately after the definition of “Street Townhouse Dwelling” as follows:

“**“Structure”** means anything that is erected, and which is fixed to or supported by the soil, a building or another structure, but does not include a Building.”

19. Section 2 of the Property Standards By-law is further amended by deleting the definition of “Washroom” in its entirety and replacing it with the following:

“**“Washroom”** means that part of a Building containing one or more of a water closet, urinal, bathtub, shower or washbasin, but does not include a washbasin located in kitchen or laundry facilities.”

20. Section 2 of the Property Standards By-law is further amended by capitalizing the first letter of the word “structure” when used in the Definition of Accessory Building, Dwelling, and Property, and in the second Recital of the Property Standards By-law.
21. Section 2 of the Property Standards By-law is further amended with typographical updates by adding a “” preceding the definitions of Street Townhouse Dwelling and Townhouse.
22. Section 4 of the Property Standards By-law is further amended by capitalizing the first letter of each of the words “structures” and “structure” in Article 4.1.1(b).
23. Section 4 of the Property Standards By-law is further amended by deleting Article 4.3.1 in its entirety and replacing it with the following:

“4.3.1 Sewage shall be discharged into an approved Municipal Sewerage System or private sewage system as determined by the authority having jurisdiction over sewage collection in the City.”

24. Section 4 of the Property Standards By-law is further amended by deleting Article 4.3.4 in its entirety and replacing it with the following:
- “4.3.4 Each Property shall be maintained so as to prevent at grade ponding covering an area of 9 m² (100 ft²) or greater, or being 30 cm (12 in) in depth at any point, and where applicable, shall drain in accordance with systems approved under the Storm Sewer Connection By-law 09-90, as amended or storm water systems as approved by the City.”
25. Section 4 of the Property Standards By-law is further amended by capitalizing the first letter of the word “property” in Article 4.4.2.
26. Section 4 of the Property Standards By-law is further amended by deleting “of Oshawa, Department of Development Services” in Article 4.5.9, so it reads as follows:
- “4.5.9 External garbage and recycling storage areas, including areas located within a Building, shall be enclosed by a refuse enclosure approved by the City.”
27. Section 4 of the Property Standards By-law is further amended by capitalizing the first letter of the word “structure” in Article 4.6.1.
28. Section 5 of the Property Standards By-law is further amended by deleting Article 5.1.2 in its entirety and replacing it with the following:
- “5.1.2 Where any structural member or assembly is required to be Repaired, replaced or reinforced under Article 5.1.1 a building permit shall be obtained (where required by the City) prior to commencement of any remedial work.”
29. Section 5 of the Property Standards By-law is further amended by deleting clause (a) in Article 5.2.2 in its entirety.
30. Section 5 of the Property Standards By-law is further amended by capitalizing the first letter of the word “structures” in Article 5.3.2.
31. Section 5 of the Property Standards By-law is further amended by deleting Article 5.3.2.1 in its entirety and replacing it with the following:
- “5.3.2.1 The graffiti and defacements referenced in subsection 5.3.2 of this By-law do not include artwork, including graffiti, which is authorized pursuant to a program administered by the City.”
32. Section 5 of the Property Standards By-law is further amended by capitalizing the first letter of each of the words “structures” and “guards” in Article 5.4.1.

33. Section 5 of the Property Standards By-law is further amended by deleting Article 5.5.8 in its entirety and replacing it with the following:
- “5.5.8 In every Apartment Building, every window (or any part thereof) that is located 2 m (6.5 ft) or more above the finished grade of land upon which it faces that is capable of being opened and does not lead to a balcony, shall be equipped with a safety device that is maintained and in good Repair.”
34. The Heading of Section 5.6 of the Property Standards By-law is further amended by adding the word “Ramps,” immediately following “Stairs” and immediately preceding “Guards”.
35. Section 5 of the Property Standards By-law is further amended by deleting Article 5.6.1 in its entirety and replacing it with the following:
- “5.6.1 Every verandah, porch, deck, loading dock, floor, stair, ramp, handrail, Guard, balcony (and every appurtenance and surface finish attached or laid thereto) shall be maintained in good Repair.”
36. Section 5 is further amended by deleting “According to OBC” in the Heading preceding Article 5.6.3, so it reads “Handrails & Guards”.
37. Section 5 of the Property Standards By-law is further amended by deleting Article 5.7.7 in its entirety and replacing it with the following:
- “5.7.7 All garbage shall be stored in a sanitary manner in receptacles (as provided for in subsection 4.5) and shall not be permitted to accumulate and remain on a Property except in accordance with the City’s Waste Collection By-law 90-2024, as amended.”
38. Section 5 of the Property Standards By-law is further amended by deleting the Headings “Fire Separations Between Res & Non- Residential” in its entirety and replacing it with “Fire Separations”.
39. Section 5 of the Property Standards By-law is further amended by deleting Article 5.7.8 and replacing it with the following:
- “5.7.8 A Fire Separation shall be maintained in good Repair as a continuous barrier to the spread of fire including, but not limited to, joints, edges and penetrations.”
40. Section 5 of the Property Standards By-law is further amended by adding in the words “Maintained in” immediately preceding “Good Repair” in the Heading in Subsection 5.9 preceding Article 5.9.1.

41. Section 5 of the Property Standards By-law is further amended by adding in the words "Maintained in" immediately preceding "Good Repair" in the Heading in Subsection 5.10 preceding Article 5.10.1.
42. Section 5 of the Property Standards By-law is further amended by deleting Article 5.11.1 in its entirety, and replacing it with the following:

"5.11.1 (a) All emergency lighting shall be provided, maintained, and operated in accordance with the requirements of the Building Code Act and the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, and the regulations made under those Acts, and shall not be subject to the Standards set out in this by-law.

(b) Notwithstanding the foregoing, all emergency lighting shall be maintained in good Repair."
43. Section 5 of the Property Standards By-law is further amended by deleting Article 5.11.2 in its entirety, and replacing it with the following:

"5.11.2 Passageways and stairways in areas of employment (when in use) and corridors, passageways, elevators, doorways, stairways and storage rooms (but not including service, utility and laundry rooms) used by the public or tenants shall be provided with a minimum Level Of Illumination of 50 Lux (4.6 foot candles)."
44. Section 6 of the Property Standards By-law is further amended by deleting Section 6.4 and Article 6.4.1 in its entirety, including its Heading.
45. Section 6 of the Property Standards By-law is further amended by deleting Article 6.5.2 in its entirety, and replacing it with the following:

"6.5.2 Despite Article 6.5.1, a minimum height of 1.85 m (6 ft. 1 in.) shall be required for all floor area used as a Means of Egress, except for stairs, which can be reduced to 1.8m (5 ft. 11 in.)."
46. Section 6 of the Property Standards By-law is further amended by deleting Article 6.6.1 in its entirety, and replacing it with the following:

"6.6.1 Every Dwelling Unit shall contain a kitchen area equipped with:

(a) A kitchen sink that is in good Repair, in good working order, and served with hot and cold potable water; and

(b) Cooking and refrigeration appliances (including suitable electrical or gas connections thereto) that are in good Repair and in good working order."

47. Section 6 of the Property Standards By-law is further amended by deleting Article 6.6.2, including its respective Heading “Good Repair” in its entirety, and replacing it with the following:

“Maintained in Good Repair

6.6.2 Every cabinet, cupboard, shelf and counter top shall be maintained in a structurally sound condition, free from cracks and deterioration.”

48. Section 6 of the Property Standards By-law is further amended by adding “and Lodging House” in Article 6.6.3, immediately after Dwelling Unit” and before “shall be maintained”.
49. Section 6 of the Property Standards By-law is further amended by deleting Article 6.6.4 and its respective heading “Lodging House” in its entirety.
50. Section 6 of the Property Standards By-law is further amended by deleting Article 6.7.1 in its entirety, and replacing it with the following:

“6.7.1 Every Dwelling Unit shall contain at least one fully functional Washroom that includes the following:

- (a) a water closet (toilet);
- (b) a washbasin; and
- (c) a bathtub or shower unit.

51. Section 6 of the Property Standards By-law is further amended by deleting Article 6.7.2 in its entirety, and replacing it with the following:

“6.7.2 Every Lodging House shall have at least one water closet (toilet), and one wash basin, and one bathtub or shower unit.”

52. Section 6 of the Property Standards By-law is further amended by deleting Article 6.7.3 in its entirety, including the Heading “Water Closet”, and replacing it with the following:

“Good Repair

6.7.3 Every Washroom shall be maintained in good Repair.”

53. Section 6 of the Property Standards By-law is further amended by deleting Article 6.7.6 in its entirety, and replacing it with the following:

“6.7.6 A water closet shall not be located in a Habitable Room or in a room used for storage of food.”

54. Section 6 of the Property Standards By-law is further amended by deleting Article 6.8.1, including its respective Heading “Habitable Rooms”, in its entirety, and replacing it with the following:

“Natural and Mechanical Ventilation

6.8.1 All natural and mechanical ventilation systems shall be maintained in good Repair.”

55. Section 6 of the Property Standards By-law is further amended by deleting Article 6.8.2, including its respective Heading “Washrooms”, in its entirety, and replacing it with the following:

“Habitable Rooms

6.8.2 All Habitable Rooms shall be provided with natural or mechanical means of ventilation that is adequate for the use of the space.”

56. Section 6 of the Property Standards By-law is further amended by deleting Article 6.8.3, including its respective Heading “Exhaust to Outside” in its entirety, and replacing it with the following:

“Washrooms

6.8.3 Every Washroom, except that which only contains a water closet and a washbasin, shall be provided with an opening or openings for natural or mechanical ventilation located in an exterior wall (or through openable parts of skylights) and all such openings shall have a minimum aggregate unobstructed area of 0.09 m² (1 sq ft).”

57. Section 6 of the Property Standards By-law is further amended by deleting Article 6.8.4, including its respective Heading “Attic Roof Spaces” in its entirety, and replacing it with the following:

“Exhaust to Outside

6.8.4 An opening for natural ventilation may be omitted from a Washroom where a system of mechanical ventilation has been provided (such as an exhaust fan which is activated by a switch, with a duct leading to outside) capable of changing the air once each hour.”

58. Section 6 of the Property Standards By-law is further amended by deleting Article 6.8.5, including its respective Heading “Crawl Spaces and Cellars” in its entirety, and replacing it with the following:

“Attic Roof Spaces

6.8.5 Ventilation systems serving enclosed attic or roof space shall be maintained in good Repair.”

59. Section 6 of the Property Standards By-law is further amended by deleting Article 6.8.6, including its respective Heading “Ventilation in Public Areas” in its entirety, and replacing it with the following:

“Crawl Spaces and Cellars

6.8.6 Ventilation systems serving crawl spaces, unfinished basements and cellars shall be maintained in good Repair.”

60. Section 6 of the Property Standards By-law is further amended by adding in a new Article 6.8.7, immediately after Article 6.8.6, as follows:

“Ventilation in Public Areas

6.8.7 Ventilation systems serving laundry rooms, garbage disposal rooms, furnace rooms, boiler rooms, storage garages, public corridors and other similar public rooms or spaces of a Building shall be maintained in good Repair.”

61. Section 6 of the Property Standards By-law is further amended by deleting Article 6.9.1, including its respective Heading “Habitable Rooms”, in its entirety, and replacing it with the following:

“6.9.1 Subject to Articles 6.9.2 and 6.9.3, every bedroom, living room and dining room shall have a window (which may be part of a door) to the outside of the Building.”

62. Section 6 of the Property Standards By-law is further amended by deleting Article 6.9.2 including its respective Heading “Living Room” in its entirety, and replacing it with the following:

“6.9.2 A window is not required in a dining room if it has artificial lighting.”

63. Section 6 of the Property Standards By-law is further amended by deleting Article 6.9.3, including its Heading “Artificial Lighting in Residential Buildings” in its entirety, and replacing it with the following:

“6.9.3 A window is not required in a living room or dining room if,
(a) There is an opening in a dividing wall to an adjoining room;
(b) The adjoining room has a window to the outside; and

(c) The total window area of the adjoining room is at least 5 percent of the combined floor areas of the living room or dining room and the adjoining room.”

64. Section 6 of the Property Standards By-law is further amended by adding in a new Article 6.9.4, immediately after Article 6.9.3, as follows:

“6.9.4 Artificial lighting shall be maintained in good Repair.”

65. Section 6 of the Property Standards By-law is further amended by adding a new Article 6.10.5 immediately after Article 6.10.4, as follows:

“6.10.5 Egress windows shall be maintained in Good Repair.”

66. Section 7 of the Property Standards By-law is further amended by deleting Article 7.1.1 in its entirety and replacing it with:

“7.1.1 All Buildings that are designed with a heating system shall be maintained in good Repair and capable of maintaining suitable temperature.”

67. Section 7 of the Property Standards By-law is further amended by deleting Article 7.1.5 in its entirety and replacing it with the following:

“7.1.5 Venting which serves fuel burning appliances equipment, and accessories shall exhaust to the outside air by means of a smoke pipe, gas vent, chimney flue or other method effective to remove substantially all fumes and gases.”

68. Section 7 of the Property Standards By-law is further amended by deleting Article 7.1.6 in its entirety

69. Section 7 of the Property Standards By-law is further amended by deleting Article 7.1.7 in its entirety, and replacing it with the following:

“7.1.7 Fireplaces and similar fixtures used or intended to be used for burning fuels in open fires shall be connected to proper chimneys, and shall be maintained in good Repair so that nearby or adjacent combustible material and structural members shall not be heated to unsafe temperatures. For the purposes of this Article, “maintained” includes lining and Repairing and relining with fire resistant material, and installing and replacing the hearth.”

70. Section 7 of the Property Standards By-law is further amended by deleting Article 7.1.8, including its respective Heading “Other Fuel Burning Appliances” in its entirety.

71. Section 7 of the Property Standards By-law is further amended by deleting Article 7.1.10 in its entirety, and replacing it with the following:

“7.1.10 A space that contains an appliance or fixture that requires combustion air shall have natural or mechanical means of supplying the required combustion air.”

72. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.1, inclusive of its respective Heading “Water System Available Within 30m”, in its entirety.

73. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.2, inclusive of its respective Heading “Sewerage System Available Within 30m”, in its entirety.

74. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.3, inclusive of its respective Heading “Other Approved Water Supply”, and replacing it with the following:

“Potable Water Supply

7.2.3 Every Dwelling shall be supplied with an adequate supply of potable running water.”

75. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.4, inclusive of its respective Heading “Septic Tank Approval Where System not Available”, and replacing it with the following:

“Sewage System

7.2.4 Every sewage system shall be maintained in good Repair.”

76. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.5, inclusive of its respective Heading “Approval for Alternate Sewage Disposal System”, in its entirety.

77. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.6, inclusive of its respective Heading “Continued Use of Potable Water Supply”, in its entirety.

78. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.7, inclusive of its respective Heading “Continued Use of Septic System”, in its entirety.

79. Section 7 of the Property Standards By-law is further amended by deleting Article 7.2.8, inclusive of its respective Heading “Where Septic System Fails” in its entirety.

80. Section 7 of the Property Standards By-law is further amended by capitalizing the first letter of the word “washroom” within Article 7.2.12.
81. Section 7 of the Property Standards By-law is further amended by deleting Article 7.3.1, inclusive of its respective Heading “Electrical Services”, in its entirety.
82. Section 7 of the Property Standards By-law is further amended by deleting Article 7.3.2, and replacing it with the following:
- “7.3.2 Every Habitable Room in a Dwelling shall have at least one electrical duplex outlet.”
83. Section 7 of the Property Standards By-law is further amended by deleting Article 7.3.6, and replacing it with the following:
- “7.3.6 Every kitchen shall have outlets suitable for a refrigerator and a cooking appliance.”
84. Section 7 of the Property Standards By-law is further amended by adding in the words “Maintained in” immediately preceding “Good Repair” in the Heading in Subsection 7.5 preceding Article 7.5.1.
85. Section 7 of the Property Standards By-law is further amended by adding in the words “Maintained in” immediately preceding “Good Repair” in the Heading in Subsection 7.6 preceding Article 7.6.1.
86. Section 7 of the Property Standards By-law is further amended by adding in the words “Maintained in” immediately preceding “Good Repair” in the Heading in Subsection 7.7 preceding Article 7.7.1.
87. Section 8 of the Property Standards By-law is further amended by capitalizing the first letter of the words “building” and “structure” in Clause 8.1.2(d)d.ii.
88. Section 8 of the Property Standards By-law is further amended by deleting Article 8.1.4 in its entirety and replacing it with the following:
- “8.1.4 Despite Article 8.1.3, the Owner of any Property on which is situate a Building, or part thereof, that does not possess Heritage Attributes and is boarded up for a period exceeding 12 months shall either Repair the Building and bring it into conformity with the Standards rendering the Building in a useable condition, or shall clear the Property of all Buildings, Structures, debris or refuse and leave it in a graded and leveled condition. The Owner shall obtain a building permit for the demolition of any Buildings or Structures as required by the City.
89. Section 9 of the Property Standards By-law is further amended by capitalizing the first letter of the word “standards” in Article 9.1.2 and Article 9.1.4.

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

By-law passed this Twenty-third day of June, 2025

Mayor

City Clerk