



To: Corporate Services Committee

From: Tracy Adams, Commissioner,
Corporate Services Department

Report Number: CORP-21-55

Date of Report: November 1, 2021

Date of Meeting: November 8, 2021

Subject: Proposed Modernization of Property
Standards By-law 1-2002 (All Wards)

File: D-2200

1.0 Purpose

The purpose of this report is to present results of the Public and Industry Consultation and Working Group review of Property Standards By-law 1-2002, as amended (“Property Standards By-law” or “P.S.B.”) as directed in CORP-19-25, CORP-21-08 and CORP-19-100 and to present proposed amendments for Council’s consideration.

Attachment 1 is a table of proposed amendments generated from the Public and Industry Consultation Process, the P.S.B. Working Group and the internal staff review.

Attachment 2 is online feedback received from the public via Connect Oshawa.

Attachment 3 is the Terms of Reference for the 2021 P.S.B. Working Group.

Attachment 4 is an amending by-law to Property Standards By-law 1-2002, as amended, for Council’s consideration.

Attachment 5 is a table of feedback received from the P.S.B. Working Group but not recommended for adoption.

2.0 Recommendation

That the Corporate Services Committee recommend to City Council:

1. That Council approve a by-law in the form of **Attachment 4** to CORP-21-55 “Proposed Modernization of Property Standards By-law 1-2002”, dated November 1, 2021, to further amend Property Standards By-law 1-2002, as

amended and in a form and content acceptable to Legal Services and the Commissioner of Corporate Services;

2. That the Province of Ontario be thanked for their efforts in addressing elevator availability and safety and that Item 2 be removed from the Corporate Services Committee's Outstanding Items Status Report.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

4.1 City Branches and External Stakeholders

The following City branches and external stakeholders were consulted as part of this review:

- Building Services
- Corporate Communications
- Fire Services
- Legal Services
- Operations Services
- Planning Services
- Ministry of Government and Consumer Services
- Technical Standards and Safety Authority
- Ministry of the Environment, Conservation and Parks
- Electrical Safety Authority (E.S.A.)
- P.S.B. Working Group (External/Public)
- Oshawa Accessibility Advisory Committee (O.A.A.C.)
- Oshawa Environmental Advisory Committee (O.E.A.C.)
- Heritage Oshawa
- Durham Region Home Builders' Association (D.R.H.B.A.) and the Building Industry Liaison Team (B.I.L.T.)
- Durham Region Association of Realtors®

4.2 Property Standards By-laws from Other Municipalities

Staff reviewed the property standards by-laws from the following municipalities as part of this Review:

- Ajax
- Barrie
- Clarington
- Guelph
- Halton Hills
- Kingston
- London
- Milton
- Newmarket
- Oakville
- Ottawa
- Pickering
- Richmond Hill
- Toronto
- Vaughan
- Waterloo
- Whitby
- Whitchurch-Stouffville

5.0 Analysis

5.1 Background

The City's [Property Standards By-law](#), established pursuant to the provincial *Building Code Act, 1992*, S.O. 1992, c. 23 ("Building Code Act"), prescribes minimum standards for the maintenance and occupancy of buildings, structures, and surrounding lands. Despite being established in 2002, a review of the by-laws of other municipalities demonstrates that the Oshawa P.S.B. remains robust and addresses the following six (6) principle areas of existing buildings and structures:

- Property maintenance, waste management, and accessory buildings or structures
- Building standards
- Standards for residential occupancy
- Standards for building services, systems and facilities
- Vacant buildings
- Designated heritage properties

At its March 18, 2019 meeting, Oshawa City Council approved report [CORP-19-25](#) and directed staff to review the P.S.B. and provided a consultation framework to engage stakeholders, including holding public meetings and directly engaging with a variety of advisory committees, industry stakeholders, and community groups:

"That pursuant to Report CORP-19-25 dated February 20, 2019 concerning the Property Standards By-law modernization review and proposed stakeholder consultation process, staff be authorized to review Property Standards By-law 01-2002 and schedule a public meeting to be held by the Corporate Services Committee in addition to other stakeholder consultation opportunities as detailed in Section 5.2 of the report in the second quarter of 2019."

In 2021, per the Corporate Services Committee's ("Committee") November 25, 2019 direction ([CORP-19-100](#)), a Working Group was established bringing together community stakeholders to review and identify opportunities to enhance the City's P.S.B.:

"That Report CORP-19-100 dated November 20, 2019 concerning the review of Property Standards By-law 01-2002 be referred to staff for further review and to consider public feedback in the preparation of a subsequent report and recommendation; and,

That a working group of affected stakeholders be set up to assist staff in the future review of the Property Standards By-law and associated legislation."

Report CORP-21-55 proposes ninety-five (95) amendments to modernize the P.S.B. These proposed amendments are detailed in **Attachment 1** and are informed by:

- Feedback received from the 2019 public and industry consultation process;
- Feedback received from the 2021 P.S.B. Working Group consultation process;
- Consultation with internal and external stakeholders;
- Staff's research and review of the P.S.B. and complaint data; and,
- Municipal benchmarking

It is important to note that in addition to the current modernization review, updates to the P.S.B. were undertaken in 2020. Specifically, as per [CORP-20-29 dated October 26, 2020](#), the P.S.B. was updated to establish standards for Heritage Properties and Vacant Building Standards. Despite the ongoing review of the P.S.B., the consultation and research for these sections were complete and accordingly there was an opportunity to advance and update these standards prior to the enhancements proposed in this report.

5.1.1 Property Standards By-law Modernization Review Highlights of Proposed Amendments

The Property Standards By-law Modernization Review has been an extensive undertaking (detailed in Section 5.6) and the proposed amendments to the Property Standards By-law detailed in **Attachment 1** include, but are not limited to, the following significant enhancements:

- Establishing tiered and escalating Administrative Monetary Penalties (A.M.P.s) for failing to comply with an order or a standard established in the P.S.B (further detailed in Section 5.4.1).
- Enhancing health and safety by ensuring means of egress are not blocked and that egress windows are installed in appropriate bedrooms (e.g. basement bedrooms).
- Including standards that prevent the infestation of pests in addition to controlling them.

- Strengthening standards that address waste, debris and discarded/dismantled vehicles, furniture, machinery, etc.
- More clearly articulating a property owner's requirements to ensure that various components of their property are maintained in "good repair".
- Ensuring recent provincial legislative changes are reflected in the updated P.S.B.

These enhancements are reflective of industry best practices; directly respond to feedback received from the consultation processes; are informed by analysis of data (see Section 5.5); and help to ensure safe and clean living spaces for tenants while clearly articulating requirements for landlords/property owners.

5.2 The Building Code Act, The Building Code, and the Differences between the Property Standards By-law

The Building Code Act is the enabling legislation that permits municipalities to establish property standards by-laws. The Building Code Act not only grants the authority to pass property standards by-laws, but also establishes the legislated administrative requirements related to the inspection process, order contents and issuance processes, order appeal processes, emergency orders, and more. For example, Section 15.3 of the Building Code Act requires that, if an Order is served by registered mail, a property owner is given five (5) days for the service of the Order and fourteen (14) days to appeal a Property Standards Order and pay the appeal fee, for a total of nineteen (19) days. As such, when a Property Standards Order under this Section is issued, M.L.E. Officers have to give a **minimum** of nineteen (19) days for compliance.

In contrast to the Building Code Act, O. Reg. 332/12: Building Code is a provincial regulation that establishes minimum standards for **new** construction and renovation. The P.S.B. differs from O. Reg. 332/12: Building Code in that the P.S.B. is a municipal by-law which governs the maintenance and occupancy of **existing** buildings and structures and surrounding lands. The main difference are outlined in **Table 1**.

Table 1 - Main Differences between Building Code and Property Standards By-law

O. Reg. 332/12: Building Code	Property Standards By-law 01-2002
<ul style="list-style-type: none"> • Provincial Regulation • Purpose: Establishes Minimum Standards for: <ul style="list-style-type: none"> ○ New buildings and structures ○ Renovations • Application of Standards: during construction or renovation • Administration and Enforcement by: Building Services • Applicable Orders and Timelines (pursuant to Building Code Act, 1992): <ul style="list-style-type: none"> ○ Order to Comply <ul style="list-style-type: none"> ▪ Service (immediate to 5 days depending on method of service) ▪ Appeal Period (20 days) ○ Stop Work Order <ul style="list-style-type: none"> ▪ Service (immediate to 5 days depending on method of service) ▪ Appeal Period (20 days) ○ Change of Use Order <ul style="list-style-type: none"> ▪ Service (immediate to 5 days depending on method of service) ▪ Appeal Period (20 days) ○ Order not to Cover <ul style="list-style-type: none"> ▪ Service (immediate to 5 days depending on method of service) ▪ Appeal Period (20 days) ○ Order to Uncover <ul style="list-style-type: none"> ▪ Service (immediate to 5 days depending on method of service) Appeal Period (20 days) ○ Unsafe Order <ul style="list-style-type: none"> ▪ Service (immediate) ▪ Appeal Period (20 days) 	<ul style="list-style-type: none"> • Municipal By-law • Purpose: Establishes Minimum Standards for: <ul style="list-style-type: none"> ○ Existing buildings and structures ○ Surrounding lands • Application of Standards: retroactive • Administration and Enforcement by: Municipal Law Enforcement and Licensing Services (M.L.E.L.S.) • Applicable Orders and Timelines (pursuant to Building Code Act, 1992): <ul style="list-style-type: none"> ○ Property Standards Order: <ul style="list-style-type: none"> ▪ Service (immediate to 5 days depending on method of service) ▪ Appeal Period (14 days) ○ Emergency Order: <ul style="list-style-type: none"> ▪ Service (immediate) ▪ Appeal Period (not applicable)

O. Reg. 332/12: Building Code	Property Standards By-law 01-2002
<ul style="list-style-type: none"> ○ Order Respecting Occupancy <ul style="list-style-type: none"> ▪ Service (immediate to 5 days depending on method of service)Appeal Period (20 days) ○ Emergency Order <ul style="list-style-type: none"> ▪ Service (immediate) ▪ Appeal Period (20 days) 	<ul style="list-style-type: none"> •

5.3 Property Maintenance and Other By-laws

A number of by-laws work in unison to regulate land in the City of Oshawa. Despite the P.S.B. governing the minimum standards for the maintenance and occupancy of existing buildings, structures, and surrounding lands, there are a number of times where the P.S.B. does not address property maintenance issues because the standards are addressed in other City by-laws to shorten the number of minimum days to achieve compliance. For example:

- **Adequate Heat By-law 76-2006 (“Adequate Heat By-law”)** – Regulates the minimum air temperature for leased or rented dwellings between September 1st of each year and June 15th of the following year.
- **Lot Maintenance By-law 127-2007 (“Lot Maintenance By-law”)** – Regulates yards including the height of grass and weeds, waste and debris, and standing water.
- **Boulevard By-law 136-2006 (“Boulevard By-law”)** – Regulates issues including the height of grass and weeds on boulevards.
- **Fence and Sight Triangle By-law 23-2014 (“Fence and Sight Triangle By-law”)** – Regulates the height of fences, natural features and objects, and includes certain areas subject to sight obstructions.
- **Unauthorized Parking By-law 97-2009 (“Unauthorized Parking By-law”)** – Regulates parking in unauthorized areas, such as front lawns.
- **Site Alteration By-law 85-2006 (“Site Alteration By-law”)** – Regulates the dumping of fill, removal of top soil and alteration of grades.

Such standards may be more appropriately addressed in other by-laws passed pursuant to the Municipal Act, 2001, S.O. 2001, c. 25 (“Municipal Act, 2001”) to provide a more timely appeals process and subsequent resolution. Conversely, in certain circumstances, it may be appropriate to include similar standards from other by-laws into the P.S.B. to improve customer service and efficiency by addressing all issues through one process rather than through multiple processes with different compliance timelines. In addition to addressing property maintenance issues, the by-laws above regulate other technical matters, for example, in the case of the Site Alteration By-law,

overland and water flow and are administered by other branches in the City which possess the appropriate technical skills.

5.4 Enforcement Process

The City receives complaints of alleged P.S.B. violations and assigns them to M.L.E. Officers who conduct inspections. If required, Officers use the appropriate compliance tool (e.g. education, issuance of a Property Standards Order) and conduct a follow-up inspection. If the property owner complies with the Order, the file is closed. If compliance is not achieved, the City will proceed with the appropriate compliance tool prescribed by the Building Code Act such as a proceeding under the Provincial Offences Act, R.S.O. 1990, c. P. 33 ("Provincial Offences Act") for failing to comply with the Order (e.g. Part III proceeding) or cause the property to be repaired or demolished. It is important to note that property owners in receipt of a Property Standards Order have the ability to appeal the Order to the City's Property Standards Committee and that an appeal of the Order acts as a stay.

The aforementioned enforcement process and appeal processes for municipal P.S.B. are established pursuant to the Building Code Act. Furthermore, in the majority of cases, the City is able to achieve compliance without having to utilize more significant compliance tools. For instance, since 2010 only sixty-five (65) appeals have been considered by the Property Standards Committee and between 2015 and 2020, approximately fifty-five (55) out of a total 5,968 P.S.B. files proceeded to a Part 3 charge/court process.

5.4.1 P.S.B. and Administrative Monetary Penalties

At the February 8, 2021 Corporate Services Committee Meeting, Committee referred the following motion to staff to be included with the Property Standards Modernization Review:

"Whereas since 2017 the Ontario Building Code Act under S. 15.4.1 allows municipalities to issue Administrative Monetary Penalties to assist in promoting compliance with Property Standards;
Therefore the City update the Property Standards By-law to include Administrative Monetary Penalties."

In 2017, the Building Code Act was updated providing the ability for municipalities to establish A.M.P.s in their property standards by-laws. The purpose of A.M.P.s is detailed in Section 15.4.1 (2) of the Building Code Act:

"The purpose of a system of administrative penalties established by a municipality under this section shall be to assist the municipality in promoting compliance with a by-law under section 15.1 or an order under subsection 15.2 (2)"

Additionally Section 15.4.1 (3) establishes the following monetary limits for A.M.P.s:

"The amount of an administrative penalty established by a municipality,

- (a) shall not be punitive in nature; and
- (b) shall not exceed the amount reasonably required to promote compliance with a by-law under section 15.1 or an order under subsection 15.2 (2). 2017, c. 34, Sched. 2, s. 10.”

A.M.P.s are an emerging approach to dealing with minor by-law infractions in a manner that is fair, effective and efficient. Resolving minor by-law infractions can potentially take months in the congested court system. The A.M.P. system helps to speed up this process by resolving infractions in weeks while maintaining an individual's right to request a review of their Penalty Notice.

As detailed in **Attachment 1**, it is recommended that tiered and escalating A.M.P.s be established in the City's P.S.B. for failing to comply with an order, or a standard established in the P.S.B..

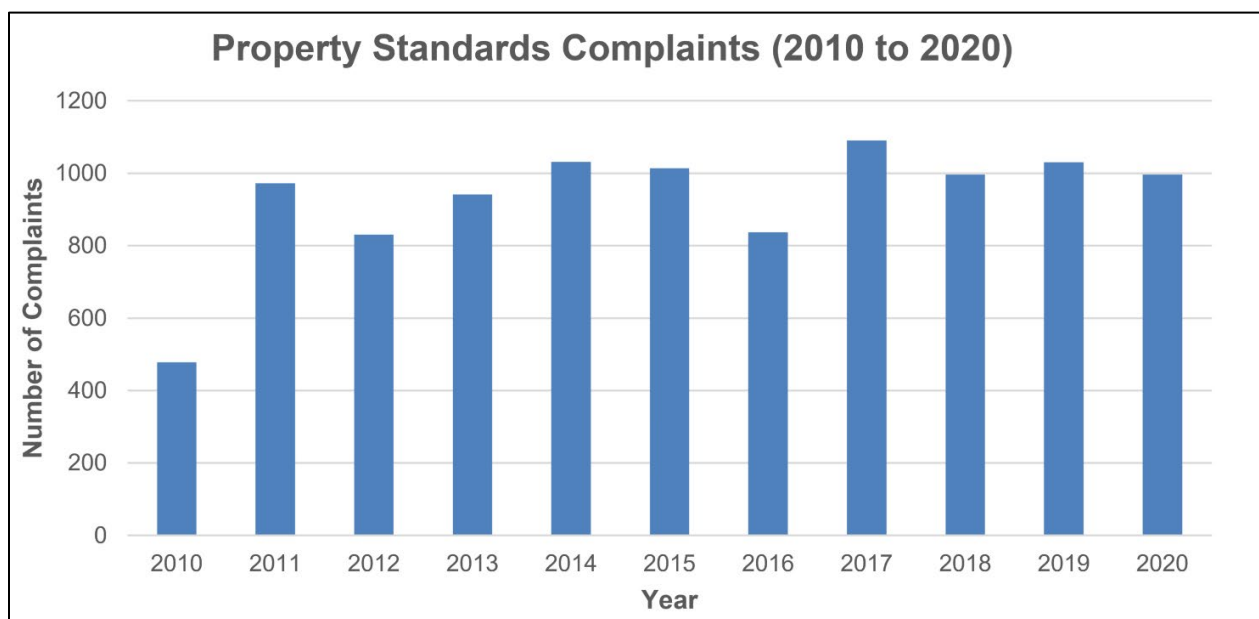
5.5 Complaint Data

Staff undertook an analysis of the City's P.S.B. files to inform the modernization of the P.S.B. and specifically to identify key issues to ensure they were adequately addressed by the updated P.S.B.

Approximately seven (7) percent of all property-related calls for service over the past decade have been related to property standards, and once Officers inspect the complaints approximately fifty (50) percent result in violations.

See **Figure 1** for P.S.B. complaint statistics from 2010 to 2020.

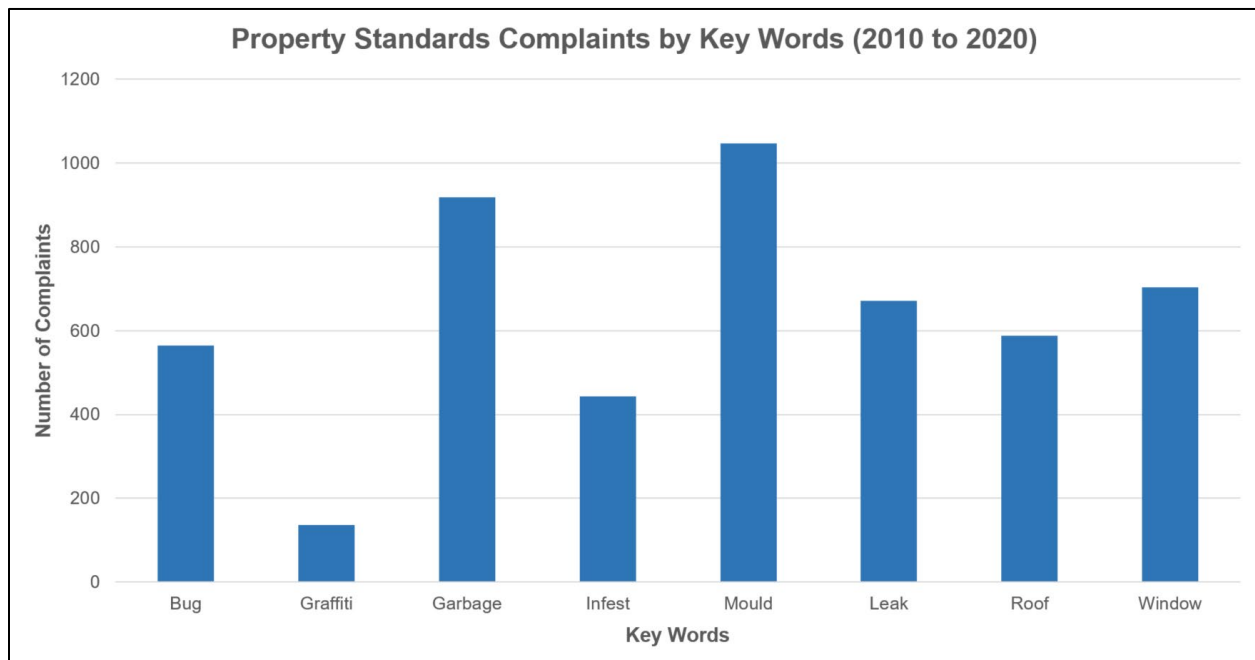
Figure 1 - P.S.B. Complaints 2010 to 2020



Staff conducted a deeper analysis into the P.S.B. complaints to determine the most common reasons residents were filing complaints. Staff drew from operational

experience of Officers to identify the most common types of P.S.B. complaints. Eight (8) key items were identified: bugs, garbage (including “debris” and “waste”), graffiti, infest, mould, leaks, roofs and windows. A keyword search for these items was conducted and it was found that approximately fifty (50) percent of all P.S.B. complaints referenced these items. This analysis helped identify priority areas and ensure the modernized P.S.B. addressed such issues. It is important to note that the complaint information in **Figure 2** is not reflective of the total number of confirmed violations associated with each key word. Moreover, some key words may be cited more than once in a specific complaint.

Figure 2 - P.S.B. Complaints by Key Word 2010 to 2020



5.6 Modernization Review of the P.S.B.

The Modernization Review of the City’s P.S.B. has been a substantial multi-year project comprised of three (3) main activities: P.S.B. Research Process; the 2019 Consultation Process; and the 2021 P.S.B. Working Group review.

5.6.1 P.S.B. Research Process

Staff undertook an extensive research process as part of the Modernization Review. Given the scope and complexity of the P.S.B., the Review involved collaborating with various City branches and external stakeholders to identify enhancements to the City’s minimum standards for the maintenance and occupancy of property. The key components to staff’s research process include:

- Internal review in collaboration with multiple City branches
- Engaging technical experts (e.g. Electrical Safety Authority, Ministry of the Environment, Conservation and Parks, etc.)

- Examining operational practices and experiences
- Analysis of Property Standards file data
- Legal analysis of case law
- Municipal benchmarking and identifying industry standards

5.6.2 2019 Consultation Process

In addition to the research process, staff undertook a public and industry stakeholder consultation process per Council’s direction (CORP-19-25). The details of this consultation process are outlined in **Table 2**.

Table 2 - 2019 P.S.B. Stakeholder Consultation Process

Stakeholder	Type of Consultation
All Stakeholders	Public Meeting held by the Corporate Services Committee on November 25, 2019
All Stakeholders	Engagement/Information tables at City facilities
All Stakeholders	Online feedback form via www.connectoshawa.ca and paper feedback form at City Hall
Advisory Committees, Community Groups, and Building Industry	Direct engagement through meetings and/or corresponding with: <ul style="list-style-type: none"> • Property Standards Committee • Heritage Oshawa • Oshawa Environmental Advisory Committee • Downtown Oshawa B.I.A. • Building Industry Liaison Team (B.I.L.T.) • Oshawa Accessibility Advisory Committee (O.A.A.C.) • Durham Region Home Builders Association (D.R.H.B.A.) • Association of Community Organizations for Reform Now (A.C.O.R.N.) • Durham Region Association of REALTORS® • Local Property Management Companies

In addition to requesting general feedback on the P.S.B., the consultation engaged stakeholders on specific P.S.B. issues, including:

- Property Maintenance, Waste Management and Accessory Buildings or Structures
- Building Standards

- Residential Occupancy
- Standards for Building Services, Systems and Facilities
- Vacant Buildings
- Heritage Properties

5.6.3 2019 Connect Oshawa Consultation Findings

Oshawa's online feedback tool, Connect Oshawa, was used to solicit feedback on the P.S.B. from the public. **Attachment 2** provides a detailed outline of the feedback received from Connect Oshawa. Highlights of the consultation:

- There were thirty-nine (39) contributors to feedback forms
- According to feedback form results, participant's biggest concerns related to the P.S.B. were Property Maintenance, Waste Management, Accessory Buildings or Structures and Vacant Buildings

5.6.4 2021 P.S.B. Review Working Group

After the stakeholder consultation in 2019, staff were directed ([CORP-19-100](#)) to further review the P.S.B. by establishing a Working Group of affected stakeholders to assist in the Review and provide input for the subsequent report and amending by-law. Staff sought Working Group members through: targeted outreach to known potentially interested parties, newspaper advertisement, and notice on the City's website and on social media accounts.

Terms of Reference were developed for the P.S.B. Working Group (See **Attachment 3**), with the objectives outlined as:

- Identify opportunities to enhance the City's minimum standards for property maintenance and repair;
- Ensure proposed enhancements align with the Council approved minimum criteria of health and safety, good repair, and suitable for habitation (as set out in CORP-19-25); and
- Provide feedback to M.L.E.L.S. staff.

The Working Group was comprised of members from local community groups, non-governmental organizations, property management companies, the Property Standards Committee, as well as property owners and landlords. Despite the City's proactive efforts to reach out to a diverse group of stakeholders, no Oshawa tenants responded to the City's request to be part of the Working Group.

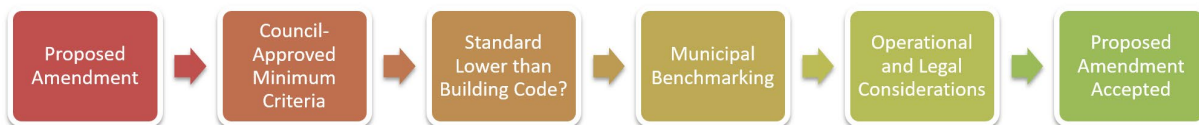
Meetings were held between staff and the Working Group in May and June 2021. The initial meeting was focused on educating the group on the P.S.B. including what

property standards is, O. Reg. 332/12: Building Code, P.S.B. enforcement, appeals, as well as the by-law review process and how the group can submit feedback. Following the first meeting, Working Group members submitted their proposed amendments back to staff. Approximately eighty (80) proposed enhancements were received. At a subsequent meeting, staff presented the findings of its review (detailed in Section 5.6.5) to the P.S.B. Working Group.

5.6.5 Suggestion Review Process

Suggestions received in the 2019 and 2021 consultation processes were reviewed by staff using a rigorous review process detailed in **Figure 3**.

Figure 3 Review Process



All suggestions were assessed against the following Council-approved criteria, as set out in CORP-19-25, to be considered a minimum standard for inclusion in the P.S.B.:

- **Health and Safety** – generally refers to protecting the public, specifically residents and businesses, and addressing life-safety issues.
- **Good Repair** – generally refers to:
 - Addressing deficiencies on a property and within, or in the vicinity of, a building or structure. With respect to properties designated as heritage properties, good repair would include remediating deficiencies to the level established in the applicable designating by-law.
 - Maintaining the character and image of the City through standards as established by City Council in municipal by-laws.
- **Suitable for Habitation** – generally refers to housing that guarantees physical safety, provides adequate space and facilities, and protection from the elements.

In addition, staff reviewed the suggestions with the City’s Building Services Branch to ensure alignment with O. Reg. 332/12: Building Code. Municipal benchmarking was conducted on larger Durham municipalities and the City of Toronto to see what the “industry standard” was for P.S.B.s and operational and legal considerations for the City were examined. If a suggestion passed each of these measures, it was accepted.

5.7 Proposed Amendments

The 2019 consultation and the 2021 Working Group resulted in approximately one hundred ninety (190) suggested amendments to review. Following the Review process (outlined in Section 5.6.5), staff are recommending ninety-five (95) amendments to

enhance the P.S.B which are explained in **Attachment 1** and are included in the amending by-law **Attachment 4**.

A number of suggestions received are not recommended for inclusion in the by-law amendment for one or more of the following reasons:

- Proposed amendments that did not meet the Council-approved criteria as minimum standards;
- Questions about the P.S.B. as opposed to specific proposed changes;
- Suggestions to standards that were misinterpreted (e.g. the term “hoarding”);
- Proposed additions to the by-law that are intentionally captured elsewhere (e.g. standards for yard maintenance such as grass and weeds).

These are outlined in **Attachment 5**.

5.8 Community Safety, Security and Well-Being in Oshawa’s Downtown Area Action Plan

Staff have identified opportunities to resolve other property-related issues in a more effective and efficient manner by investigating standalone by-laws pursuant to the Municipal Act, 2001 for the following:

- **Property beautification by-law:** would address certain property standards (e.g. graffiti) and lot maintenance related issues, and have a shorter service level timeline. Other municipalities have similar by-laws that include no appeal processes for violations, tiered and escalating A.M.P.s, and remedial orders.
- **Vacant buildings registry:** to track vacant buildings as they can affect the character of a neighbourhood and can have a negative effect on property values, and detract from future investments.

These items were included as part of the Community Safety, Security and Well-Being in Oshawa’s Downtown Area Action Plan (detailed in Report [CNCL-21-72](#)) and were approved by Council at its September 27, 2021 meeting. Staff will report on these items in 2022.

5.9 Regulatory Update: Provincial Initiatives and Elevators

At its March 18, 2019 meeting, City Council provided the following direction to staff respecting Downed Elevators and Municipal Response:

1. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to proclaim into force the remaining elements of Bill 8 related to elevating devices in all building stock.

2. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Technical Standards and Safety Act, 2000, as necessary, to:
 - a) Authorize the Technical Standards and Safety Authority inspectors to impose timelines to complete repairs/replacements to elevators in buildings whether subjected to a Technical Standards and Safety Authority order or not and to impose appropriate penalties if there is a non-compliance; and
 - b) Authorize the Technical Standards and Safety Authority inspectors to impose conditions requiring the owner to provide an alternate mechanical means of access above the ground floor when a repair to the single elevator in a building is being undertaken whether such repair is by an order of the Technical Standards and Safety Authority or not and to impose penalties if there is a non-compliance.
3. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Ontario Building Code to require new single elevator buildings to provide an alternative mechanical means of access above the ground floor or consider requiring multi-level buildings to have two elevators as appropriate and to consult with the building and development industry during the process.
4. That a copy of Report CORP-19-22 and the related Council resolution be sent to:
 - All Region of Durham Municipalities
 - Durham Region Members of Parliament and Members of Provincial Parliament
 - Federation of Canadian Municipalities
 - Association of Municipalities of Ontario
 - Local Health Integration Network
 - Oshawa's Accessibility Advisory Committee
 - Durham Regional Accessibility Advisory Committee
 - Large Urban Mayor's Caucus of Ontario
 - Technical Standards and Safety Authority
 - Advocacy Centre for the Elderly
 - Federal/Provincial/Territorial Ministers for Seniors
 - United Senior Citizens of Ontario
 - Oshawa Senior Citizens Centres
 - Ministry of Municipal Affairs and Housing
 - Ministry of Government and Consumer Services

- The City's Building Industry Liaison Team including Durham Region Homebuilder's Association and Building Industry and Land Development Association
 - Ontario Building Officials Association
 - Ontario Non-Profit Housing Association
5. That staff continue to investigate the potential of a standalone By-law to address elevating devices in the City of Oshawa.

Staff have addressed all recommendations with the exception of recommendation 5. As part of the P.S.B. Modernization Review Process, staff continued to review various options for addressing downed elevators in the City of Oshawa and regularly consulted the Ministry of Consumer and Government Services (M.G.C.S.) and the Technical Standards and Safety Authority (T.S.S.A.). The review of a standalone by-law to address elevating devices confirmed the findings in [CORP-19-22](#) "Down Elevators and Municipal Response" and specifically:

"[Elevator] issues are best handled at the provincial level through enhancements to the Technical Standards and Safety Act, 2000, as T.S.S.A. inspectors have the expertise to address concerns related to elevator maintenance and availability. Additionally, the review found that a special by-law would be unlikely to achieve expedited results in the situations of downed elevators, and rather existing tools should continue to be utilized."

Furthermore, the M.G.C.S. has advised that the province is addressing elevator safety and availability through the following regulatory changes that will be effective as of July 1, 2022:

- Requiring all elevator owners to have a Maintenance Control Program (M.C.P.) which addresses regular maintenance by specifying examinations, tests, cleaning, lubrication and adjustment to applicable components at regular intervals. The M.C.P. however, is not enforced by the M.G.C.S., it is a requirement set out in the Safety Code, which is enforced by the Technical Standards and Safety Authority (T.S.S.A.).
- Providing the T.S.S.A. with the ability to impose A.M.P.s for specific contraventions of the Elevating Devices regulation (O. Reg. 209/01). This change is intended to allow for enhanced enforcement by TSSA of elevator safety laws, including that elevators are adequately and properly maintained.
- Requiring owners of residential elevators to report elevator outages of forty-eight (48) hours or longer and associated information such as the cause of the outage and certain characteristics of the building/elevator to T.S.S.A. T.S.S.A. will also be required to publish some of this information online for public access. Collecting and publicizing data is intended to give greater awareness and accountability for elevator disruptions and could give valuable information to help consumers, including those with accessibility needs.

- Establishing provisions in the Technical Standards and Safety Act, 2000 authorizing the creation of regulations governing the availability for elevating devices or classes of elevating devices, including standards for their repair and time requirements for their repair.
- M.G.C.S. and T.S.S.A. also conducted an elevator owner education webinar in May 2021 to provide information on responsibilities, requirements, and tips for towners of elevators in residential buildings in Ontario. A recording of the webinar is available on [T.S.S.A.'s website](#).
- Conducting elevator owner education webinars to educate elevator owners on their roles and responsibilities.

Accordingly, it is recommended that the province be thanked for their efforts in addressing elevator availability and safety and that Item 2 be removed from the Corporate Services Committee Outstanding Status Report.

6.0 Financial Implications

There are no financial implications directly related to the recommendations in this report.

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report responds to the Oshawa Strategic Plan Goals of: Accountable Leadership, Social Equity, and Cultural Vitality.



Brenda Jeffs, Director,
Municipal Law Enforcement and Licensing Services



Tracy Adams, Commissioner,
Corporate Services Department

Attachments

Proposed Amendments to the P.S.B.

Note: Proposed amendments are reflected in the draft amending by-law in Attachment 4

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
1.	Recitals	4. Section 220.1 of the Municipal Act, R.S.O. 1990 c. M.45, as amended, authorizes the passing of a by-law imposing fees and charges.	4. Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25 , as amended, authorizes the passing of a by-law imposing fees and charges.	City-Initiated	Updating this Recital to reference the newest version of the Municipal Act.
2.	SECTION 1: Administration, Interpretation and Enforcement	Property Standards Officers 1.3.1 The Council of the City of Oshawa shall appoint Property Standards Officers from time to time to be responsible for the administration and enforcement of this By-law.	Property Standards Officers 1.3.1 The Council of the City of Oshawa shall appoint Property Standards Officers from time to time to be responsible for administering and enforcing By-laws passed under section 15.1 of the Building Code Act, including this By-law.	City-Initiated	To maintain consistency with the Ontario Building Code, which uses the term "Officer".
3.	SECTION 1: Administration, Interpretation and Enforcement	Adding new section.	Adding a section that establishes Tiered and Escalating Administrative Monetary Penalties (A.M.P.s). The tiers will be \$250, \$350, and \$500. A.M.P.s can be issued both for failure to comply with an order, and for failure to comply with a standard established in the P.S.B.. Note: Please see #3 in Attachment 4 for the entire section on A.M.P.s.	City-Initiated	The addition of Tiered and Escalating A.M.P.s to the P.S.B. will enhance the City's ability to attain compliance with minimum standards of maintenance and repair.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
4.	SECTION 1: Administration, Interpretation and Enforcement	1.5.1 If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.	1.5.1 If one or more provisions of the Property Standards By-law 01-2002, as amended, are found to be invalid, illegal, inoperative, unenforceable or void by any court or tribunal of competent jurisdiction, in whole or in part, or in the particular circumstances, the remaining terms and provisions of the By-law shall be deemed to be severable from the part so found and shall remain in full force and effect.	P.S.B. Working Group	Amending the language for greater legal clarity.
5.	SECTION 1: Administration, Interpretation and Enforcement	1.7 Gender and Number Neutral 1.7.1 In this By-law, unless the contrary intention is indicated, words used in singular shall include the plural and words used in the male gender shall include the female gender and vice versa.	1.7 Gender and Number Neutral Singular and Plural 1.7.1 In this By-law, unless the contrary intention is indicated, words used in singular shall include the plural. and words used in the male gender shall include the female gender and vice versa.	P.S.B. Working Group	The by-law becomes entirely gender neutral by deleting this passage along with the reference to 'his or her' in 1.18.3.
6.	SECTION 1: Administration, Interpretation and Enforcement	1.10.1 Where this By-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements have been provided in parentheses but are of no force or effect. The abbreviation "mm" stands for millimetres, "m" stands for metres, "m ² " stands for square metres, "m ³ stands for cubic metres", "ha" stands for hectares and "c" stands for Celsius.	1.10.1 Where this By-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements have been provided in parentheses but are of no force or effect. The abbreviation "mm" stands for millimetres, "m" stands for metres, "m ² " stands for square metres, "m ³ stands for cubic metres", "ha" stands for hectares and "C" stands for Celsius.	P.S.B. Working Group	Stylistic improvements for measurement abbreviations.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
7.	SECTION 1: Administration, Interpretation and Enforcement	1.14 Repeal of Existing By-Law	1.14 Repeal of Existing By-laws	City-Initiated	Grammar improvement for clarity.
8.	SECTION 1: Administration, Interpretation and Enforcement	1.15.1 Subject to Article 1.16.1, this By-law shall come into force on the date of passage by Council.	1.15.1 Subject to Article 1.16.1, this By-law, as amended , shall come into force on the date of passage by Council.	City-Initiated	Stylistic improvement for consistency.
9.	SECTION 1: Administration, Interpretation and Enforcement	1.16.1 After the date of the passing of this By-law, By-laws 136-79, 156-79, 63-80, 136-91, 85- 92, and 91-98 shall apply only to those properties in which an Order has been issued prior to the date of passing of this By-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order including any demolition, clearance, or Repair carried out by the municipality shall have been concluded.	1.16.1 After the date of the passing of this By-law, By-laws 136-79, 156-79, 63-80, 136-91, 85- 92, and 91-98 shall apply only to those P roperties in which an Order has been issued prior to the date of passing of this By-law, and then only to such P roperties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order including any demolition, clearance, or Repair carried out by the municipality shall have been concluded.	P.S.B. Working Group	Stylistic improvement for consistency.
10.	SECTION 1: Administration, Interpretation and Enforcement	1.17.1 Upon payment of its fee, as prescribed in Schedule "D" of the General Fees and Charges By-law 13-2003, the City shall issue to an Owner a certificate respecting the Property's compliance or non-compliance with the Standards (as the case may be).	1.17.1 Upon payment of its fee, as prescribed in Schedule "D" of by the General Fees and Charges By-law 13-2003, as amended the City shall issue to an Owner a certificate respecting with respect to the Property's compliance or non-compliance with the Standards (as the case may be).	P.S.B. Working Group	Schedule D no longer contains these fees, readers will instead be referred to the General Fees and Charges By-law 13-2003, as amended.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
11.	SECTION 1: Administration, Interpretation and Enforcement	1.18.3 Each member of the Property Standards Committee, appointed by Council, shall be entitled to an honorarium of \$50.00 per meeting for his or her attendance at committee hearings.	1.18.3 Each member of the Property Standards Committee, appointed by Council, shall be entitled to an honorarium of \$75.00 per meeting for his or her each member's attendance at committee hearings.	P.S.B. Working Group	<p>This aligns the honorarium with that of the Committee of Adjustment.</p> <p>The by-law becomes entirely gender neutral by deleting this wording alongside wording in 1.7 Gender and Number.</p>
12.	SECTION 1: Administration, Interpretation and Enforcement	1.18.4 An Owner or Occupant who appeals an Order made pursuant to Subsection 15.2(2) of the Building Code Act shall submit a Notice of Appeal in the time frame and the manner as prescribed in Subsection 15.3(1) of the Building Code Act. All Notices of Appeal shall be accompanied by a non-refundable payment in the amount as prescribed by Schedule "A" to this By-law for the processing of the Appeal.	1.18.4 An Owner or Occupant who appeals an Order made pursuant to Subsection 15.2(2) of the Building Code Act shall submit a Notice of Appeal in the time frame and the manner as prescribed in Subsection 15.3(1) of the Building Code Act. All Notices of Appeal shall be accompanied by a non-refundable payment in the amount as prescribed by Schedule "A" to this By-law for the processing of the appeal as prescribed by the General Fees and Charges By-law 13-2003, as amended.	P.S.B. Working Group	The part of this Article that references Schedule "A" will be removed. Schedule "A" is not part of the by-law anymore, readers will instead be referred to the General Fees and Charges By-law 13-2003, as amended.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
13.	SECTION 2: Definitions	"Apartment Building" means a Building or part of a Building, whether heretofore or hereafter erected, containing three or more Dwelling Units but does not include Block Townhouses	"Apartment Building" means a Building or part of a Building containing three or more Dwelling Units, including stacked townhouses, but does not include flats, block townhouses or street townhouse buildings. For the purpose of this definition "Dwelling Unit" means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities.	City-Initiated	Ensure consistency with the City's Zoning By-law 60-94, as amended.
14.	SECTION 2: Definitions	"Block Townhouse" means a townhouse, whether heretofore or hereafter erected, served by a private driveway or aisle.	"Block Townhouse" means a townhouse served by a private driveway or aisle, but does not include a Street Townhouse Building. For the purpose of this definition "Dwelling Unit" means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities.	City-Initiated	Ensure consistency with the City's Zoning By-law 60-94, as amended.
15.	SECTION 2: Definitions	"Dwelling" means a Building or structure or part of a Building or structure used for the purpose of human habitation, and includes a Building that would be used or would be intended to be used for such purposes, except for its state of disrepair, and shall include every Building on a residential Property other than an Accessory Building.	"Dwelling" means a Building or structure or part of a Building or structure used for the purpose of human habitation, and includes a Building that would be used or would be intended to be used for such purposes, except for its state of disrepair. -, and shall include every Building on a residential Property other than an Accessory Building.	P.S.B. Working Group	Removing this wording because this definition should apply to an Accessory Building.
16.	SECTION 2: Definitions	"Fire Separation" means a barrier against the spread of fire and smoke having a Fire Resistance Rating as required, and having all openings protected with approved closures.	"Fire Separation" means a construction assembly that acts as a barrier against the spread of fire.	City-Initiated	To ensure consistency with the definition in the Ontario Building Code.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
17.	SECTION 2: Definitions	Adding a new 'Ground Cover' definition:	"Ground Cover" means organic or non-organic material applied to prevent soil or sand erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.	City-Initiated	Section 4.3.2 Suitable Ground Cover is being added to the by-law, therefore a definition of Ground Cover is needed.
18.	SECTION 2: Definitions	"Guard" means a protective barrier around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another.	"Guard" means a protective barrier, with or without openings through it, that is around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another.	City-Initiated	To ensure consistency with the definition in the Ontario Building Code.
19.	SECTION 2: Definitions	"Habitable Room" means a room in a Dwelling used, designed to be used or capable of being used for living, sleeping, cooking or eating purposes.	"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.	P.S.B. Working Group	Additional wording to clarify these rooms are for human living.
20.	SECTION 2: Definitions	"Heritage Property" means a property that has been designated under section 29 or section 34.5 of the Ontario Heritage Act or property that is located within an area that has been designated under section 41 of the Ontario Heritage Act as a heritage conservation district.	"Heritage Property" means a Property that has been designated under section 29 or section 34.5 of the Ontario Heritage Act or Property that is located within an area that has been designated under section 41 of the Ontario Heritage Act as a heritage conservation district.	P.S.B. Working Group	Grammar improvement for clarity.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
21.	SECTION 2: Definitions	Adding a new 'Improved Street' definition:	"Improved Street" means a road allowance which has been dedicated as a public highway and which is or will be fully maintained year round, including winter snow and ice control by the City or the Region of Durham."	City-Initiated	This term is used in the definition of Street Townhouse Building in the P.S.B., so it is being defined to align with the City's Zoning By-law 60-94, as amended.
22.	SECTION 2: Definitions	Adding a new 'Inoperative Motor Vehicle' definition:	"Inoperative Motor Vehicle" means a vehicle requiring bodywork, and/or having missing components or parts, including tires or glass, and/or is in such condition that prevents its mechanical function.	City-Initiated	Section 4.1.3 which contains Lot Maintenance standards is being added back in the by-law, and references Inoperative Motor Vehicles, therefore a definition of Inoperative Motor Vehicle is needed.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
23.	SECTION 2: Definitions	"Level of Illumination" means the level of artificial lighting measured in Lux (Foot Candles) at floor or grade level.	"Level of Illumination" means the level of artificial lighting measured in Lux (foot candles) from 1 m (3.28 feet) above floor or grade level.	City-Initiated	<p>Adding the distance above floor or grade level ensures consistency with standards established in the Ontario Building Code.</p> <p>Note: there are both City-Initiated and P.S.B. Working Group changes to this definition.</p>
24.	SECTION 2: Definitions	"Level of Illumination" means the level of artificial lighting measured in Lux (Foot Candles) at floor or grade level.	"Level of Illumination" means the level of artificial lighting measured in Lux (foot candles) at floor or grade level from 1 m (3.28 feet) above floor or grade level.	P.S.B. Working Group	<p>Grammar improvement for clarity (lower case letters for "foot candles").</p> <p>Note: there with both City-Initiated and P.S.B. Working Group changes to this definition.</p>

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
25.	SECTION 2: Definitions	<p>"Lodging House" means a Building or a part of a Building, containing three to ten Lodging Units, which does not appear to function as a Dwelling Unit, although one may be included with the Lodging Units. It includes, without limitation, a rooming house and a boarding house, a fraternity or sorority house. It does not include a hotel, a crisis care residence, a hospital, a group home, a correctional group home, a bed and breakfast establishment nor a nursing home. A Lodging House may involve shared cooking or Washroom facilities. Meals may or may not be provided to residents. Common areas, such as living rooms, may or may not be provided.</p>	<p>"Lodging House" means a building or a part of a building, containing three to ten Lodging Units, which does not appear to function as a Dwelling Unit, although one may be included with the Lodging Units. The Lodging House definition includes, without limitation, a rooming house and a boarding house, a fraternity or sorority house. It does not include a hotel, a crisis care residence, a hospital, a group home, a correctional group home, a bed and breakfast establishment, a nursing home, a flat, an apartment building or a block townhouse. A Lodging House may involve shared cooking or Washroom facilities. Meals may or may not be provided to residents. Common areas, such as living rooms, may or may not be provided.</p>	P.S.B. Working Group	Ensure consistency with the City's Zoning By-law 60-94, as amended.
26.	SECTION 2: Definitions	<p>Adding a new 'Means of Egress' definition:</p>	<p>"Means of Egress" includes exits and access to exits and means a continuous path of travel provided for the escape of persons from any point in a building or in a contained open space to,</p> <ul style="list-style-type: none"> (a) a separate building, (b) an open public thoroughfare, or (c) an exterior open space that is protected from fire exposure from the building and that has access to an open public thoroughfare. 	City-Initiated	Section 4.5.11 Common Means of Egress is being added to the by-law, therefore a definition of Means of Egress is needed.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
27.	SECTION 2: Definitions	"Ontario Building Code" or "OBC" means Ontario Regulation 403/97, made under the Building Code Act, 1992.	"Ontario Building Code" or "OBC" means Ontario Regulation 332/12: Building Code , made under the <i>Building Code Act, 1992, S.O. 1992, C.23, as amended, or any successor thereof.</i>	City-Initiated	Updating the Ontario Building Code to the most recent version.
28.	SECTION 2: Definitions	<p>"Owner" includes:</p> <p>(a) the Person for the time being managing or receiving the rent of the Property, whether on the Person's own account or as agent or trustee of any other Person, or who would so receive the rent if the Property were let, and</p> <p>(b) 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.</p>	<p>"Owner" includes:</p> <p>(a) the Person for the time being managing or receiving the rent of the Property, whether on the Person's own account or as agent of the trustee of any other Person, or who would so receive the rent if the Property were let; and</p> <p>(b) 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;</p> <p>(c) the registered Owner of the Property; or</p> <p>(d) a mortgagee in possession of the Property.</p>	City-Initiated	The current description of Owner does not capture someone who is the owner of the property and lives at that property. This additional wording addresses that.
29.	SECTION 2: Definitions	Adding a new 'Street Townhouse Building' definition:	"Street Townhouse Building" means a Townhouse with each Dwelling Unit having lot frontage and direct vehicular access to an Improved Street that is maintained by a municipality.		This term is used in Section 4.5.10 of the P.S.B., so it is being defined to align with the City's Zoning By-law 60-94, as amended.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
30.	SECTION 2: Definitions	Adding a new 'Street Townhouse Dwelling' definition:	"Street Townhouse Dwelling" means one of the dwelling units originally constructed in a street townhouse building.		This term is used in Section 4.5.10 of the P.S.B., so it is being defined to align with the City's Zoning By-law 60-94, as amended.
31.	SECTION 2: Definitions	Adding a new 'Townhouse' definition:	"Townhouse" means a building divided vertically into at least three Dwelling Units, attached by common walls at least 6.0 m in length and at least one storey in height, in addition to any basement, with each dwelling unit having a separate entrance from the outside.		This term is used in Section 4.5.10 of the P.S.B., so it is being defined to align with the City's Zoning By-law 60-94, as amended.
32.	SECTION 3: General Duties and Obligations	3.1.1 An Owner shall maintain any services and facilities supplied in respect of a Property by that same Owner and shall maintain common areas intended for the use of Occupants. Such services and facilities may include, but are not limited to: (f) heating and air conditioning facilities, services and equipment	3.1.1 An Owner shall maintain any services and facilities supplied in respect of a Property by that same Owner and shall maintain common areas intended for the use of Occupants. Such services and facilities may include, but are not limited to: (f) heating, ventilation and air conditioning facilities, services and equipment	City-Initiated	Consistency with the term H.V.A.C. (Heating, Ventilation, Air Conditioning) – ventilation was missing.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
33.	SECTION 3: General Duties and Obligations	Adding new section	<p data-bbox="972 175 1234 207">3.1.3 Good Repair</p> <p data-bbox="972 250 1566 391">An Owner shall maintain any services and facilities in good repair which, without limiting the generality of the foregoing, shall include:</p> <ul data-bbox="972 433 1566 792" style="list-style-type: none"> <li data-bbox="972 433 1283 466">(a) structurally sound; <li data-bbox="972 469 1478 537">(b) not broken, rusted, rotten or in a hazardous condition; <li data-bbox="972 540 1566 651">(c) not unsightly to the extent that it would be deleterious to abutting property owners or to the neighbourhood; <li data-bbox="972 654 1545 722">(d) in proper working order, if applicable; and, <li data-bbox="972 725 1499 792">(e) adequately protected by weather-resistant material, if applicable. 	City-Initiated	Good repair is used throughout the by-law, and this is a way to define what that means in order to provide greater clarity/accuracy.
34.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	City-Initiated	Amending the title of the entire section to better reflect the standards it establishes.
35.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.1.1 All Property shall be maintained in a clean and tidy condition so as not to detract from the neighbouring environment or to present a hazard to any Person or Property including removal of	4.1.1 All Property shall be maintained in a clean and tidy condition so as not to detract from the neighbouring environment or to present a hazard to any Person or Property including removal of:	P.S.B. Working Group	Grammar improvement for clarity.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
36.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	Adding new Section.	<p>4.1.3 Without restricting the generality of Article 4.1.1, "maintained in a clean and tidy condition", includes removal of:</p> <p>(a) rubbish, rubble, waste, garbage, refuse litter, brush, debris and unused items and objects or conditions that may create a health, fire, or accident hazard located on a Property;</p> <p>(b) wrecked, dismantled, discarded, abandoned, unused materials, Inoperative Motor Vehicles, furniture, appliances, dilapidated abandoned signs, machinery, trailers or boats located on a Property unless necessary for the operation of a business enterprise lawfully situated on that same Property;</p>	City-Initiated & P.S.B. Working Group	<p>Including standards from the Lot Maintenance By-law to enhance efficiency.</p> <p>Staff can now use Property Standards Orders or a Lot Maintenance Work Order, giving them multiple avenues to enforce these standards.</p>
37.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	<p>4.2.1 Driveways, ramps, parking areas and similar areas shall be:</p> <p>(a) surfaced, resurfaced, Repaired or regraded to provide a safe surface for pedestrian or vehicle use;</p>	<p>4.2.1 Driveways, ramps, parking areas and similar areas shall be:</p> <p>(a) surfaced, resurfaced, Repaired or regraded with asphalt, concrete, compacted and leveled stone or other hard surface to provide a safe surface for pedestrian or vehicle use;</p>	City-Initiated	Adding examples of permitted surfaces for greater clarity.
38.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	<p>4.2.1 Driveways, ramps, parking areas and similar areas shall be:</p> <p>(c) maintained so as to provide for safe passage under normal use and weather conditions, day or night.</p>	<p>4.2.1 Driveways, ramps, parking areas and similar areas shall be:</p> <p>(c) maintained so as to provide for safe passage under normal use and weather conditions (e.g. snow and ice), day or night.</p>	P.S.B. Working Group	Adding examples of weather conditions that the listed areas must be maintained during for greater clarity.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
39.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.2.2 Walkways, exterior passageways, exterior stairs, landings and similar areas shall be: (a) surfaced, resurfaced, Repaired or regraded to provide a safe surface for pedestrian use; and	4.2.2 Walkways, exterior passageways, exterior stairs, landings and similar areas shall be: (a) surfaced, resurfaced , Repaired or regraded with asphalt, concrete, compacted and leveled stone or other hard surface to provide a safe surface for pedestrian use; and	City-Initiated	Adding examples of permitted surfaces for greater clarity.
40.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	Adding new section.	4.2.3 Suitable Ground Cover Suitable Ground Cover shall be provided to maintain a good appearance and to prevent erosion of the soil and also to be in harmony with the neighbouring environment.	City-Initiated	This is an “industry standard” – municipalities including Ajax, Brantford, London, Toronto, and Waterloo all have sections relating to Ground Cover.
41.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.3.1 Sewage shall be discharged into an approved Sewerage System as determined by the authority having jurisdiction over sewage collection in the city.	4.3.1 Sewage shall be discharged into an approved Sewerage System as determined by the authority having jurisdiction over sewage collection in the City.	P.S.B. Working Group	Grammar improvement for clarity.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
42.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.3.3 Storm water (including roof drainage) shall not be discharged onto sidewalks, stairs, or adjacent Property.	4.3.3 Storm water (including roof drainage) shall not directly be discharged onto sidewalks, stairs, or adjacent Property.	City-Initiated	Clarifying that residents should not directly discharge storm water to these locations. There are times where it happens unintentionally, but directly discharging storm water to these locations is considered a violation.
43.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.5.1 Every Owner shall provide and maintain sufficient receptacles to contain all garbage, refuse, ashes, recyclable materials and trade waste that may accumulate on a Property between the regular collection days, as designated from time to time by the City. A receptacle includes a plastic garbage bag that conforms to the standards of this Subsection.	4.5.1 Every Owner shall provide and maintain sufficient receptacles to contain all garbage, refuse, ashes, recyclable materials and trade waste that may accumulate on a Property between the regular collection days, as designated from time to time by the City. A receptacle includes a plastic garbage bag that conforms to the standards of this Subsection.	City-Initiated	This wording is not needed, this is already explained in Section 4.5.3 "Plastic Bags".

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
44.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.5.4 In Apartment Buildings, every garbage chute, garbage disposal room, garbage storage area, garbage container or receptacle shall be:	4.5.4 In Apartment Buildings, every garbage chute, garbage compactor , garbage disposal room, garbage storage area, garbage container or receptacle, as well as recycling storage areas or receptacles shall be:	City-Initiated	Adding garbage compactor and recycling areas and receptacles as additional items and locations in an Apartment Building that must be washed, disinfected, and maintained in good repair.
45.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.5.7 Every receptacle, if located outside of a building, shall be located in the Rear Yard, when space can accommodate it, or otherwise in a side yard, but shall not be located in a Front Yard or Exterior Side Yard. For the purposes of this By-law, the definitions of Rear Yard, Side Yard, Exterior Side Yard and Front Yard shall correspond with the definitions contained in City By-law 60-94 (Zoning).	4.5.7 Every receptacle, if located outside of a building, shall be located in the Rear Yard, when space can accommodate it, or otherwise in a side yard, but shall not be located in a Front Yard or Exterior Side Yard. For the purposes of this By-law, the definitions of Rear Yard, Side Yard, Exterior Side Yard and Front Yard shall correspond with the definitions contained in City By-law 60-94, as amended (Zoning).	City-Initiated	Stylistic improvement for consistency.
46.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.5.8 Every Owner or Occupant operating within a place of business shall provide sufficient garbage and refuse storage facilities to ensure that all garbage or refuse that occurs on the Property is properly contained therein at all times.	4.5.8 Every Owner or Occupant operating within a place of business shall provide sufficient garbage and refuse and recyclable materials storage facilities to ensure that all garbage, or refuse and recyclable materials that occurs on the Property is properly contained therein at all times.	City-Initiated	Adding wording to also include recyclable materials and not just garbage.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
47.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.5.9 Properties with external garbage and recycling storage areas, including areas located within a building, shall be enclosed by a refuse enclosure approved by the City of Oshawa, Department of Development Services.	4.5.9 Properties with External garbage and recycling storage areas, including areas located within a building, shall be enclosed by a refuse enclosure approved by the City of Oshawa, Department of Development Services.	City-Initiated	Removing wording to improve clarity.
48.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.5.10 Notwithstanding Article 4.5.9, City approval of garbage and recycling storage areas shall not be required for Properties containing only a detached Dwelling, semi-detached Dwelling or freehold townhouse Dwelling.	4.5.10 Notwithstanding Article 4.5.9, City approval of garbage and recycling storage areas shall not be required for Properties containing only a detached Dwelling, semi-detached Dwelling, Street Townhouse Dwelling, Block Townhouse Dwelling receiving curbside collection.	City-Initiated	Clarifying the types of properties that do not require refuse enclosures.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
49.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	Adding new section.	<p>4.5.11 Common Means of Egress</p> <p>All common Means of Egress within a property shall be maintained free from all obstructions or impediments.</p>	City-Initiated	<p>Officers routinely receive complaints about furniture blocking means of egress, this provision will allow them to address that issue.</p> <p>This is being included in the P.S.B. despite it being in the <i>Fire Code</i> as well because it will allow Officers to address this when they attend a call. Fire Prevention only responds on a complaint basis.</p>
50.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.8.1 Swimming pools, hot tubs, wading pools and artificial ponds and (any appurtenances thereto) shall be maintained in good Repair, free from leaks, and free from health and safety hazards.	4.8.1 Swimming pools, hot tubs, wading pools, hydro massage pools, spas, whirlpools and artificial decorative ponds and (any appurtenances thereto) shall be maintained in good Repair, free from leaks, and free from health and safety hazards.	City-Initiated	Adding wording to reflect the definition of Pool in the Pool Enclosure By-law 79-2006, as amended.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
51.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.8.2 Fences or gates (and their hardware) comprising a pool enclosure shall be maintained in good Repair and in accordance with the City of Oshawa Pool Enclosure By-law	4.8.2 Fences or gates (and their hardware) comprising a pool enclosure shall be maintained in good Repair and in accordance with the City of Oshawa Pool Enclosure By-law 79-2006, as amended.	City-Initiated	Stylistic improvement for consistency.
52.	SECTION 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	4.8.3 Derelict or abandoned swimming pools (whether aboveground or inground) shall be drained and removed or filled and the Property left in a graded and leveled condition.	4.8.3 Derelict or abandoned swimming pools (whether above-ground or in-ground) shall be drained and removed or filled and the Property left in a graded and leveled condition.	P.S.B. Working Group	Grammar improvement for clarity.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
53.	SECTION 5: Building Standards	5.1.2 Where any structural member or assembly is required to be Repaired, replaced, or reinforced under Article 5.1.1, the requirements and specifications contained in the OBC shall apply.	5.1.2 Where any structural member or assembly is required to be Repaired, replaced, or reinforced under Article 5.1.1, the requirements and specifications contained in the OBC shall apply. a building permit shall be obtained (where required by Building Services) prior to commencement of any remedial work.	City-Initiated	Officers frequently receive questions from the public regarding the need for a permit to complete repairs. This wording makes it mandatory for property owners to consult Building Services prior to commencing remedial work, who will tell them what is required.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
54.	SECTION 5: Building Standards	5.1.3 Objects or materials that are attached to or form part of a Building and which have been broken, damaged, or that show evidence of rot or other deterioration shall be removed, Repaired, or replaced. Walls, roofs and other exterior parts of the Building shall be free from loose or unsecured objects, parts or material and improperly secured objects or material and where such objects or material exist, they shall be removed, Repaired or replaced. Repair includes the temporary provision, installation and maintenance of substantial boarding, barricades or other temporary protection.	5.1.3 Objects or materials that are attached to or form part of a Building and which have been broken, damaged, or that show evidence of rot or other deterioration shall be removed, Repaired, or replaced. Walls, roofs and other exterior parts of the Building shall be free from loose or unsecured objects, parts or material and improperly secured objects or material and where such objects or material exist, they shall be removed, Repaired or replaced. Repair includes the temporary provision, installation and maintenance of substantial boarding, fencing, hoarding and barricades or other temporary protection for no longer than for 30 days .	City-Initiated	<p>Deleting “and improperly secured objects or material” because this is already established with the wording “free from loose or unsecured objects”.</p> <p>Adding wording to make this standard more comprehensive.</p> <p>Adding 30 days provides a specific time frame for how long temporary protection can be used for.</p>
55.	SECTION 5: Building Standards	5.3.1 Exterior walls of a Building (and their components) shall be maintained in good Repair and free from cracked, broken or loose masonry units, stucco, and other defective cladding or trim. Paint or other suitable preservative or coating must be applied and maintained so as to inhibit deterioration due to weather conditions, insects or other damage.	5.3.1 Exterior walls of a Building (and their components) shall be maintained in good Repair and free from cracked , broken or loose masonry units, stucco, and other defective cladding or trim. Paint or other suitable preservative or coating must be applied and maintained so as to inhibit deterioration due to weather conditions, insects or other damage.	P.S.B. Working Group	Most exterior walls of a building will have some kind of visible cracks in them, and “broken” better captures the standard that exterior building walls need to be kept free from.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
56.	SECTION 5: Building Standards	5.3.2 Exterior walls of a Building (and their components) shall be free of painted slogans, graffiti and similar defacements.	5.3.2 Exterior walls of a Buildings and all other structures including fences (and their components) shall be free of painted slogans, graffiti and similar defacements.	City-Initiated	The scope of the current provision is too narrow and doesn't provide Officers with the tools to deal with graffiti on fences and retaining walls. This new language allows Officers to address graffiti on the interior of buildings, as well as fences, and retaining walls.
57.	SECTION 5: Building Standards	5.3.2.1 The graffiti and defacements referenced in subsection 5.3.2 of this By-law do not include artwork, including graffiti, that is authorized pursuant to a program administered by the City's Community Services Department.	5.3.2.1 The graffiti and defacements referenced in subsection 5.3.2 of this By-law do not include artwork, including graffiti, that which is authorized pursuant to a program administered by the City's Community Services Department.	P.S.B. Working Group	Grammar improvement for clarity.
58.	SECTION 5: Building Standards	5.4.1 Every roof, including related roof structures and their components, fascias, soffits, eavestroughs, downpipes, guards and lightning arrestors, shall be maintained in good Repair.	5.4.1 Every roof, including related roof structures and their components, fascias, soffits, eavestroughs, downpipes, guards and lightning arrestors, shall be maintained in good Repair and securely fastened to the Building.	P.S.B. Working Group	Additional wording to provide greater clarity in addition to "good repair".
59.	SECTION 5: Building Standards	5.5.2 Doors, windows and skylights shall be maintained so that they are weather tight.	5.5.2 Exterior doors, windows and skylights shall be maintained so that they are weather tight.	City-Initiated	Adding wording to clarify this standard is referencing exterior doors.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
60.	SECTION 5: Building Standards	<p>5.5.3 Without restricting the generality of Article 5.5.1, “maintained in good Repair” includes:</p> <p>(a) the refitting, replacement or Repairing of damaged, decaying or defective exterior doors, windows, frames, sashes, casings, shutters, hatchways or screens;</p>	<p>5.5.3 Without restricting the generality of Article 5.5.1, “maintained in good Repair” includes:</p> <p>(a) the refitting, replacement or Repairing of damaged, decaying, missing or defective exterior doors, windows, frames, sashes, casings, thresholds, shutters, hatchways or screens;</p>	City-Initiated	<p>Add words “missing” and “thresholds”, delete the word “exterior” in order to be more comprehensive.</p> <p>Some older properties may have doors that require the replacement of thresholds.</p>
61.	SECTION 5: Building Standards	<p>5.5.4 When an opening in an exterior wall is used or required for ventilation or illumination and is not required to be protected by a door, window or similar closure, it shall be protected with a wire mesh screen, metal grill or other equivalent durable material so as to effectively prevent the entry of birds, rodents or vermin.</p>	<p>5.5.4 When an opening in an exterior wall is used or required for ventilation or illumination and is not required to be protected by a door, window or similar closure, it shall be protected with a wire mesh screen, metal grill or other equivalent durable material so as to effectively prevent the entry of birds, rodents or vermin.</p>	City-Initiated	<p>The term “Wire mesh screen” was deemed to be a standard above what is set out in the Ontario Building Code.</p>

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
62.	SECTION 5: Building Standards	<p>Doors and Hardware for Apartments</p> <p>5.5.6 Doors that allow access to or egress from a Dwelling Unit located in an Apartment Building shall be equipped with locks, and shall be maintained in good Repair and in an operable condition.</p>	<p>Doors and Hardware for Apartments Dwelling Units</p> <p>5.5.6 All openable doors and windows serving a Dwelling Unit shall be equipped with locks, and shall be maintained in good repair and in operable condition.</p>	City-Initiated	<p>Adding additional types of units to wording in article 5.5.6 to clarify that the application of this standard is to more than just apartments, and adding windows in addition to doors.</p> <p>Makes this more comprehensive in terms of both building type and hardware.</p>
63.	SECTION 5: Building Standards	<p>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 capable of controlling the free swinging or sliding of an openable part of a window so as to limit any clear unobstructed opening to not more than 100 mm (4 in) measured either vertically or horizontally where the other dimension is greater than 380 mm (15 in).</p>	<p>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 capable of controlling the free swinging or sliding of an openable part of a window so as to limit any clear unobstructed opening to not more than 100 mm (4 in) measured either vertically or horizontally where the other dimension is greater than 380 mm (15 in).</p>	City-Initiated	<p>The standard being removed was above the Building Code.</p>

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
64.	SECTION 5: Building Standards	5.7.5 Every Dwelling shall be kept free from dampness and moisture	5.7.5 Every Dwelling shall be kept free from excessive dampness and moisture	P.S.B. Working Group	<p>The inspection process will generally attempt to identify apparent signs of excessive dampness and moisture (e.g. mold, excessive condensation, an active leak or evidence of water damage, condensation on windows when one would not anticipate it, etc.).</p> <p>To further scope the standard, the term “excessive” is being added.</p>

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
65.	SECTION 5: Building Standards	5.7.6 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 to an extent or for a length of time so as to be a fire, health or safety hazard.	5.7.6 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 to an extent or for a length of time so as to be a fire, health or safety hazard. except in accordance with the City's Waste Collection By-law 113-2008, as amended.	City-Initiated	Adding more clarity – rather than the length of time being defined as a fire, health or safety hazard, it will now reference the City's Waste Collection By-law 113-2008, as amended, which sets out more defined standards.
66.	SECTION 5: Building Standards	Reorder Sections 5.7.2 – 5.7.7 in this order: Finish, Water Resistant, Water Resistant Floor, General Cleanliness, Dampness, Household Garbage Storage.	Sections 5.7.2 – 5.7.7 are now in this order: Finish, Water Resistant, Water Resistant Floor, General Cleanliness, Dampness, Household Garbage Storage.	P.S.B. Working Group	Working Group felt the by-law would be better organized in this order.
67.	SECTION 5: Building Standards	5.8.3 All mail collection areas, including mailboxes (where supplied in any Building) shall be maintained in good Repair	5.8.3 All mail collection areas, including mailboxes (where supplied in any Building) shall be maintained in good Repair and kept clean.	City-Initiated	Adding wording to make this standard more complete.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
68.	SECTION 5: Building Standards	5.9.1 Recreational amenities, facilities, rooms and play area surfaces and equipment provided by an Owner shall be maintained in good Repair and in a safe condition by that same Owner.	5.9.1 Recreational amenities, facilities, rooms and play area surfaces and equipment provided by an Owner shall be maintained in good Repair and in a safe condition by that same Owner.	City-Initiated	Removing wording because there is no reason the same owner should have to be the one who has to ensure these things are in good repair and safe, the owner could have somebody else ensure that.
69.	SECTION 5: Building Standards	5.10.1 Underground parking garages shall be: (c) free from wrecked, discarded or abandoned machinery, boats, vehicles, trailers or parts thereof; and	5.10.1 Underground parking garages shall be: (c) free from wrecked, discarded or abandoned machinery, boats, vehicles, trailers or parts thereof, etc. ; and	P.S.B. Working Group	Adding "etc." at the end to capture more items than just what was listed.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
70.	SECTION 5: Building Standards	<p>5.10.1 Underground parking garages shall be:</p> <p>(a) maintained in good Repair and in a clean and safe condition;</p> <p>(b) adequately lighted;</p> <p>(c) free from wrecked, discarded or abandoned machinery, boats, vehicles, trailers or parts thereof; and</p> <p>(d) maintained so as to prevent the accumulation of toxic fumes and the escape of toxic fumes into a Building.</p>	<p>5.10.1 Underground parking garages shall be:</p> <p>(a) maintained in good Repair and in a clean and safe condition;</p> <p>(b) adequately lighted;</p> <p>(b) free from wrecked, discarded or abandoned machinery, boats, vehicles, trailers or parts thereof; and</p> <p>(c) maintained so as to prevent the accumulation of toxic fumes and the seepage escape of toxic fumes into a Building.</p>	City-Initiated	Deleting item (b) because lighting standards are set out in 5.11. Adding seepage to (c) for additional clarity.
71.	SECTION 5: Building Standards	5.10.2 Vehicular and pedestrian doors shall be maintained in good Repair and fitted with suitable security hardware that is in an operable condition.	5.10.2 Vehicular and pedestrian doors shall be maintained in good Repair and fitted with suitable security hardware that is in an in operable condition.	City-Initiated	Grammar improvement for clarity.
72.	SECTION 5: Building Standards	5.11.2 Despite Article 5.11.1, passageways and stairways in areas of employment (when in use) and corridors, passageways, 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).	5.11.2 Despite Article 5.11.1, 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).	City-Initiated	Including elevators to make this standard more comprehensive.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
73.	SECTION 5: Building Standards	5.12 Pest Control	5.12 Pest Prevention and Control	P.S.B. Working Group	This Section establishes standards that should prevent the infestation of pests, rather than just control them.
74.	SECTION 5: Building Standards	5.12.1 All properties shall be kept free of pest infestation (including rodents, vermin and insects, reptiles, or other wild animals, pigeons, or other wild birds) at all times.	5.12.1 All properties shall be kept free of pest infestation (including rodents, vermin and insects, reptiles, or other wild animals, pigeons, or other wild birds) and conditions that may promote an infestation at all times.	P.S.B. Working Group	Adding wording to establish standards that should prevent the infestation of pests, rather than just control them.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
75.	SECTION 6: Standards for Residential Occupancy	<p>6.2.1 No Dwelling Unit or Lodging Unit shall be used for human habitation unless:</p> <p>(a) interior cladding and finishes of walls, ceilings and floors are maintained in accordance with Subsection 5.7;</p> <p>(b) doors and windows are maintained in accordance with Subsections 5.5, 6.9 and 7.5;</p> <p>(c) a heating system is provided and maintained in accordance with Subsection 7.1;</p> <p>(d) (d)the plumbing and drainage system is maintained in accordance with Subsection 7.2;</p> <p>(e) (e)the electrical system is maintained in accordance with Subsection 7.3;</p> <p>(f) (f)the minimum floor areas are in accordance with Subsections 6.3. or 6.4; and</p> <p>(g) (g)the minimum headroom is in accordance with Subsections 6.5.</p>	<p>6.2.1 No Dwelling Unit or Lodging Unit shall be used for human habitation unless:</p> <p>(a) interior cladding and finishes of walls, ceilings and floors are maintained in accordance with Subsection 5.7;</p> <p>(b) doors and windows are maintained in accordance with Subsections 5.5, 6.9 and 7.5;</p> <p>(c) a heating system is provided and maintained in accordance with Subsection 7.1;</p> <p>(d) (d)the plumbing and drainage system is maintained in accordance with Subsection 7.2;</p> <p>(e) (e)the electrical system is maintained in accordance with Subsection 7.3;</p> <p>(f) (f)the minimum floor areas are in accordance with Subsections 6.3. or 6.4; and</p> <p>(g) (g)the minimum headroom is in accordance with Subsections 6.5.</p>	City-Initiated	Stylistic improvement for clarity.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
76.	SECTION 6: Standards for Residential Occupancy	6.5.2 Despite Article 6.5.1, a minimum height of 1.9m (6 ft., 5 in.) shall be required for all floor area used as a means of egress.	6.5.2 Despite Article 6.5.1, a minimum height of 1.9m (6 ft., 5 in.) shall be required for all floor area used as a means of egress, except for stairs, which can be reduced to 1.8 m (5 ft. 11 in.) .	City-Initiated	Adding more detail to be consistent with standards in the Ontario Building Code.
77.	SECTION 6: Standards for Residential Occupancy	6.7.1 Every Dwelling Unit shall contain at least one Washroom that includes the following: (a) at least one fully operational water closet; and	6.7.1 Every Dwelling Unit shall contain at least one Washroom that includes the following: (a) at least one fully operational water closet (toilet) ; and	City-Initiated	Adding wording to ensure better clarity to the standard.
78.	SECTION 6: Standards for Residential Occupancy	6.8.1 Every Habitable Room (except for a living room or a dining room) shall be provided with natural ventilation which shall consist of an opening or openings with a minimum aggregate unobstructed free flow area of 0.28m ² (3 sq. ft.) and be located in the exterior walls or through openable parts of skylights.	6.8.1 Every Habitable Room (except for a living room or a dining room) shall be provided with natural or mechanical ventilation which shall consist of an opening or openings with a minimum aggregate unobstructed free flow area of 0.28 m ² (3 sq. ft.) and be located in the exterior walls or through openable parts of skylights.	City-Initiated	Many bathrooms or other rooms use mechanical ventilation (e.g. a bathroom fan) so this language allows for that type of ventilation.
79.	SECTION 6: Standards for Residential Occupancy	6.8.2 Every Washroom 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 0.09m ² (1 sq. ft.).	6.8.2 Every Washroom 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 free flow area of 0.09 m ² (1 sq. ft.).	City-Initiated	Many bathrooms or other rooms use mechanical ventilation (e.g. a bathroom fan) so this language allows for that type of ventilation.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
80.	SECTION 6: Standards for Residential Occupancy	6.8.3 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 the Dwelling) capable of changing the air once each hour.	6.8.3 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 the Dwelling) capable of changing the air once each hour.	City-Initiated	This standard applies to more than just a Dwelling.
81.	SECTION 6: Standards for Residential Occupancy	6.9.1 Every Habitable Room (except a kitchen, dining room, or basement recreation room) shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space that admit natural light equal to not less than five percent of the floor area for living rooms and two and one half percent of the floor area for bedrooms and other Habitable Rooms not excluded by the foregoing.	6.9.1 Every Habitable Room (except a kitchen, dining room, or basement recreation room) shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space that admit natural light equal to not less than five percent (5.0%) of the floor area for living rooms and two and one half percent (2.5%) of the floor area for bedrooms and other Habitable Rooms not excluded by the foregoing.	P.S.B. Working Group	Stylistic improvements for writing numbers.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
82.	SECTION 6: Standards for Residential Occupancy	<p>6.9.2 A window is not required in a living room if:</p> <p>(a) there is an opening in a dividing wall to an adjoining room;</p> <p>(b) the adjoining room has a window to the outside; and</p> <p>(c) the total window area of the adjoining room is at least 5 per cent of the combined floor areas of the living room and the adjoining room.</p>	<p>6.9.2 A window is not required in a living room if:</p> <p>(a) there is an opening that is minimum five percent (5.0%) of the total living room space in a dividing wall to an adjoining room;</p> <p>(b) the adjoining room has a window to the outside; and</p> <p>(c) the total window area of the adjoining room is at least 5 percent of the combined floor areas of the living room and the adjoining room.</p>	City-Initiated	This standard ensures the opening has to be a significant amount of space (5%), otherwise this opening could be as small as a hole drilled in the wall.
83.	SECTION 6: Standards for Residential Occupancy	<p>6.9.2 A window is not required in a living room if:</p> <p>(a) there is an opening in a dividing wall to an adjoining room;</p> <p>(b) the adjoining room has a window to the outside; and</p> <p>(c) the total window area of the adjoining room is at least 5 per cent of the combined floor areas of the living room and the adjoining room.</p>	<p>6.9.2 A window is not required in a living room if:</p> <p>(a) there is an opening in a dividing wall to an adjoining room;</p> <p>(b) the adjoining room has a window to the outside; and</p> <p>(c) the total window area of the adjoining room is at least 5-per-cent five percent (5.0%) of the combined floor areas of the living room and the adjoining room.</p>	P.S.B. Working Group	Stylistic improvement for writing numbers.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
84.	SECTION 6: Standards for Residential Occupancy	Adding new section.	<p data-bbox="974 175 1283 207">6.10 Egress Windows</p> <p data-bbox="974 228 1560 407">6.10.1 Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom shall be provided with at least one outside window that:</p> <p data-bbox="974 428 1514 493">(a) Is openable from the inside without the use of tools;</p> <p data-bbox="974 514 1560 660">(b) Has an unobstructed open portion having a minimum area of 3.8 ft² (0.35 m²) with no dimension less than 15" (380 mm);</p> <p data-bbox="974 682 1549 818">(c) When sliding windows are used, the minimum dimensions described in (b) shall apply to the openable portion of the window; and</p> <p data-bbox="974 839 1514 943">(d) Except for basement areas, egress windows shall have a maximum sill height of 1000 mm above the floor.</p> <p data-bbox="974 964 1560 1143">6.10.2 Egress windows that open into a window well require a minimum clearance of 22" (550 mm) in front of the window. Window wells must not encroach onto adjacent properties.</p> <p data-bbox="974 1164 1560 1310">6.10.3 No windows shall be added to walls erected less than 4'-0" (1200 mm) from the Property line, unless protected with a fire resistance rating of 45 minutes.</p> <p data-bbox="974 1331 1549 1503">6.10.4 A basement containing bedrooms will require direct access to outdoors in case of fire. This may be provided through a basement walk-out door or an egress window.</p>	City-Initiated	<p data-bbox="1747 175 1980 829">It is recommended that standards respecting Egress Windows, as established in the Ontario Building Code, be included This language is from the Ontario Building Code Section 9.9.10.1 Egress Windows or Doors for Bedrooms.</p> <p data-bbox="1747 867 1969 1122">This ensures that bedrooms and basement bedrooms have the appropriate egress windows.</p>

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
85.	SECTION 7: Standards for Building Services, Systems and Facilities	7.1.8 Every fuel burning appliance (whether for heating or cooking) shall be properly connected by a rigid duct to a chimney flue, smoke pipe or gas vent adequate to remove substantially all fumes and gases, except those appliances that have been approved for use without venting pursuant to the specifications contained in the OBC.	7.1.8 Every fuel-burning appliance (whether for heating or cooking) shall be properly connected by a rigid duct to a chimney flue, smoke pipe or gas vent adequate to remove substantially all fumes and gases, except those appliances that have been approved for use without venting pursuant to the specifications contained in the OBC.	P.S.B. Working Group	Grammar improvement for clarity.
86.	SECTION 7: Standards for Building Services, Systems and Facilities	7.1.9 Heating, ventilating and mechanical systems (including factory built stoves, fireplaces and chimneys, fans, pumps, filtration and other equipment provided to supply heat or air conditioning or other services) shall be maintained in good Repair and in a safely operable condition.	7.1.9 Heating, ventilating and mechanical systems (including factory built stoves, fireplaces and chimneys, fans, pumps, filtration and other equipment provided to supply heat or air conditioning or other services) shall be maintained in good Repair and in a safely and operable condition.	City-Initiated	Grammar improvement for clarity.
87.	SECTION 7: Standards for Building Services, Systems and Facilities	7.2.6 Despite Article 7.2.1, provided an adequate supply of potable running water is available to a Property from a source other than the Water System, the Medical Officer of Health may permit the continued use of the other source unless any test indicates the water from the other source was (at any time) not potable.	7.2.6 Despite Article 7.2.1, provided an adequate supply of potable running water is available to a Property from a source other than the Water System, the Medical Officer of Health may permit the continued use of the other source unless any test indicates the water from the other source was (at any time) not potable.	P.S.B. Working Group	Grammar improvement for clarity.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
88.	SECTION 7: Standards for Building Services, Systems and Facilities	7.2.9 All plumbing and drainage systems (and their appurtenances including all Plumbing Fixtures) shall be maintained in good Repair, in a safely operable condition, adequately protected from freezing, and shall be supplied with potable water sufficient for normal use at a flow and pressure sufficient for the intended use of the fixtures installed.	7.2.9 All plumbing and drainage systems (and their appurtenances including all Plumbing Fixtures) shall be maintained in good Repair, in a safely and operable condition, adequately protected from freezing, and shall be supplied with potable water sufficient for normal use at a flow and pressure sufficient for the intended use of the fixtures installed.	City-Initiated	Grammar improvement for clarity.
89.	SECTION 7: Standards for Building Services, Systems and Facilities	7.2.10 Every washbasin, bathtub, shower, and kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 46 degrees Celsius (115°F).	7.2.10 Every washbasin, bathtub, shower, and kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 46 degrees Celsius (115°F).	City-Initiated	There is no temperature requirement in the Ontario Building Code, so this would be above the Ontario Building Code Standards.
90.	SECTION 7: Standards for Building Services, Systems and Facilities	7.2.12 Every business that is required under the OBC to provide public Washrooms shall maintain access to such Washrooms by the public during the hours of operation of the business.	7.2.12 Every business that provides washrooms for the public to use shall maintain access to such washrooms by the public during the hours of operation of the business and shall provide signage indicating the location of the public washrooms in areas where the public can readily view the signs.	City-Initiated	Grammatical correction, as well as removing the reference to the Building Code which was not needed.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
91.	SECTION 7: Standards for Building Services, Systems and Facilities	7.3.7 Electrical wiring, circuits, fuses, circuit breakers, electrical equipment and electrical heating systems (where provided) shall be installed and maintained in good working order at all times, free from fire and accident hazards, in compliance with the Electricity Act, S.O. 1998, c.15 and with the regulations made thereunder.	7.3.7 Electrical wiring, circuits, fuses, circuit breakers, electrical equipment and electrical heating systems (where provided) shall be installed and maintained in good working order at all times, free from fire and accident hazards, in compliance with the Electricity Act, S.O. 1998, c.15 and with the regulations made thereunder.	P.S.B. Working Group	This wording was redundant, and covered by the Electricity Act in detail.
92.	SECTION 7: Standards for Building Services, Systems and Facilities	7.3.7 Electrical wiring, circuits, fuses, circuit breakers, electrical equipment and electrical heating systems (where provided) shall be installed and maintained in good working order at all times, free from fire and accident hazards, in compliance with the Electricity Act, S.O. 1998, c.15 and with the regulations made thereunder.	7.3.7 Electrical wiring, circuits, fuses, circuit breakers, fixtures, electrical equipment and electrical heating systems (where provided) shall be installed and maintained in good working order at all times, free from fire and accident hazards, in compliance with the Electricity Act, S.O. 1998, c.15 and with the regulations made thereunder.	City-Initiated	Adding the word "fixtures" to make the article more comprehensive.
93.	SECTION 7: Standards for Building Services, Systems and Facilities	7.3.9 Electrical cords that are not part of a lighting fixture, machine or device shall not be permitted to be used or used on a permanent or semi-permanent basis. However, nothing in this Article prevents the use of an extension cord on a semi-permanent basis if used under supervision during any portion of a single day."	7.3.9 Electrical cords that are not part of a lighting fixture, machine or device shall not be used or permitted to be used or used on a permanent or semi-permanent basis. However, nothing in this Article prevents the use of an extension cord on a semi-permanent basis if used under supervision during any portion of a single day."	City-Initiated	Grammatical correction of Article 7.3.9 to provide greater clarity of when and how extension electrical cords should be used.

#	By-law Section	Current Wording	Proposed Wording	Source	Reasoning
94.	SECTION 7: Standards for Building Services, Systems and Facilities	7.4.1 No Owner shall disconnect (or cause to be disconnected) any service or utility supplying heat, electricity, gas or water to a Building, nor to a Dwelling Unit or Lodging Unit occupied by a tenant, lessee or Occupant of such Building, except for such reasonable period of time as may be necessary for the purpose of Repairing, replacing, or otherwise altering the service or utility	7.4.1 No Owner shall disconnect (or cause to be disconnected) any service or utility supplying heat, electricity, gas or water to a Building, nor to a Dwelling Unit or Lodging Unit occupied by a tenant, lessee or Occupant of such Building, except for such reasonable period of time as may be necessary for the purpose of Repairing, replacing, or otherwise altering the service or utility	P.S.B. Working Group	Grammar improvement for clarity.
95.	SECTION 7: Standards for Building Services, Systems and Facilities	7.7.1 In Apartment Buildings where a voice communications system exists between each Dwelling Unit and the lobby and, where a security locking and release system for the entrance is provided and is controlled from each Dwelling Unit, such system shall be maintained in good Repair.	7.7.1 In Apartment Buildings where a voice communications system exists between each Dwelling Unit and the lobby and/or, where a security locking and release system for the entrance is provided and is controlled from each Dwelling Unit, such system shall be maintained in good Repair and in an operable condition.	P.S.B. Working Group	Previously this section could be read that only if the building had a voice communication system and a security locking release, then these standards apply. Adding and/or makes it so if the building has one or the other, it still needs to be maintained in good repair.

Survey Report

25 September 2019 - 20 November 2019

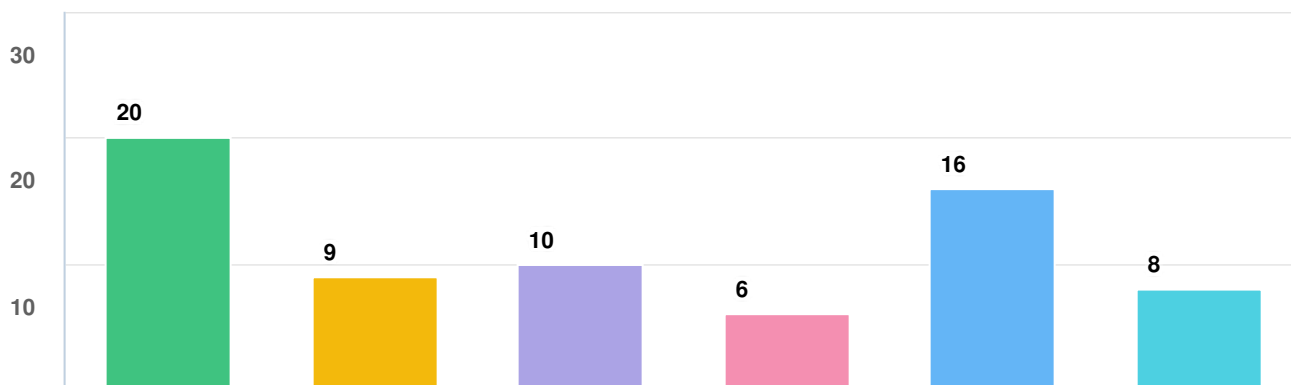
Property Standards By-Law Review

PROJECT: Property Standards By-law Review

Connect Oshawa

engagement 
by Bang the Table

Q1 What concerns do you have related to the City's Property Standards By-law?



Question options

- Property Maintenance, Waste Management and Accessory Buildings or Structures
- Building Standards
- Standards for Residential Occupancy
- Standards for Building Services, Systems and Facilities
- Vacant Buildings
- Heritage Property Standards

(39 responses, 0 skipped)

Q2 | My specific concerns related to Property Maintenance, Waste Management and Accessory Buildings or Structures include:

Currently experiencing an issue with retaining walls and fire hydrant - resident has a retaining wall which has completely collapsed on City property at the end of driveway. This collapse has resulted in a hole near the fire hydrant. Additionally, the former pieces of the retaining wall are piled next to fire hydrant. This is a safety issue for the home owners and fire services. This seems to be an issue that falls between three levels - City, Region and Fire Service. Need to be corrected. By-law has been contacted and the situation is still unresolved and is dangerous. Has been in this condition for a minimum of two years. The same homeowner has had numerous by-law visits about trailer storage at the side of his residence. The area that the trailer is stored is not connected to a driveway, and in fact to get the trailer the homeowner has to utilize the adjoining driveway which does not belong to him. Additionally, the trailer sits on grass and weeds are allowed to grow up through and around the trailer. I believe this area needs to be reviewed - trailers should be on the driveway, at the very least. Or stored behind the fence line so that they are not an eye sore to public. A third issue in our neighborhood is in relation to closed pools. We are aware of at least two pools that have not been maintained or opened for many years. Many residents have complained about mosquitos etc.....by-law has responded but the pools continue to be not opened or not maintained.
Maintenance of lawn by property owners

City should enforce waste and property standards - many properties/apartments in Oshawa are unkempt including properties with visible garbage issues and vehicles parked on greenspace/lawns. Need for tiny homes where space permits on existing lots for affordable housing.

St. Georges Anglican Church (across the street from city hall) has to deal with the fallout from the homeless defecating and urinating on our "park like" grounds. The city does not seem to have any desire to provide public washrooms in the downtown core, (as even the smallest villages in Europe have). And yet the local government will want to act on standards that will force the church to clean up this unsightly health hazard because of Oshawa's failing to provide public washrooms. The city of Oshawa's has set no priority on this problem, but will no doubt provide unlimited resources to berate the church to clean up a situation they caused by the cities inability to act on this matter.

Condition of public parks and public green areas

my neighbour's garage is NOT in a state of good repair: roof leaking, back

side exposed, paint peeling, and he's got loose boards with nails and whatever around the outside. But apparently nothing can be done about how close this dilapidated building is to the property lines (under 1 foot!) because it's an older building?

Ensuring the highest environmental standards re: waste management, recycling and reusing as much as possible.

I am concerned that various types of recycled materials are not being separated appropriately

N/A

Constant pile up of discarded furniture at back of building, sometimes piled as high as 2nd fl. Pick up only 1 time a month not enough

Eaves troughs leaking/walk ways driveways crumbling door locks failing/garage being used as garbage storage. Windows missing parts/cracked windows

N/A

Waste being left out on a lot

Despite numerous complaints to condo corp bylaw & ombudsman, trash including bed bug infested furniture continues to be left in common areas of townhouse complex creates pests

Accessory Structures

Neighbours fence leaning onto our property

N/A

I am concerned that various types of recycled materials are not being separated appropriately upon pick up in my area.

Optional question (19 responses, 20 skipped)

Q3 | My specific concerns related to Building Standards include:

Landlords in the downtown core should be forced to renovate their store fronts. The entire downtown needs a facelift. All the old buildings make the downtown look very undisriable.

Huge new houses on older small lots out of character with neighborhood.n

Building on Tecumsh St never been finished in 20+ years??

If the standards are for new builds then ok but not to come to an existing property and impose standards unless unsafe for occupancy.

That building codes reflect the urgent nature of the climate crisis and thus require all new building or renos to be carbon-neutral, built with high eco-standards and LEAD certifiable.

330 Gibb st - apt building had recent safety inspection was told no window ac's & windows can't open more then 4" no window ac will cause a lot of undo hardship for renters!!! apts are sweltering. no window units mean we must sell our ac's & buy portables. Portables are low & need 2 ft clearance & small bedrooms don't have 2 ft free space - upper air. We need to have handyman to build platform for height of portable more \$\$\$\$\$\$
Blow out on exterior walls. Blow in basement on interior wall. Sewer backups

N/A

Landlord does not want to pay to have fence built on a new property that is has no fence. Will not reimburse neighbour who has paid for his fence

Optional question (9 responses, 30 skipped)

Q4 | My specific concerns related to Residential Occupancy include:

As I understand it, Provincial legislation allows homeowners to rent out rooms that have no cooking facility. To me this circumvents safety issues and proper habitation for those that stay in these places. I suppose this is a related issue to building standards (fire escape, heating and ventilation etc) None. I have no concerns with any of the standards. I had to choose something.

There are several rental houses in my neighbourhood with absent landlords. The properties are a disaster. It impacts our property values and our overall enjoyment of our neighbourhood. Landlords need to be held accountable for the condition of their properties. We have contacted the city and nothing has been done to address this.

Have good optics ! Be hard on those who don't take care of their property. i.e. cut your grass, shovel the snow from your sidewalks. Brown people don't seem to understand this concept, as an Indian immigrant I DO ! I take pride in my home and my community and do my best not to deflate my neighbors property value. Being lazy serves nobody !
Number of unrelated people sharing small space

The mis-use of vacant buildings.

Hot water very slow, bed bug infestation, smoke & carbon monoxide alarms NOT serviced by landlord or property manager

N/A

Ventilation is a huge cause from concern in older structures as neighbors who smoke cigarettes & other things seem to affect neighbours on each side

Single family residence with a "Bunkie" in the backyard that has kitchen & washroom owner lives there and rents house

Optional question (10 responses, 29 skipped)

Q5 | My specific concerns related to Standards for Building Services, Systems and Facilities include:

Shoddy renos that somehow pass inspection. Seems like it is who you know...

SAFETY The street door to our units has no lock. This has led to unwanted canvassers etc. knocking on our doors. We have had to call the police as a distressed person was knocking on doors and threatening violence. We have a tenant who is often verbally abusive and has also threatened at least one neighbour. He has been in and out of the Whitby Psychiatric facility numerous times. The furnace duct work has never been cleaned. The furnace filter is not changed regularly causing dirt and dust to circulate through the venting system. Outside brickwork requires re-pointing as there are numerous cracks which look like they have been filled with caulking instead of cement and there have been water leaks around sills that have cracked the interior plaster. The electrical system is way outdated and GFI outlets in washrooms only have power when the light is turned on. There is no secure external garbage/re-cycling storage.

Garbage collection only bi-weekly. Property owners in the United States pay for private garbage collection and the garbage is collected twice a week.

Heating/water/electricity systems should be reliable and standard and in current code.

N/A

parking requirements for residents living in a dwelling

Optional question (6 responses, 33 skipped)

Q6 | My specific concerns related to Vacant Buildings include:

Vacant buildings attract crime, vandalism, and arson, which endangers the buildings, the occupants, and the neighbourhood, as we've seen in the downtown. Owners, who are often not even Oshawa residents, need to be held accountable for maintaining their properties, especially older buildings that may have Code issues. The all-too-common practice of demolition by neglect is a shameful blight on the city and must be stopped. Empty store fronts look terrible. Unoccupied buildings do not clear snow or maintain walks in the winter.

Obvious neglect , weeds growing around abandoned vehicles on front lawns, attraction to 2 and 4 legged pests.

We have an opioid crisis and a housing/homelessness crisis. My concerns are people buying properties and not using them while thousands of our own neighbors have no where to go, can't buy a home or can't afford to rent anywhere. The only reason I was able to purchase a house before 30 was because my father died. Otherwise there was no way we would have made a down-payment.

Buildings can be re-zoned for condos or commercial business use.

can't there be some kind of art effort to make vacant buildings more appealing in the downtown area?

Vacant buildings that sit idle. Property tax should be raised on it so there is incentive to find tenants.

Unlawful tenants, break ins, vandalism

N/A

Secure the property from trespassing

Squatters, Pests, Fire & explosion hazard

Property value

Safety

Not being lived in is concerning due to animals trying to live there

Maintenance of outside of building

Optional question (15 responses, 24 skipped)

Q7 | My specific concerns related to Heritage Property Standards include:

The same applies to our irreplaceable heritage resources. We have seen instances of developers allowing heritage structures to fall into decay and disrepair as a way to circumvent their legal obligations as landlords and owners of heritage properties. The status quo provides a quick and dirty way to clear a lot for re-development while erasing our remaining built heritage. The Robert McLaughlin Home at 195 Simcoe St. is the best recent example. This has to stop. What is Oshawa doing to prevent these losses?

I have seen far too many heritage properties in Oshawa fit the category of "demolition by neglect" and I am very concerned that we are losing many of our significant heritage resources in our city to shady development practices. GM plant is a part of Oshawa's Heritage. I am concerned with what will happen to the plant after GM closes down. If another company comes in, they must respect heritage

I am very concerned about the future of the GM plant. The shutdown and closure will have a negative impact of the city of Oshawa

Going to far in some cases building code, usage change requires some change

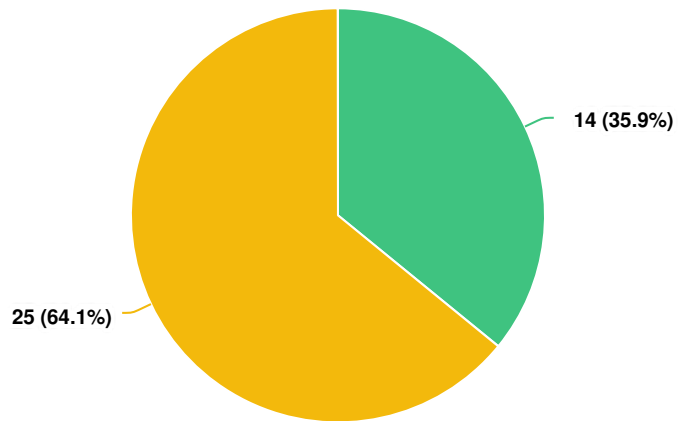
N/A

Not being maintained

GM Plant is a part of Oshawa's heritage. I am concerned with what will happen to the plant after GM closes down. If another company comes in, they must respect heritage.

Optional question (8 responses, 31 skipped)

Q8 Are there other property-related issues the Property Standards By-law should address?



Question options

- Yes
- No

(39 responses, 0 skipped)

Q9 | Yes, my specific concerns include:

I am aware of circumstances where residents have complained through what was thought to be a confidential system, only to find out that the information was accidentally provided to the person being complained about. This needs to be tightened up so that it does not compromise neighbors.

Oshawa needs a Heritage Property Standards By-law. Toronto has a good one (see attached), though due to the fact that Oshawa currently has so few Part IV (and no Part V) designations, the Oshawa version should apply to all Designated and Registered Non-Designated properties, as well as those listed on the Oshawa Heritage Inventory. NOTE THE FINAL SECTION, "629-49: Conflict," which states that the preservation of the City's heritage attributes must take precedence. [The following is excerpted from the City of Toronto Property Standards By-law] "629-44. Minimum standards. In addition to the minimum standards for the maintenance and occupancy of property in the City as set out in this chapter, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall: A. Maintain, preserve and protect the heritage attributes so as to maintain the heritage character, visual and structural heritage integrity of the building or structure. B. Maintain the property in a manner that will ensure the protection and preservation of the heritage values and attributes. § 629-45. Repair of heritage attributes. A. Despite any other provision of this chapter, where a heritage attribute of a Part IV heritage property or a Part V heritage property can be repaired, the heritage attribute shall not be replaced and shall be repaired: (1) In a manner that minimizes damage to the heritage values and attributes; (2) In a manner that maintains the design, colour, texture, grain or other distinctive features of the heritage attribute; (3) Using the same types of material as the original and in keeping with the design, colour, texture, grain and any other distinctive features of the original; and (4) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material. § 629-46. Replacement of heritage attributes. A. Despite any other provision of this chapter, where a heritage attribute of a Part IV heritage property or a Part V heritage property cannot be repaired, the heritage attribute shall be replaced: (1) Using the same types of material as the original; (2) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material; and (3) In such a manner as to replicate the design, colour, texture, grain and other distinctive features and appearance of the heritage attribute. § 629-47. Clearing and levelling of heritage properties. Despite any other provision of this chapter, or the Building Code Act, 1992, no building or structure on a Part IV heritage property or a Part V heritage property may be altered or cleared, including but not limited to removed, demolished or relocated except in accordance with the Ontario Heritage Act. § 629-48.

Vacant and damaged designated heritage properties. A. Despite § 629-24D, where a Part IV heritage property or a Part V heritage property remains vacant for a period of 90 days or more, the owner shall ensure that appropriate utilities serving the building are connected as required in order to provide, maintain and monitor proper heating and ventilation to prevent damage to the heritage attributes caused by environmental conditions. B. Despite § 629-24B, the owner of a vacant Part IV heritage property or a Part V heritage property shall protect the building and property against the risk of fire, storm, neglect, intentional damage or damage by other causes by effectively preventing the entrance to it of all animals and unauthorized persons and by closing and securing openings to the building with boarding: (1) That completely covers the opening and is properly fitted in a watertight manner 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; (2) That is fastened securely in a manner that minimizes damage to the heritage attributes and the historic fabric and is reversible; (3) In a manner that minimizes visual impact. C. Despite § 629-24B(2), no window, door or other opening on a Part IV heritage property or Part V heritage property shall be secured by brick or masonry units held in place by mortar unless required by a Municipal Standards Officer. § 629-49. Conflict. If there is a conflict between this section and any other provision in this chapter or any other City by-law, the provision that establishes the highest standard for the protection of heritage attributes shall prevail." Also, Oshawa needs a comprehensive and strictly enforced Tree Protection By-law, requiring the protection of all City trees and a permit for the injury or removal of any private tree, with substantial fines for contravention. Protecting our tree canopy is an essential part of climate change mitigation and of our overall sustainability strategy. Trees and shrubs sequester carbon, improve physical and mental health, maintain property values and attractive neighbourhoods, and provide numerous environmental benefits, including stormwater runoff and erosion prevention, reduced heating and cooling costs, and wildlife habitat. Here is a link to the Toronto version: https://www.toronto.ca/legdocs/municode/1184_813.pdf

Tent cities - these often include filth and discarded syringes and human feces. My recent experience is that these are often left to fester which I can't for the life of me understand. Polluting is not acceptable and polluting in this manner is a health and safety issue.

Shopping carts and garbage piles all over the downtown deposited by the homeless population. These are unacceptable and should be removed immediately.

Roof repairs, several homes have rotting roofs and each wind storm the neighborhood is littered with shingles. Community "slow down" signs for children on through fares.

case-by-case scenario

Appearance. Its impossible to quantify vibrant neighborhoods or communities

with deplorable looking properties in the area.

Properties should be kept neat and tidy. No vehicles sitting in driveway or on property for years regardless if plated or not. Grass to be cut, weeds to be kept under control and not a bush, trees encroaching on neighbors property to be kept trimmed, not the responsibility of the neighbor. Dwelling to be kept up, not ready to fall down.

Require neighbours to be accountable for leaves that fall off their tree and onto my lawn or trees shall not grow over your fence. A tree should only hang on your own property or be cut down.

the cost involved in now buying portable a/c not being able to use window units & hiring handyman to build platform to give height for portable. I need a/c due to allergies. I am senior & this by-law is costing me money. Every building in Ontario has window a/c!! Apts very very hot in summer. This is terrible for seniors & super does not assist tenants in any way. I feel this by-law discriminatory costly

when a landlord evicts to renovate full building inspection to ensure building is renovated. Further proper N is issued as opposed to bullying/badgering tenants to sign N II. The 3 examples given and the 4th one i added in. Some landlords seem to be on a rampage Canadian law somehow gets ignored. Further reminder to keep written records and occupancy licences even for houses for rent may help in these things

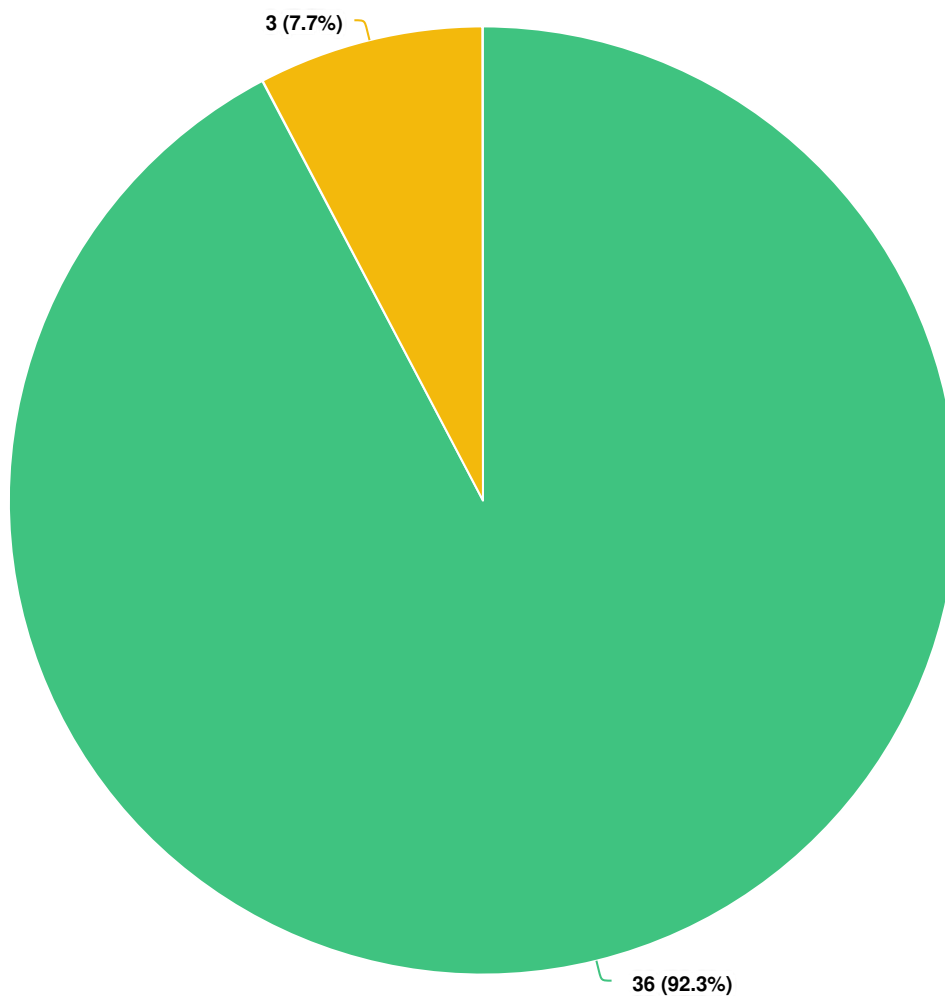
Airport Security

Yards that do not have grass cut or garbage lying around

Require neighbours to be accountable for leaves that fall off their tree and onto my lawn or trees shall not grow over the fence. A tree should only hang on your own property or be cut down.

Optional question (14 responses, 25 skipped)

Q10 Are you an Oshawa resident, and/or Oshawa business/property owner?

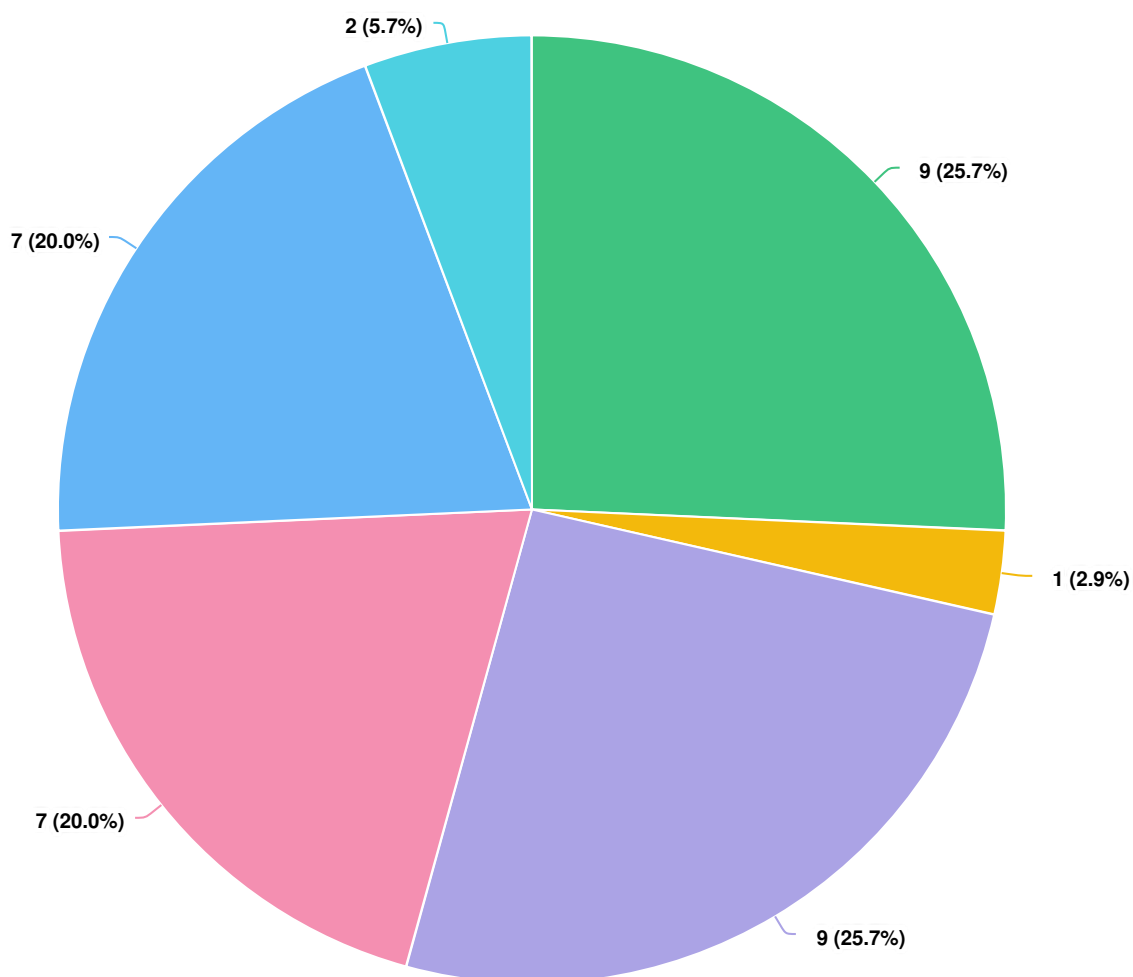


Question options

- Yes
- No

(39 responses, 0 skipped)

Q11 What does your postal code begin with?

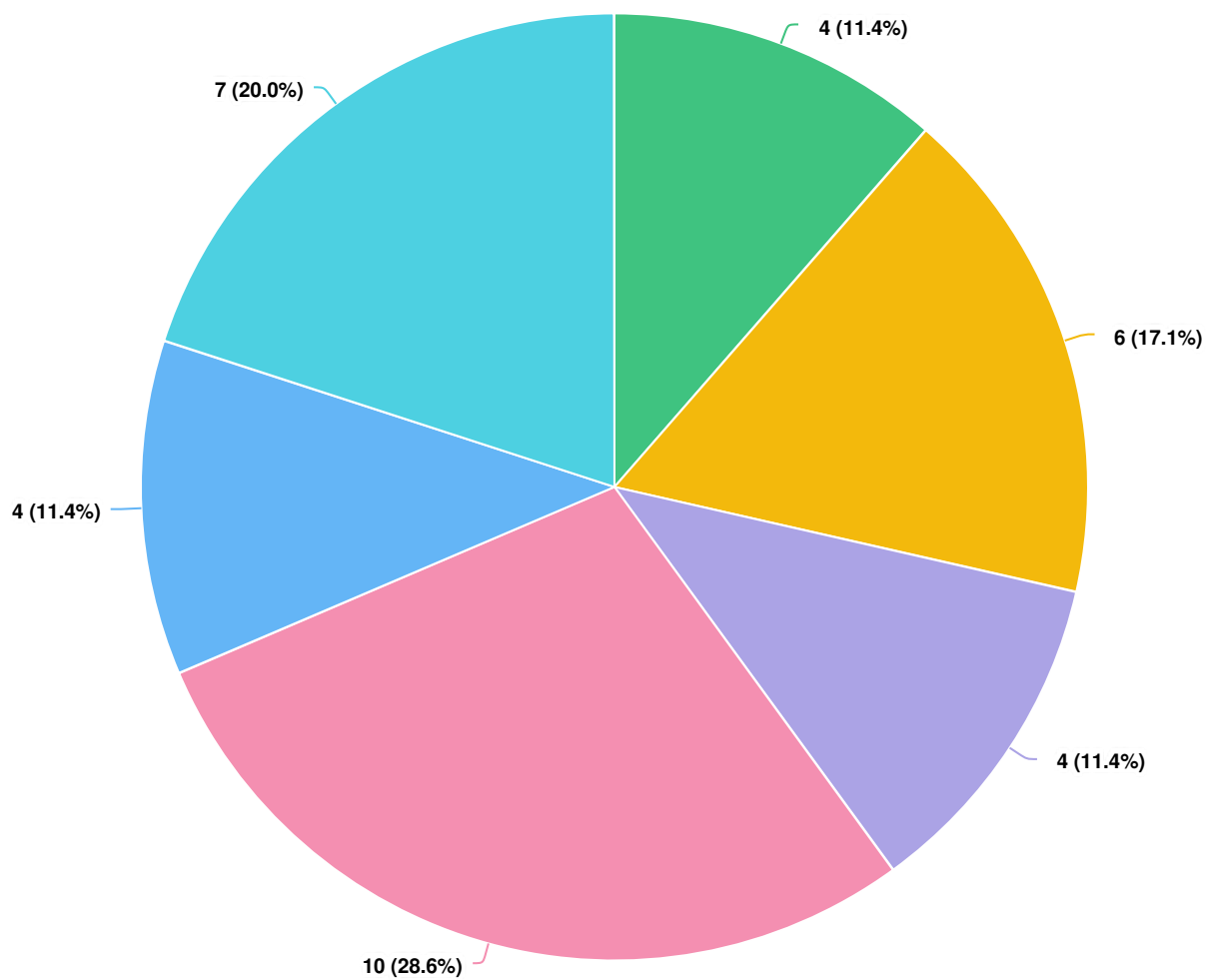


Question options

- L1G
- L1H - North of King St.
- L1H - South of King St.
- L1J
- L1K
- L1L

Optional question (35 responses, 4 skipped)

Q12 | What ward do you live in/is your business property located in?

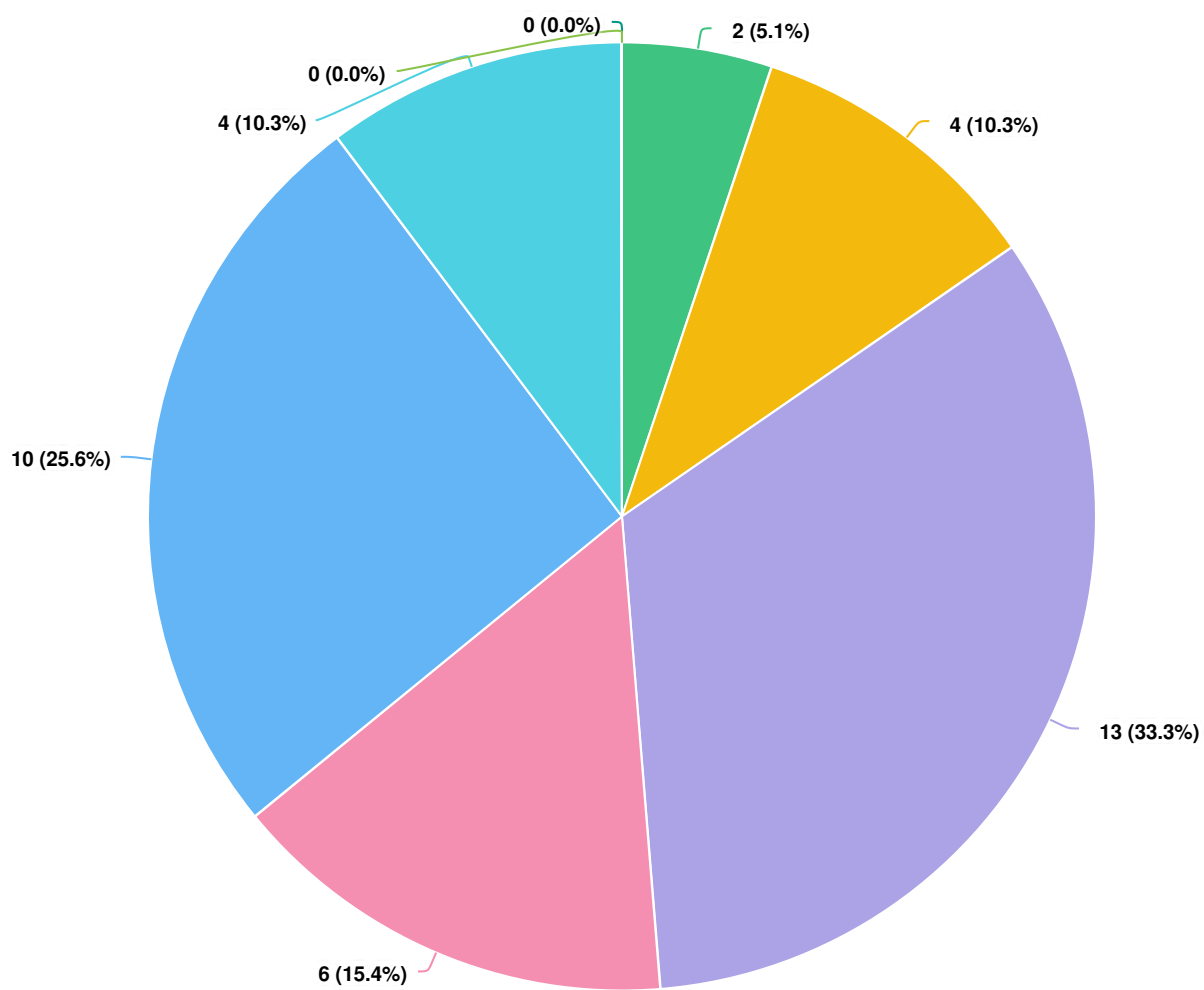


Question options

- Ward 1
- Ward 2
- Ward 3
- Ward 4
- Ward 5
- Don't know

Optional question (35 responses, 4 skipped)

Q13 How old are you?

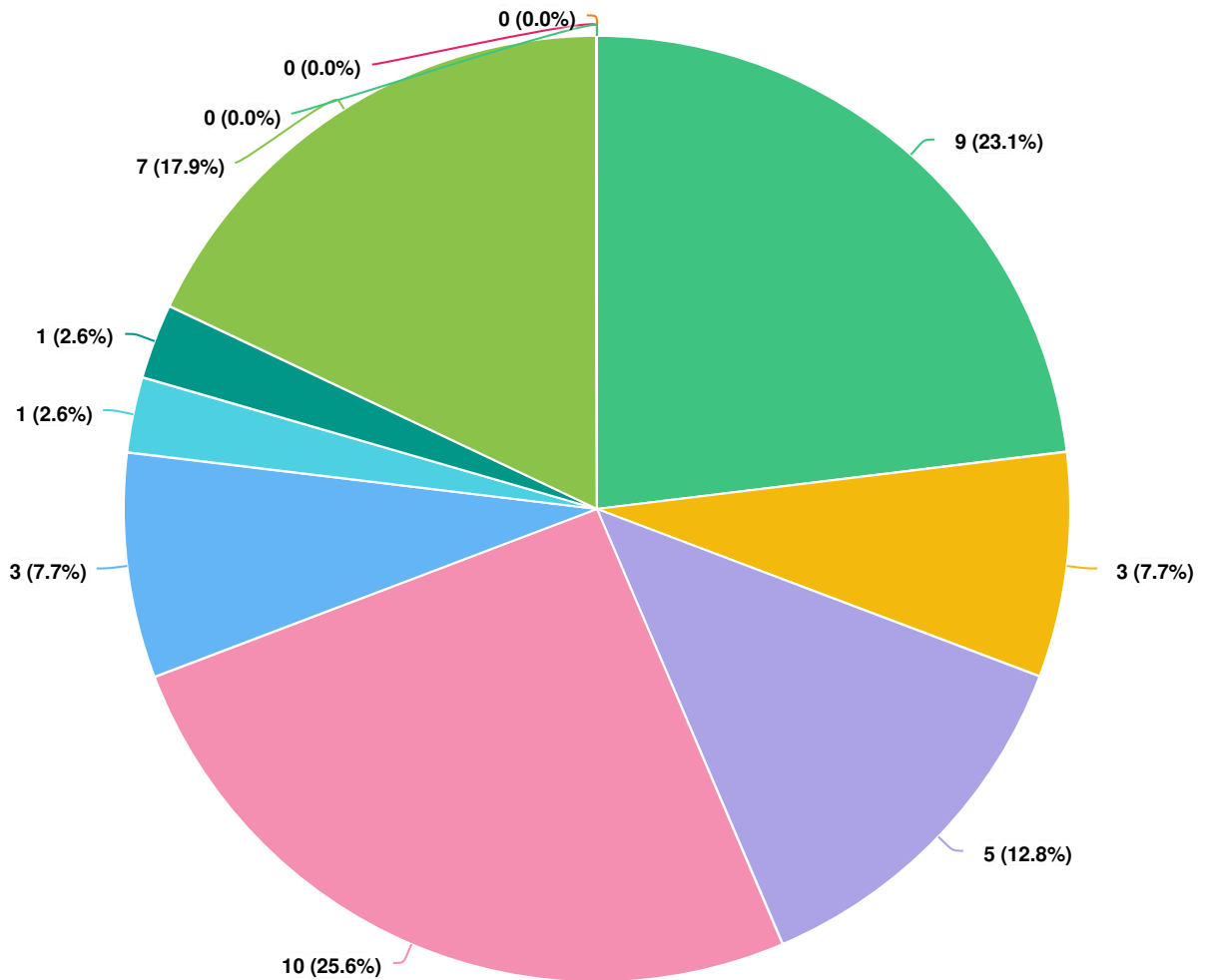


Question options

- 18 – 24
- 25 – 34
- 35 – 44
- 45 – 54
- 55 – 64
- 65+
- 12 and under
- 13 – 17

(39 responses, 0 skipped)

Q14 How did you learn about this community engagement opportunity? Select all that apply.



Question options

- City Facility
 ● City of Oshawa website
 ● Connect Oshawa website
 ● Email
 ● Oshawa Express
- Social Media
 ● Word of mouth
 ● Other
 ● Letter/flyer
 ● Oshawa This Week
 ● Poster

(39 responses, 0 skipped)

Q15 Please specify:

Scheduled Staff presentation to Heritage Oshawa

Billboard outside GL Roberts

Billboard outside of Community centre

Rino told me

Delpark Arena Showing

City Hall Table

Billboard outside GL Roberts

Optional question (7 responses, 32 skipped)

Q16 | How could we improve future community engagement opportunities?

[redacted]

None

More options for members of the public to participate on weekends -- weekdays weeknights are very difficult for working families with kids in activities.

I don't know.

Continue digital strategy

This form is terrible to use and takes several attempts to submit.

same

Surveys seem fine.

Easy web access that is user friendly. Perhaps a community TV report on a specific channel for residence to access.

You are doing a great job.

Provide proper public washroom facilities somewhere in the downtown core. A point for you to consider. In most public washrooms in Europe, the washrooms are illuminated with blue lighting. The reason they use blue lighting, is that the drug addicts want to inject illegal drugs into their blue veins. If there is blue lighting, they cannot see the blue veins in their skin, and so they go somewhere else to "shoot up", (which is exactly the desire goal).

Door knocker notification(actual person.....not just a notice that is left on the door

[redacted]

N/A the opportunities are advertised well for people who are looking

Have more opportunities to get involved.

Keep actively promoting on social media; listening to citizen concerns seriously and attentively; prioritizing community needs over purely economic imperatives to establish greater trust with community members
traditional mail

This survey needs sample photos, imagery, all this text is boring, but its simplicity is good.

I am satisfied with the current system.

make questionnaires more specific. the vagueness of your questions allows you to interpret the results ANY WAY you like it. I know. I have a mathematics degree. Also, this survey did not gather any input from me. it really just asked what I have an issue with. I may not have an issue with any of the items but very well would like input into these. so right off the results are skewed as I had to pick what 'i had a concern with'. so i picked one just to be able to continue with the survey, only to find out there were no more questions. Very useless survey and feedback mechanism I would suggest. Finally, your form is flawed. Why do you need an email? I forgot to enter an email, got an error message, and then the submit button stayed on "submitting" (that's what it read) and the form got stuck (I waited 30 min before clicking cancel as I was not able to go back, correct the error and resubmit).

Notices, feedback forms.

Text messaging to all residents(?)

Make this form online to save paper...It's 2019

N/A

Less is more

return phone calls

let us know about it sooner if possible

Try going door to door in select areas

N/A

I found this engagement very helpful 10-10 would visit again.

N/A

N/A

N/A

No concerns

N/A

N/A

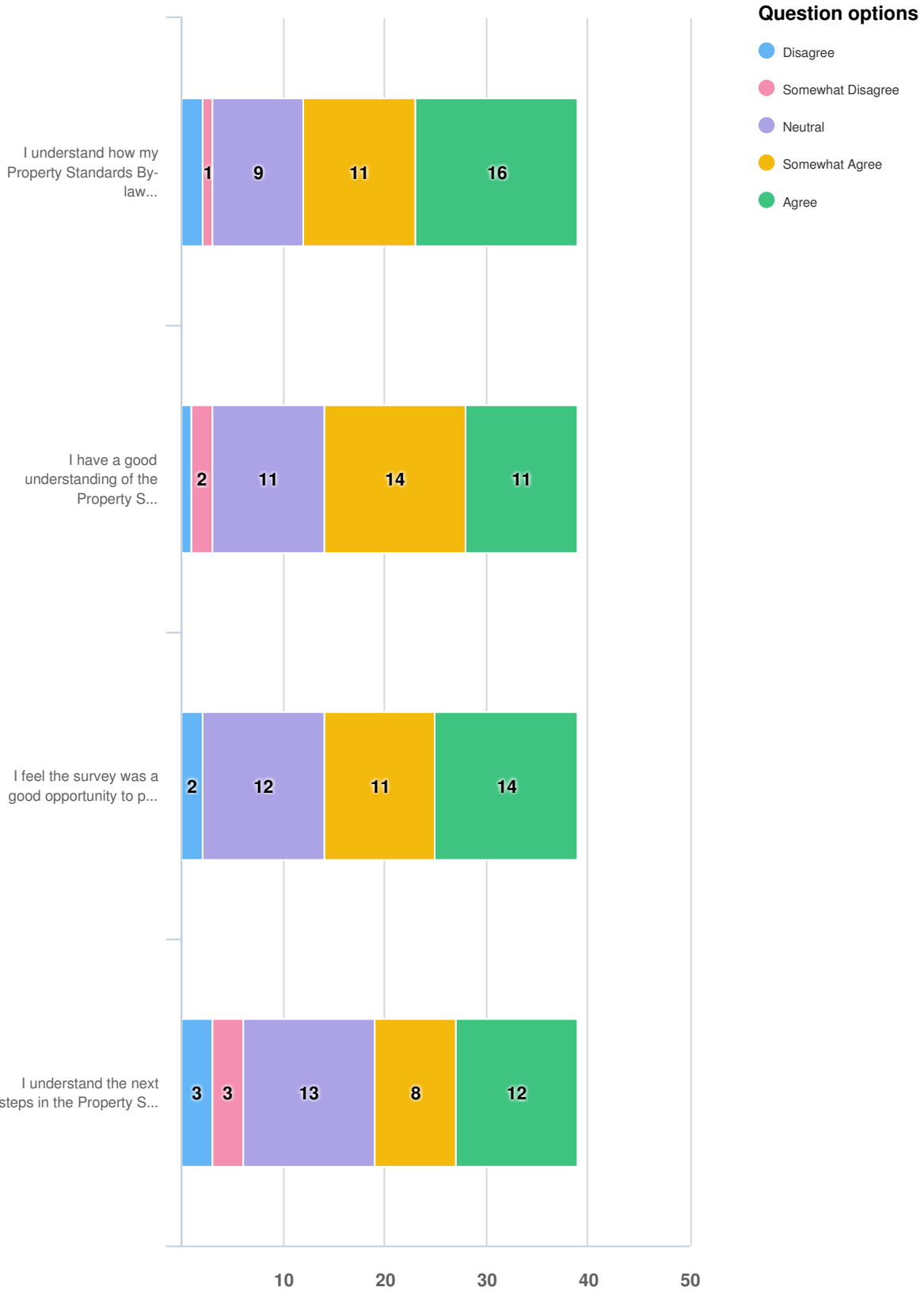
N/A

N/A

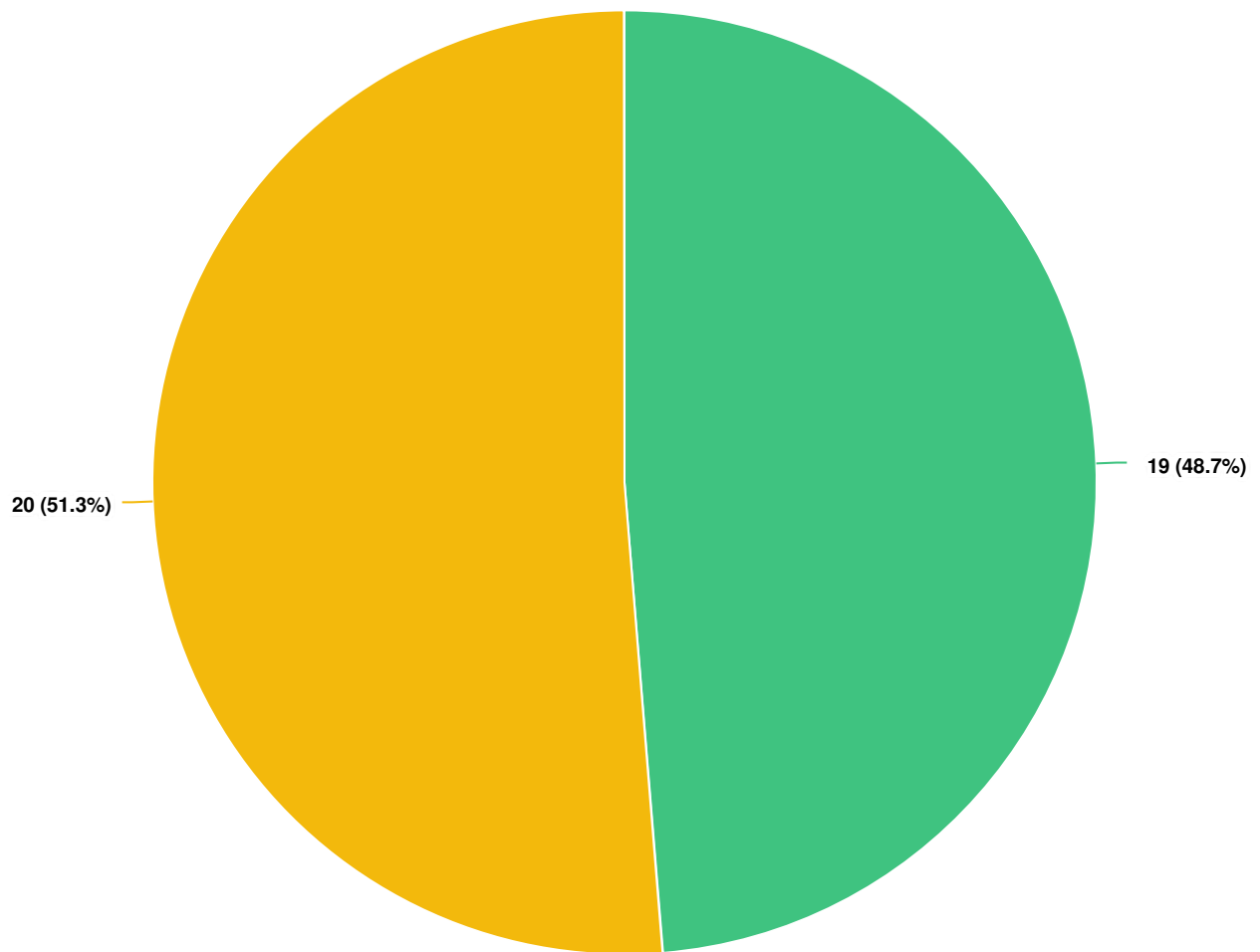
Make this form online to save paper, it's 2019.

(39 responses, 0 skipped)

Q17 Please rate the following statements:



Q18 | Would you like to receive updates on this initiative?



Question options

- No
- Yes

(39 responses, 0 skipped)

Q19 | Please provide your name, along with your email address or phone number below. Your contact information will not be made public.

Optional question (19 responses, 20 skipped)



Terms of Reference

Property Standards By-law Working Group

Mandate

The mandate of the Property Standards By-law (P.S.B.) working group (“Working Group”) is to bring together community stakeholders to identify opportunities to enhance the City’s P.S.B., a by-law which establishes minimum standard for property maintenance and repair. The Working Group will provide suggestions to Municipal Law Enforcement and Licensing Services (M.L.E.L.S.) staff who will consider and use the feedback to inform proposed amendments to the P.S.B.

Objectives

The objectives of the Working Group are to:

- Identify opportunities to enhance the City’s minimum standards for property maintenance and repair.
- Ensure proposed enhancements align with the following Council-approved criteria for determining appropriate minimum standards that seek a balance between addressing concerns relating to health, safety and suitable habitation and concerns relating to burdensome repair costs for property owners:
 - **Health and Safety** – generally refers to protecting the public, specifically residents and businesses, and addressing life-safety issues.
 - **Good Repair** – generally refers to:
 - Addressing deficiencies on a property and within, or in the vicinity of, a building or structure. With respect to properties designated as heritage properties, good repair would include remediating deficiencies to the level established in the applicable designating by-law.
 - Maintaining the character and image of the City through standards as established by City Council in municipal by-laws.
 - **Suitable for Habitation** – generally refers to housing that guarantees physical safety, provides adequate space and facilities, and protection from the elements.
- Provide feedback to M.L.E.L.S. staff.

Composition

Recognizing that the City’s P.S.B. impacts the daily lives of all individuals who live, work and play in the City of Oshawa, the Working Group is intended to be representative of property owners, tenants, landlords, property maintenance companies, and local community organizations. The Working Group is chaired by M.L.E.L.S. staff and is comprised as detailed in **Table 1**.

Table 1 Composition of P.S.B. Working Group

Stakeholder Affiliation	Number of Members
Local Community Group	1
Non-Governmental Organization	1
Local Community Group	1
Property Owner	1
Property Management Company	1
Landlord	1
Property Standards Committee	All
Tenants	1

It is important to note that pursuant to report [CORP-19-25](#) and as per Council's March 18, 2019 direction, M.L.E.L.S. staff have already, or are in the process of, consulting other stakeholders on the P.S.B. review (e.g. Heritage Oshawa, Oshawa Environmental Advisory Committee, etc.). Given that feedback has already been received from certain stakeholders, those stakeholders will not form part of the Working Group. Additionally, The City may invite additional members as needed on the Working Group as appropriate.

Frequency of Meetings

The Working Group will meet twice; once in April 2021 and once in June 2021. The meetings will be scheduled during business hours (Monday to Friday 8:30 a.m. to 4:30 p.m.). The City may call additional meetings as required.

Technological Requirements for Online Meetings

During the COVID-19 pandemic, meetings will be held online using Webex meeting software. Accordingly, all Working Group members must have access to the following:

- A stable internet connection
- An electronic device (computer, tablet or cellphone) with video and audio capability
- An internet browser or the downloaded Webex application (go to www.webex.com to download the free application)
- Headphones with a built in microphone help reduce background noise and improve sound quality during Working Group meetings

Remuneration

None.

Budget

The activities of the Working Group will be accommodated within the existing City Department budgets. Initiatives that require funding beyond the approved budget will be reported to Council for approval.

Working Group Support

The work of the Working Group will be supported by M.L.E.L.S. staff.

By-law ____-2021
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:

1. 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.
2. 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.
3. The Official Plan for the City of Oshawa includes provisions relating to property conditions.
4. Section 391 of the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended, authorizes the passing of a by-law imposing fees and charges.

NOW THEREFORE The Corporation of the City of Oshawa by its Council enacts as follows:

1. The "Recitals" section of the Property Standards By-law 01-2002, as amended, ("Property Standards By-law") is amended by deleting section 4 and replacing it with the following:
 - "4. Section 391 of the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended, authorizes the passing of a by-law imposing fees and charges."
2. Section 1 of the Property Standards By-law is further amended by deleting section 1.3.1 and replacing it with the following:

"Officers

- 1.3.1 The Council of the City of Oshawa shall appoint Officers from time to time to be responsible for administering and enforcing By-laws passed under section 15.1 of the Building Code Act including this By-law."

3. Section 1 of the Property Standards By-law is further amended by adding Section 1.4.4 (“Administrative Monetary Penalties”) immediately after section 1.4.3, as follows:

“Administrative Monetary Penalties

1.4.4 Administrative Penalty Process By-law 63-2013 applies to each administrative penalty issued pursuant to this By-law.”

1.4.4.1 Each Person who contravenes any provision of this By-law or fails to comply with an Order issued in accordance with this By-law, shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law 63-2013, be liable to pay to the City an administrative penalty. If a Person receives a penalty notice in accordance with the City's Administrative Penalty Process By-law for a contravention of the Property Standards By-law, the following tiered penalty system applies:

- (a) if the Person has not received a penalty notice for the same contravention within one (1) calendar year or less, the Person shall be liable to pay to the City a tier one (1) administrative penalty amount for that contravention in the amount of \$250.
- (b) if the Person receives an additional penalty notice for the same contravention of the Property Standards By-law within one (1) calendar year or less from the date of the penalty notice containing a tier one (1) administrative penalty amount, the Person shall be liable to pay to the City a tier two (2) administrative penalty amount for that contravention in the amount of \$350.
- (c) if the Person receives a subsequent penalty notice for the same contravention of the Property Standards By-law within one (1) calendar year or less from the date of the penalty notice containing a tier two (2) administrative penalty amount, the Person shall be liable to pay to the City a tier three (3) administrative penalty amount for that contravention in the amount of \$500.
- (d) If the Person receives any subsequent penalty notices for the same contravention of the Property Standards By-law within one (1) calendar year or less from the date of the penalty notice containing a tier three (3) administrative penalty amount, the Person shall be liable to pay to the City a tier three (3) administrative penalty amount for that offence in the amount of \$500.

1.4.4.2 The *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, does not apply to a penalty notice issued in accordance with Administrative Penalty Process By-law 63-2013.”

4. Section 1 of the Property Standards By-law is further amended by deleting section 1.5.1 and replacing it with the following:

“1.5.1 If one or more provisions of the Property Standards By-law 01-2002, as amended, are found to be invalid, illegal, inoperative, unenforceable or void by any court or tribunal of competent jurisdiction, in whole or in part, or in the particular circumstances, the remaining terms and provisions of the By-law shall be deemed to be severable from the part so found and shall remain in full force and effect.”

5. Section 1 of the Property Standards By-law is further amended by deleting section 1.7 (“Gender and Neutral”) and replacing it with the following:

“1.7 Number

Singular and Plural

1.7.1 In this By-law, unless the contrary intention is indicated, words used in singular shall include the plural and vice versa.”

6. Section 1 of the Property Standards By-law is further amended by deleting the section 1.10.1 and replacing it with the following:

“1.10.1 Where this By-law provided metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements have been provided in parenthesis but are of no force or effect. The abbreviation “mm” stands for millimetres, “m” stands for metres, “m²” stands for square metres, “m³” stands for cubic metres, “ha” stands for hectares, and “C” stands for Celsius.”

7. Section 1 of the Property Standards By-law is further amended by deleting the heading of section 1.14 (“Repeal of Existing By-Law”) and replacing it with the following:

“1.14 Repeal of Existing By-laws”

8. Section 1 of the Property Standards By-law is further amended by deleting section 1.15.1 and replacing it with the following:

“1.15.1 Subject to Article 1.16.1, this By-law, as amended, shall come into force on the date of passage by Council.”

9. Section 1 of the Property Standards By-law is further amended by deleting section 1.16.1 and replacing it with the following:

“1.16.1 After the date of the passing of this By-law, By-laws 136-79, 156-79, 63-80, 136-91, 85-92, and 91-90 shall apply only to those Properties in which an Order has been issued prior to the date of passing of this By-law, and then only to such Properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order including any demolition, clearance, or Repair carried out by the municipality shall have been concluded.”

10. Section 1 of the Property Standards By-law is further amended by deleting section 1.17.1 and replacing it with the following:

“1.17.1 Upon payment of its fee, as prescribed by the General Fees and Charges By-Law 13-2003, as amended, the City shall issue to an Owner a certificate with respect to the Property’s compliance or non-compliance with the Standards (as the case may be).”

11. Section 1 of the Property Standards By-law is further amended by deleting section 1.18.3 and replacing it with the following:

“1.18.3 Each member of the Property Standards Committee, appointed by Council, shall be entitled to an honorarium of \$75.00 per meeting for each member’s attendance at committee hearings.”

12. Section 1 of the Property Standards By-law is further amended by deleting section 1.18.4 and replacing it with the following:

“1.18.4 An Owner or occupant who appeals an Order made pursuant to Subsection 15.2(2) of the Building Code Act shall submit a Notice of Appeal in the time frame and manner as prescribed in subsection 15.3(1) of the Building Code Act. All Notices of Appeal shall be accompanied by a non-refundable payment for the processing of the appeal as prescribed by the General Fees and Charges By-law 13-2003, as amended.”

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

“**Apartment Building**” means a Building or part of a Building containing three or more Dwelling Units, including stacked townhouses, but does not include flats, block townhouses or street townhouse buildings. For the purpose of this definition “Dwelling Unit” means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities.”

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

“**Block Townhouse**” means a townhouse served by a private driveway or aisle, but does not include a Street Townhouse Building. For the purpose of this definition “Dwelling Unit” means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities.”

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

“**Dwelling**” means a Building or structure or part of a Building or structure used for the purpose of human habitation, and includes a Building that would be used or would be intended to be used for such purposes, except for its state of disrepair.”

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

“**Fire Separation**” means a construction assembly that acts as a barrier against the spread of fire.”

17. Section 2 of the Property Standards By-law is further amended by adding a new defined term “Ground Cover” immediately after the “Fire Separation” definition, as follows:

“**Ground Cover**” means organic or non-organic material applied to prevent soil or sand erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.”

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

“**Guard**” means a protective barrier, with or without openings through it, that is around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways, or other locations to prevent accidental falls from one level to another.”

19. 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.”

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

“**Heritage Property**” means a Property that has been designated under section 29 or section 34.5 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended or Property that is located within an area that has been designated under section 41 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended, as a heritage conservation district.”

21. Section 2 of the Property Standards By-law is further amended by adding a new defined term “Improved Street”, immediately after the “Heritage Property” definition, as follows:

“**Improved Street**” means a road allowance which has been dedicated as a public highway and which is or will be fully maintained year round, including winter snow and ice control by the City or the Region of Durham.”

22. Section 2 of the Property Standards By-law is further amended by adding a new defined term “Inoperative Motor Vehicle”, immediately after the “Improved Street” definition, as follows:

“**Inoperative Motor Vehicle**” means a vehicle requiring bodywork, and/or having missing components or parts, including tires or glass, and/or is in such condition that prevents its mechanical function.”

23. Section 2 of the Property Standards By-law is further amended by deleting the defined term “Level of Illumination” and replacing it with the following:

“**Level of Illumination**” means the level of artificial lighting measured in Lux (foot candles) from 1 m (3.28 feet) above floor or grade level.”

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

“**Lodging House**” means a Building or part of a Building, containing three to ten Lodging Units, which does not appear to function as a Dwelling Unit, although one may be included with the Lodging Units. The Lodging House definition includes, without limitation, a rooming house and a boarding house, a fraternity or sorority house. It does not include a hotel, a crisis care residence, a hospital, a group home, a correctional group home, a bed and breakfast establishment, a nursing home, a flat, an apartment building or a block townhouse. A Lodging House may involve shared cooking or Washroom facilities. Meals may or may not be provided to residents. Common areas, such as living rooms, may or may not be provided.”

25. Section 2 of the Property Standards By-law is further amended by adding a new defined term “Means of Egress” immediately after the Definition of “Lodging Unit”, as follows:

“**Means of Egress**” includes exits and access to exits and means a continuous path of travel provided for the escape of persons from any point in a building or in a contained open space to,

- (a) a separate building,
- (b) an open public thoroughfare, or
- (c) an exterior open space that is protected from fire exposure from the building and that has access to an open public thoroughfare.”

26. 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 332/12: Building Code, made under the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, or any successor thereof.

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

“**Owner**” includes:

- (a) the Person for the time being managing or receiving the rent of the Property, whether on the Person’s own account or as agent of the trustee of any other Person, or who would so receive the rent if the Property were let;
- (b) 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;
- (c) the registered Owner of the Property; or
- (d) a mortgagee in possession of the Property.”

28. Section 2 of the Property Standards By-law is further amended by adding a new defined term “Street Townhouse Building” immediately after the Definition of “Standard”, as follows:

“**Street Townhouse Building**” means a Townhouse with each Dwelling Unit having lot frontage and direct vehicular access to an Improved Street that is maintained by a municipality.

29. Section 2 of the Property Standards By-law is further amended by adding a new defined term “Street Townhouse Dwelling” immediately after the Definition of “Street Townhouse Building”, as follows:

“Street Townhouse Dwelling” means one of the Dwelling Units originally constructed in a Street Townhouse Building.”

30. Section 2 of the Property Standards By-law is further amended by adding a new defined term “Townhouse” immediately after the Definition of “Street Townhouse Dwelling”, as follows:

“Townhouse” means a Building divided vertically into at least three Dwelling Units, attached by common walls at least 6.0m in length and at least one storey in height, in addition to any basement, with each Dwelling Unit having a separate entrance from the outside.”

31. Section 3 of the Property Standards By-law is further amended by deleting section 3.1.1(f) and replacing it with the following:

“(f) heating, ventilation and air conditioning facilities, services and equipment”

32. Section 3 of the Property Standards By-law is further amended by adding section 3.1.3 “Good Repair”, immediately following section 3.1.2 as follows:

“Good Repair

3.1.3 An Owner shall maintain any services and facilities in good Repair which, without limiting the generality of the foregoing, shall include:

- (a) structurally sound;
- (b) not broken, rusted, rotten or in a hazardous condition;
- (c) not unsightly to the extent that it would be deleterious to abutting property owners or to the neighborhood;
- (d) in proper working order, if applicable; and
- (e) adequately protected by weather-resistant material, if applicable.”

33. Section 4 of the Property Standards By-law is further amended by deleting the section 4 Heading (“Property Maintenance, Waste Management, and Accessory Buildings or Structures”) and replacing it with the following:

“Section 4 Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards”

34. Section 4 of the Property Standards By-law is further amended by deleting section 4.1.1 and replacing it with the following:

- “4.1.1 All Property shall be maintained in a clean and tidy condition so as not to detract from the neighboring environment or to present a hazard to any Person or Property including removal of:
- (a) dead or decayed trees or other natural growth, including branches and limbs thereof, or damaged trees that create an unsafe condition; and
 - (b) dilapidated, collapsed or partially constructed structures that are not currently under construction (for the purposes of this Article, a structure is not currently under construction where no lawful and substantial construction activity has taken place on the structures within the immediately preceding 90 days).”

35. Section 4 of the Property Standards By-law is further amended by adding section 4.1.3, immediately following section 4.1.2 as follows:

- “4.1.3 Without restricting the generality of Article 4.1.1, “maintained in a clean and tidy condition” includes removal of:
- (a) rubbish, rubble, waste, garbage, refuse litter, brush, debris and unused items and objects or conditions that may create a health, fire, or accident hazard located on a Property;
 - (b) wrecked, dismantled, discarded, abandoned, unused materials, Inoperative Motor Vehicles, furniture, appliances, dilapidated abandoned signs, machinery, trailers or boats located on a Property unless necessary for the operation of a business enterprise lawfully situated on that same Property.”

36. Section 4 of the Property Standards By-law is further amended by deleting section 4.2.1(a) and replacing it with the following:

- “(a) surfaced, Repaired or regraded with asphalt, concrete, compacted and leveled stone or other hard surface to provide a safe surface for pedestrian or vehicle use;”

37. Section 4 of the Property Standards By-law is further amended by deleting section 4.2.1(c) and replacing it with the following:

- “(c) maintained so as to provide for safe passage under normal use and weather conditions (e.g. snow and ice), day or night.”

38. Section 4 of the Property Standards By-law is further amended by deleting section 4.2.2(a) and replacing it with the following:

“(a) surfaced, Repaired or regraded with asphalt, concrete, compacted and leveled stone or other hard surface to provide a safe surface for pedestrian or vehicle use; and”

39. Section 4 of the Property Standards By-law is further amended by adding section 4.2.3 “Suitable Ground Cover”, immediately after section 4.2.2 as follows:

“Suitable Ground Cover

4.2.3 Suitable Ground Cover shall be provided to maintain a good appearance and to prevent erosion of the soil and also to be in harmony with the neighboring environment.”

40. Section 4 of the Property Standards By-law is further amended by deleting section 4.3.1 and replacing it with the following:

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

41. Section 4 of the Property Standards By-law is further amended by deleting section 4.3.1 and replacing it with the following:

“4.3.3. Storm water (including roof drainage) shall not directly be discharged onto sidewalks, stairs, or adjacent Property.”

42. Section 4 of the Property Standards By-law is further amended by deleting section 4.5.1 and replacing it with the following:

“Sufficient Receptacles

4.5.1 Every Owner shall provide and maintain sufficient receptacles to contain all garbage, refuse, ashes, recyclable materials and trade waste that may accumulate on a Property between the regular collection days, as designated from time to time by the City.”

43. Section 4 of the Property Standards By-law is further amended by deleting section 4.5.4 and replacing it with the following:

“4.5.4 In Apartment Buildings, every garbage chute, garbage compactor, garbage disposal room, garbage storage area, garbage container or receptacle, as well as recycling storage areas or receptacles shall be:

(a) washed and disinfected as often as is necessary to maintain a clean and odour free condition; and

(b) maintained in good Repair.”

44. Section 4 of the Property Standards By-law is further amended by deleting section 4.5.7 and replacing it with the following:

“4.5.7 Every receptacle, if located outside of a Building, shall be located in the Rear Yard, when space can accommodate it, or otherwise in a Side Yard, but shall not be located in a Front Yard or an Exterior Side Yard. For the purposes of this By-law, the definitions of Rear Yard, Side Yard, Exterior Side Yard and Front Yard shall correspond with the definitions contained in City By-law 60-94, as amended (Zoning).”

45. Section 4 of the Property Standards By-law is further amended by deleting section 4.5.8 and replacing it with the following:

“4.5.8 Every Owner or Occupant operating within a place of business shall provide sufficient garbage and refuse and recyclable materials storage facilities to ensure that all garbage, refuse and recyclable materials that occurs on the Property is properly contained therein at all times.”

46. Section 4 of the Property Standards By-law is further amended by deleting section 4.5.9 and replacing it with the following:

“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 of Oshawa, Department of Development Services.”

47. Section 4 of the Property Standards By-law is further amended by deleting section 4.5.10 and replacing it with the following:

“4.5.10 Notwithstanding Article 4.5.9, City approval of garbage and recycling storage areas shall not be required for Properties containing only a detached Dwelling, semi-detached Dwelling, Street Townhouse Dwelling, or Block Townhouse Dwelling receiving curbside collection.”

48. Section 4 of the Property Standards By-law is further amended by adding Section 4.5.11 “Common Means of Egress”, immediately after section 4.5.10, as follows:

“Common Means of Egress

4.5.11 All common Means of Egress within a Property shall be maintained free from all obstructions or impediments.”

49. Section 4 of the Property Standards By-law is further amended by deleting section 4.8.1 and replacing it with the following:

“4.8.1 Swimming pools, hot tubs, wading pools, hydro massage pools, spas, whirlpools and decorative ponds and (any appurtenances thereto) shall be maintained in good Repair, free from leaks, and free from health and safety hazards.”

50. Section 4 of the Property Standards By-law is further amended by deleting section 4.8.2 and replacing it with the following:

“4.8.2 Fences or gates (and their hardware) comprising a pool enclosure shall be maintained in good Repair, and in accordance with the City of Oshawa Pool Enclosure By-law 79-2006, as amended.”

51. Section 4 of the Property Standards By-law is further amended by deleting section 4.8.3 and replacing it with the following:

“4.8.3 Derelict or abandoned swimming pools, whether above-ground or in-ground, shall be drained and removed or filled and the Property left in a graded and leveled condition.”

52. Section 5 of the Property Standards By-law is further amended by deleting section 5.1.2 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 Building Services) prior to commencement of any remedial work. “

53. Section 5 of the Property Standards By-law is further amended by deleting section 5.1.3 and replacing it with the following:

“5.1.3 Objects or materials that are attached to or form part of a Building and which have been broken, damaged, or that show evidence of rot or deterioration shall be removed, Repaired or replaced. Walls, roofs and other exterior parts of the Building shall be free from loose or unsecured objects, parts or material, and where such objects or material exist, they shall be removed, Repaired or replaced. Repair includes the temporary provision, installation and maintenance of substantial boarding, fencing, hoarding and barricades or other temporary protection for no longer than 30 days.”

54. Section 5 of the Property Standards By-law is further amended by deleting section 5.3.1 and replacing it with the following:

“5.3.1 Exterior walls of a Building (and their components) shall be maintained in good Repair and free from broken or loose masonry units, stucco, and other defective cladding or trim. Paint or other suitable preservative or coating must be applied and maintained so

as to inhibit deterioration due to weather conditions, insects or other damage.”

55. Section 5 of the Property Standards By-law is further amended by deleting section 5.3.2 and replacing it with the following:

“5.3.2 Buildings and all other structures including fences (and their components) shall be free of painted slogans, graffiti and similar defacements.”

56. Section 5 of the Property Standards By-law is further amended by deleting section 5.3.2.1 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's Community Services Department.”

57. Section 5 of the Property Standards By-law is further amended by deleting section 5.4.1 and replacing it with the following:

“5.4.1 Every roof, including related roof structures and their components, fascias, soffits, eavestroughs, downpipes, guards and lightning arrestors, shall be maintained in good Repair and securely fastened to the Building.”

58. Section 5 of the Property Standards By-law is further amended by deleting section 5.5.2 and replacing it with the following:

“5.5.2 Exterior doors, windows and skylights shall be maintained so that they are weather tight.”

59. Section 5 of the Property Standards By-law is further amended by deleting section 5.5.3(a) and replacing it with the following:

“(a) the refitting, replacement or Repairing of damaged, decaying, missing or defective doors, windows, frames, sashes, casings, thresholds, shutters, hatchways or screens;”

60. Section 5 of the Property Standards By-law is further amended by deleting section 5.5.4 and replacing it with the following:

“5.5.4 When an opening in an exterior wall is used or required for ventilation or illumination and is not required to be protected by a door, window, or similar closure, it shall be protected with a metal grill or other equivalent durable material so as to effectively prevent the entry or birds, rodents, or vermin.”

61. Section 5 of the Property Standards By-law is further amended by deleting section 5.5.6 and replacing it with the following:

“Doors and Hardware for Dwelling Units

5.5.6 All openable doors and windows serving a Dwelling Unit shall be equipped with locks, and shall be maintained in good Repair and operable condition.”

62. Section 5 of the Property Standards By-law is further amended by deleting section 5.5.8 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 capable of controlling the free swinging or sliding of an openable part of a window so as to limit any clear unobstructed opening to not more than 100 mm (4 in) measured either vertically or horizontally.”

63. Section 5 of the Property Standards By-law is further amended by deleting section 5.7.5 and replacing it with the following:

“5.7.5 Every Dwelling shall be kept free from excessive dampness and moisture.”

64. Section 5 of the Property Standards By-law is further amended by deleting section 5.7.6 and replacing it with the following:

“5.7.6 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 113-2008, as amended.”

65. Section 5 of the Property Standards By-law is further amended by changing the order of sections 5.7.2-5.7.7, as follows:

“Finish

5.7.2 A finish shall be applied to all walls and ceilings where same have been Repaired.

Water Resistant

5.7.3 The walls and ceiling around a bathtub or shower shall be water-resistant.

Water Resistant Floor

- 5.7.4 Every floor in a Washroom, shower room, laundry room and kitchen shall have water resistant flooring.

General Cleanliness

- 5.7.5 Every floor, wall, ceiling, furnishing, appliance, fixture and equipment in a Building (including the interior of Dwelling Units or Lodging Units) shall be maintained in a clean and sanitary condition and free from rubbish or other debris.

Dampness

- 5.7.6 Every Dwelling shall be kept free from dampness and moisture.

Household Garbage Storage

- 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 to an extent or for a length of time so as to be a fire, health or safety hazard.”

66. Section 5 of the Property Standards By-law is further amended by deleting section 5.8.3 and replacing it with the following:

- “5.8.3 All mail collection areas, including mailboxes (where supplied in any Building) shall be maintained in good Repair and kept clean.”

67. Section 5 of the Property Standards By-law is further amended by deleting section 5.9.1 and replacing it with the following:

- “5.9.1 Recreational amenities, facilities, rooms and play area surfaces and equipment provided by an Owner shall be maintained in good Repair and in a safe condition.”

68. Section 5 of the Property Standards By-law is further amended by deleting section 5.10.1 and replacing it with the following:

- “5.10.1 Underground parking garages shall be:
- (a) maintained in good Repair and in a clean and safe condition;
 - (b) free from wrecked, discarded or abandoned machinery, boats, vehicles, trailers, or parts thereof, etc.; and
 - (c) maintained so as to prevent the accumulation of toxic fumes and the seepage escape of toxic fumes into a Building.”

69. Section 5 of the Property Standards By-law is further amended by deleting section 5.10.2 and replacing it with the following:

“5.10.2 Vehicular and pedestrian doors should be maintained in good Repair and fitted with suitable security hardware in operable condition.”

70. Section 5 of the Property Standards By-law is further amended by deleting section 5.11.2 and replacing it with the following:

“5.11.2 Despite Article 5.11.1, 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).”

71. Section 5 of the Property Standards By-law is further amended by deleting the heading of section 5.12 (“Pest Control”) and replacing it with the following:

“5.12 Pest Prevention and Control”

72. Section 5 of the Property Standards By-law is further amended by deleting section 5.12.1 and replacing it with the following:

“5.12.1 All properties shall be kept free of pest infestation (including rodents, vermin and insects, reptiles, or other wild animals, pigeons, or other wild birds) and conditions that may promote an infestation at all times.”

73. Section 6 of the Property Standards By-law is further amended by deleting the duplicate alphanumeric character listed in articles 6.2.1(d), 6.2.1(e), 6.2.1(f) and 6.2.1(g).

74. Section 6 of the Property Standards By-law is further amended by deleting section 6.5.2 and replacing it with the following:

“6.5.2 Despite Article 6.5.1, a minimum height of 1.9 m (6 ft. 5 in.) shall be required for all floor area used as a Means of Egress, except for stairs, which can be reduced to 1.8 m (5 ft. 11 in.).”

75. Section 6 of the Property Standards By-law is further amended by deleting section 6.7.1 and replacing it with the following:

“(a) at least one fully operational water closet (toilet); and”

76. Section 6 of the Property Standards By-law is further amended by deleting section 6.8.1 and replacing it with the following:

“6.8.1 Every Habitable Room (except for a living room or a dining room) shall be provided with natural or mechanical ventilation which shall consist of an opening or openings with a minimum unobstructed free flow area of 0.28 m² (3 sq. ft.) and be located in the exterior walls or through openable parts of skylights.”

77. Section 6 of the Property Standards By-law is further amended by deleting section 6.8.2 and replacing it with the following:

“6.8.2 Every Washroom 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).”

78. Section 6 of the Property Standards By-law is further amended by deleting section 6.8.3 and replacing it with the following:

“6.8.3 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.”

79. Section 6 of the Property Standards By-law is further amended by deleting section 6.9.1 and replacing it with the following:

“6.9.1 Every Habitable Room (except a kitchen, dining room, or basement recreation room) shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space that admit natural light equal to not less than five percent (5.0%) of the floor area for living rooms and two and one half percent (2.5%) of the floor area for bedrooms and other Habitable Rooms not excluded by the foregoing.”

80. Section 6 of the Property Standards By-law is further amended by deleting section 6.9.2 and replacing it with the following:

“6.9.2 A window is not required in a living room if:

- (a) there is an opening that is minimum five percent (5.0%) of the total living room space 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 five percent (5.0%) of the combined floor areas of the living room and the adjoining room.”

81. Section 6 of the Property Standards By-law is further amended by adding section 6.10 "Egress Windows" as follows:

"6.10 Egress Windows

- 6.10.1 Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom shall be provided with at least one outside window that:
- (a) is openable from the inside without the use of tools;
 - (b) has an unobstructed open portion having a minimum area of 3.8 ft² (0.35 m²) with no dimension less than 15" (380 mm);
 - (c) when sliding windows are used, the minimum dimensions described in (b) shall apply to the openable portion of the window; and
 - (d) except for basement areas, egress windows shall have a maximum sill height of 1000 mm above the floor.
- 6.10.2 Egress windows that open into a window well require a minimum clearance of 22" (550 mm) in front of the window. Window wells must not encroach onto adjacent properties.
- 6.10.3 No windows shall be added to walls erected less than 4'-0" (1200 mm) from the Property line, unless protected with a fire resistance rating of 45 minutes.
- 6.10.4 A basement containing bedrooms will require direct access to outdoors in case of fire. This may be provided through a basement walk-out door or an egress window."

82. Section 7 of the Property Standards By-law is further amended by deleting section 7.1.8 and replacing it with the following:

- "7.1.8 Every fuel-burning appliance, whether for heating or cooking, shall be properly connected by a rigid duct to a chimney flue, smoke pipe or gas vent adequate to remove substantially all fumes and gases, except those appliances that have been approved for use without venting pursuant to the specifications contained in the OBC."

83. Section 7 of the Property Standards By-law is further amended by deleting section 7.1.9 and replacing it with the following:

- "7.1.9 Heating, ventilating and mechanical systems (including factory built stoves, fireplaces, and chimneys, fans, pumps, filtration and other equipment provided to supply heat or air conditioning or other

services) shall be maintained in good Repair and in a safe and operable condition.”

84. Section 7 of the Property Standards By-law is further amended by deleting section 7.2.6 and replacing it with the following:

“7.2.6 Despite Article 7.2.1, provided an adequate supply of potable running water is available to a Property from a source other than the Water System, the Medical Officer of Health may permit the continued use of the other source unless any test indicates the water from the other source was at any time not potable.”

85. Section 7 of the Property Standards By-law is further amended by deleting section 7.2.9 and replacing it with the following:

“7.2.9 All plumbing and drainage systems (and their appurtenances including all Plumbing Fixtures) shall be maintained in good Repair, in a safe and operable condition, adequately protected from freezing, and shall be supplied with potable water sufficient for normal use at a flow and pressure sufficient for the intended use of the fixtures installed.”

86. Section 7 of the Property Standards By-law is further amended by deleting section 7.2.10 and replacing it with the following:

“7.2.10 Every washbasin, bathtub, shower, and kitchen sink shall be equipped with an adequate supply of hot and cold running water.”

87. Section 7 of the Property Standards By-law is further amended by deleting section 7.2.12 and replacing it with the following:

“7.2.12 Every business that provides washrooms for the public to use shall maintain access to such washrooms by the public during the hours of operation of the business and shall provide signage indicating the location of the public washrooms in areas where the public can readily view the signs.”

88. Section 7 of the Property Standards By-law is further amended by deleting section 7.3.7 and replacing it with the following:

“7.3.7 Electrical wiring, circuits, fuses, circuit breakers, fixtures, electrical equipment and electrical heating systems (where provided) shall be installed and maintained in good working order at all times, in compliance with the *Electricity Act*, S.O. 1998, c. 15 and the regulations made thereunder.”

89. Section 7 of the Property Standards By-law is further amended by deleting section 7.3.9 and replacing it with the following:

“7.3.9 Electrical cords that are not part of a lighting fixture, machine, or device shall not be used or permitted to be used on a permanent or semi-permanent basis. However, nothing in this Article prevents the use of an extension cord on a semi-permanent basis if used under supervision during any portion of a single day.”

90. Section 7 of the Property Standards By-law is further amended by deleting section 7.4.1 and replacing it with the following:

“7.4.1 No Owner shall disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas or water to a Building, nor to a Dwelling Unit or Lodging Unit occupied by a tenant, lessee or Occupant of such Building, except for such reasonable period of time as may be necessary for the purpose of Repairing, replacing, or otherwise altering the service or utility.”

91. Section 7 of the Property Standards By-law is further amended by deleting section 7.7.1 and replacing it with the following:

“7.7.1 In Apartment Buildings where a voice communications system exists between each Dwelling Unit and the lobby and/or, where a security locking and release system for the entrance is provided and is controlled from each Dwelling Unit, such system shall be maintained in good Repair and in an operable condition.”

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

By-law passed this _____ day of _____, 2021.

Mayor

City Clerk

P.S.B. Working Group Feedback: Considered but not Recommended for Adoption

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
1.	Table of Contents	The current table of contents in the P.S.B. is busy and could be more user friendly.	Legal review completed; no change required.
2.	SECTION 1: Administration, Interpretation and Enforcement	Develop a resolution with more scalability in Section: 1.4.2: Repair or Demolish. Clearing the Property of all buildings, debris and refuse and leaving it graded and leveled seems drastic, and perhaps convenient for the City but not for the citizen.	<p>The alternative to levelling the property is to conform to the standards set out in the City's Property Standards By-law.</p> <p>Furthermore, this is a legislated standard in the Building Code Act, 1992 S. 15.1 (3):</p> <p>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 graded and levelled condition. 1997, c. 24, s. 224 (8).</p> <p>As well as S. 15.2 (2):</p> <p>An officer who finds that a property does not conform with any of the standards prescribed in a by-law passed under Section 15.1 may make an order:</p> <p>Giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition.</p> <p>As such, this is an industry standard (also see Ajax, Pickering, Whitby's Property Standards By-law).</p> <p>Also, if a property owner feels an order was wrongly given, they have the ability to appeal to the Property Standards Committee.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
3.	SECTION 1: Administration, Interpretation and Enforcement	Ensure words are capitalized correctly in Section: 1.4.2: Repair or Demolish. Specifically, "Property", "Standards", and "Buildings" are capitalized.	This is a standard writing practice. Words that have been defined in the by-law will be capitalized throughout.
4.	SECTION 1: Administration, Interpretation and Enforcement	Section 1.6.2: Conflict states: "If there is a conflict between a provision in this By-law and a provision of any other City by-law, the provision that establishes the highest standard to protect the health, safety and welfare of the general public shall apply." This Section should define how it is determined which by-law establishes the higher standard.	Legal review completed; no change required.
5.	SECTION 1: Administration, Interpretation and Enforcement	Sections: 1.8 Headings and 1.9 Numbering System, to be moved up in the order of the document.	Legal review completed; no change required. It changed a substantial amount of the by-law and corresponding text referring to different articles in Section 1.
6.	SECTION 1: Administration, Interpretation and Enforcement	Amend Section 1.11.1 to move periods inside of quotation marks. 1.11.1 In this by-law, unless the context requires otherwise, the verb "use" shall include "design to use", "permit to use and "permit the use of" and the verb "occupy" shall include "design to occupy", "permit to occupy", "permit the occupancy of" and "design for occupancy".	Legal review completed; no change required.

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
7.	SECTION 1: Administration, Interpretation and Enforcement	<p>Proposal to move Section 1.13.1 up in the document:</p> <p>1.13.1 All references in this by-law to names of Acts of the Legislature are (unless otherwise noted) references to the Revised Statutes of Ontario, 1990 edition. Similarly, all references in this by-law to names of Regulations are (unless otherwise noted) references to the Revised Regulations of Ontario, 1990 edition. All references to Acts of the Legislature, Regulations and by-laws include applicable amendments, including an implied reference to successor Acts, Regulations and By-laws.</p>	Legal review completed; no change required.
8.	SECTION 1: Administration, Interpretation and Enforcement	Section 1.18.4: Appeal of Order should remove the term 'non-refundable' from an appeal payment.	<p>a) In order to make this particular appeal refundable, every appeal process would need to be amended to ensure consistency. Also, these fees are established to ensure cost recovery.</p> <p>b) Refunding appeal fees is not common practice amongst municipalities as there are costs associated with administering the appeal.</p> <p>c) Property owners who receive an Order have the opportunity to discuss the particulars with the City with the goal of achieving voluntary compliance. Nevertheless, property owners who wish to dispute their Order may appeal the Order before the City's Property Standards Committee and subsequently to the Superior Court of Justice.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
9.	SECTION 1: Administration, Interpretation and Enforcement	Section 1.19.5 (adding fees to tax roll) should be removed or updated.	Section 1.19.5 refers to a debt owed to the city as a result of remedial work undertaken by the city following the proper administration, including the exhausting of an appeal process of a Remedial Order. Recovering the cost of remedial work is a municipal best practice and an authority established in Section 15.4 (4) of the Building Code Act, 1992 . The fees referenced in Section 1.19.5 is not a revenue tool for the city.
10.	SECTION 2: Definitions	Proposal to move up Section 2: Definitions in the document, before Section 1.	Legal review completed; no change required. Having Definitions in Section 2 is standard throughout most Oshawa By-laws.
11.	SECTION 2: Definitions	"Apartment Building" definition should clarify if a condo building counts as an apartment building.	The definition of "Apartment Building" was instead amended to ensure consistency with the definition in the City's Zoning By-law 60-94, as amended. See row 13 in Attachment 1 for the change.
12.	SECTION 2: Definitions	"Appliances" should include more appliances (e.g. coffee pot, iron, boiler, air conditioner, mixer, microwave, etc.)	<p>a) This standard was intentionally scoped to only include appliances that are necessary, from a minimum standards perspective, for habitability.</p> <p>b) This by-law aims to set out minimum standards, not all encompassing.</p> <p>c) This doesn't meet Council approved criteria to make a change.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
13.	SECTION 2: Definitions	"Dwelling Unit" mentions a single housekeeping establishment – which needs a definition.	<p>"Single Housekeeping Establishment" is not a defined term in the City's Zoning By-law or Licensing By-law, but it has been judicially considered. Following are excerpts from the Courts Analysis:</p> <p>A single housekeeping establishment would generally approximate a typical family group of one or two adult persons, together with minor or adult children or a similar social unit either by relationship or some other common bond for living together as a housekeeping establishment, not simply the need by boarders for temporary sleeping quarters for which each pays rent to the landlord/landlady.</p> <p>I find that a single housekeeping establishment, when read in context, means a use typical of a single family unit or other similar basic social unit. For example, it could include a group of unrelated persons, one or more of whom are dependent on the other due to physical or related challenges; or one person, or a couple cohabitating with children (not theirs biologically), to whom they stand in loco parentis. There are many examples of such basic social units in today's society which do not follow the traditional family model. However, they involve more between them as a unit than simply short-term temporary sleeping quarters and shared facilities on a rental basis.</p>
14.	SECTION 2: Definitions	"Fire Separation" should add "by the Fire Code" after "as required"	The definition of "Fire Separation" was instead amended to ensure consistency with the definition in the Ontario Building Code. See row 16 in Attachment 1 for the change.

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
15.	SECTION 2: Definitions	<p>Clarify the definition of "Property", where it states:</p> <p>"Does not include Property zoned under the class: Open Space in the City's Zoning By-law 60-94, and owned, leased, managed or maintained by the City."</p>	<p>This provision is correct; this type of open space is not subject to the laws that the City establishes for other properties.</p> <p>The City regularly assesses the condition of its buildings to ensure they comply with Industry Standards and applicable law.</p> <p>City facilities are excluded from the Property Standards By-law process primarily because it is administratively more efficient to proactively address deficiencies and/or respond to them immediately when made aware as opposed to utilizing the processes legislated in the Building Code Act, 1992.</p>
16.	SECTION 2: Definitions	<p>The definition of "Owner" includes:</p> <p>(b) 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.</p> <p>This should be removed from the definition because this type of entity doesn't exist in Ontario. The Residential Tenancies Act does not permit a landlord/owner to contract out of their obligation to repair and maintain a property.</p>	<p>This refers to commercial properties as well as residential ones, and the commercial properties are not governed by the Residential Tenancies Act, 2006.</p>
17.	SECTION 3: General Duties and Obligations	<p>Amend Section 3.1.1 (a) to make "Appliances" lower case.</p>	<p>This is a defined term in the by-law therefore it is capitalized.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
18.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	<p>Section 4.1.1 States that:</p> <p>“All Property shall be maintained in a clean and tidy condition so as not to detract from the neighbouring environment or to present a hazard to any Person or Property including removal of:</p> <p>Dead or decayed trees or other natural growth, including branches and limbs thereof, or damaged trees that create an unsafe condition;”</p> <p>What about trees that are owned by the Region that sit on an Owner's property?</p>	<p>Trees owned by the City are regulated in Oshawa's City Trees By-law. The by-law states in Section 7.2:</p> <p>In the event that the Director determines that there is insufficient space to plant a tree satisfactorily entirely on municipal property, the Director may plant or cause to be planted a tree at the City's expense on adjacent private property subject to the consent of the owner of the private property and subject to the tree being planted within 2.5 m of the property line. Once planted, the tree becomes the property of the owner of the private property on which it is planted and the City shall not be liable for maintenance or otherwise.</p> <p>If there are trees planted by the City, subject to the consent of the owner, which sit on an Owner's property, they become the property of the owner, and the City is not liable for maintenance or otherwise.</p>
19.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	Amend Section 4.1.2 to mention that the material an excavation, hole, trench, or ditch is filled with non-toxic or environmentally safe material.	<p>This is a standard addressed by the Ontario Ministry of the Environment, Conservation and Parks in the Environmental Protection Act, 1990.</p> <p>The Ministry has inspectors who are better equipped to address such environmentally-related concerns.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
20.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	<p>Section 4.2.1: Parking Areas and Safe Passage states that:</p> <p>“Driveways, ramps, parking areas and similar areas shall be: maintained as a dust free surface by regular cleaning or application of an environmentally safe dust control agent;”</p> <p>This Section should be amended to add more detail, or removed – specifically the reference to ‘dust-free’ as the reviewer feels keeping these services completely dust free is near impossible, making this too vague, and potentially open to a misapplication of the standard.</p>	<p>The City's Municipal Law Enforcement Officers (“Officers”) are highly-trained to inspect and ensure compliance with the City's Property Standards By-law in accordance with the Building Code Act, 1992 and industry standards.</p> <p>Property owners who receive an Order have the opportunity to discuss the particulars with the City with the goal of achieving voluntary compliance. Nevertheless, property owners who wish to dispute their Order may appeal the Order before the City's Property Standards Committee and subsequently to the Superior Court of Justice.</p> <p>It is also important to note that Officers are held to strict professional standards including but not limited to the City's Code of Conduct. Individuals who have concerns about misconduct can request an investigation by the Ontario Ombudsman.</p>
21.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	<p>4.3.2 Sewage of any kind shall not be discharged onto the surface of the ground.</p> <p>Add “or the Storm Water System” to the end of the sentence.</p>	<p>This standard is already captured under Oshawa's Storm Sewer Use By-law 46-2013, as amended.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
22.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	Section 4.5.1: Sufficient Receptacles should be amended to provide By-law Officers with power to fine tenants, or other means to enforce garbage management. This would reduce the number of pests the City has today.	<p>It is the responsibility of all stakeholders to educate and ensure all parties are aware of their roles and responsibilities. For instance, the City provides information on tenant roles and responsibilities at www.oshawa.ca/tenant.</p> <p>This is covered in Oshawa's Lot Maintenance By-law (Section 4.1 (b) with respect to a property owner and Section 4.3 with respect to any person (includes tenant)).</p>
23.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	Section 4.6.1: Accessory Building, Fences and Retaining Walls should be amended to also include a reference that painted fences or retraining walls should be free of peeling paint or other coatings, and that if any accessory building, fence, or retaining wall should have an infestation of insects or rodents, steps shall be taken to eliminate them.	<p>This is captured in Section 4.6.1: "Accessory Buildings, and other structures including fences and retaining walls located within a Property, or on the boundary line thereto, shall be structurally sound, maintained in good Repair, free of hazards and protected by preservatives or other weather resistant material."</p> <p>Rodents and insects are captured elsewhere in this by-law (Section 4.5.2 (b), Section 5.5.4, Section 5.12.1).</p>
24.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	Amend Section 4.9's title to be "Hoarding Signs".	<p>Hoarding is referring to "construction hoarding" – a fence or barrier between a construction site and the public.</p> <p>This is not referring to a "hoarder" i.e. individuals whom excessively save items that others may view as worthless and have persistent difficulty getting rid of or parting with possessions, leading to clutter that disrupts their ability to use their living or work spaces.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
25.	SECTION 4: Property Maintenance, Waste Management, and Accessory Buildings or Structures and Hazards	<p>Section 4.9.1: Structurally Secure States:</p> <p>“All hoarding shall be maintained in a structurally secure manner and painted or otherwise treated to inhibit deterioration.”</p> <p>This Section should be amended to address the health and safety issues around Hoarding.</p>	<p>Hoarding is referring to “construction hoarding” – a fence or barrier between a construction site and the public.</p> <p>This is not referring to a “hoarder” i.e. individuals whom excessively save items that others may view as worthless and have persistent difficulty getting rid of or parting with possessions, leading to clutter that disrupts their ability to use their living or work spaces.</p>
26.	SECTION 5: Building Standards	<p>Amend Section 5.3.3: Canopies and Signs to have a greater mention specific to signs and visual appearance/wear and tear.</p> <p>Section 5.4.1 – add that roofs and related roof structures should be “securely fastened”.</p>	<p>This is already covered in Section 5.3.3 (“good repair”):</p> <p>All canopies, marquees, signs, awnings, fire escapes, stand pipes, exhaust ducts, and similar overhanging extensions, shall be maintained in good Repair, be properly anchored so as to be kept in a secure and sound condition, and shall be protected from the elements and against decay and rust by the periodic application of an effective weather coating material (such as paint or other protective treatment).</p> <p>The latter part of this suggestion is already covered in Section 5.4.1 (“good repair”):</p> <p>Every roof, including related roof structures and their components, fascias, soffits, eavestroughs, downpipes, guards and lightning arrestors, shall be maintained in good Repair.</p>
27.	SECTION 5: Building Standards	Merge Sections 5.5.4 and 5.5.7.	These Sections do not establish the same standards, Section 5.5.4 specifically sets standards for openings required for ventilation or illumination, where Section 5.5.7 sets standards for window screens. Both are necessary.

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
28.	SECTION 5: Building Standards	In Sections 5.5.8 and 5.5.9 add single family homes, condos, office buildings, etc. to ensure their Window Safety as well.	These standards apply specifically to Apartment Buildings. No need to add these other property types.
29.	SECTION 5: Building Standards	Amend Section 5.6.1 to add "inside and outside" after the word "every". "Every verandah, porch, deck...".	This standard is referring to exterior features – not interior.
30.	SECTION 5: Building Standards	Section 5.7.1 should be amended in order to add more detail, specifically the term 'reasonableness'. The issue this proposed amendment is attempting to address is that the standard in 5.7.1 is too vague, and potentially open to a misapplication of the standard.	<p>The City's Municipal Law Enforcement Officers are highly-trained to inspect and ensure compliance with the City's Property Standards By-law in accordance with the Building Code Act, 1992 and industry standards.</p> <p>Property owners who receive an Order have the opportunity to discuss the particulars with the City with the goal of achieving voluntary compliance. Nevertheless, property owners who wish to dispute their Order may appeal the Order before the City's Property Standards Committee and subsequently to the Superior Court of Justice.</p> <p>It is also important to note that Officers are held to strict professional standards including but not limited to the City's Code of Conduct. Individuals who have concerns about misconduct can request an investigation by the Ontario Ombudsman.</p>
31.	SECTION 5: Building Standards	Section 5.8.1 "Maintained in Good Repair" should mention more than just apartment buildings.	This standard is only meant to apply to apartment buildings. Since houses, townhouses, etc. generally do not have common areas, this Section properly only applies to apartment buildings.

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
32.	SECTION 5: Building Standards	<p>Sections 5.7.8 and 5.8.2 can be removed or amended.</p> <p>5.7.8 - Fire Separation Between Res & Non-Residential is addressed earlier in the by-law.</p> <p>The content in 5.8.2 - Free of Stains is covered in 5.3.2 Graffiti.</p>	<p>Section 5.7.8 – Fire Separation Between Res & Non-Residential is required. There is no earlier Section that outlines the Fire Separation required between Residential and Non-Residential properties.</p> <p>Sections 5.3.2 and 5.3.2.1 regarding Graffiti refers to outdoor walls, Section 5.8.2 Free of Stains is different as it is referring to interior common areas, and therefore both Sections are needed.</p>
33.	SECTION 5: Building Standards	Section 5.10.2 should add “fire and (?)” before the word “security hardware”.	Legal review completed; no change required.
34.	SECTION 5: Building Standards	<p>Section 5.12.1 should be merged with the earlier Section about garbage, as infestation and garbage an inextricably linked.</p> <p>The issue this proposed amendment is attempting to address is that the standard in 5.12.1 is too vague, and potentially open to a misapplication of the standard. Specifically, that the City is assuming the landlord is always at fault when it comes to infestation – despite the fact they may be powerless to address an infestation related situation.</p>	<p>Garbage and infestation is not always linked. Other attractants of infestation include: food, holes in buildings, badly sealed sewers, pipes, gaps under garage and loading bays.</p> <p>The City's Municipal Law Enforcement Officers (“Officers”) are highly-trained to inspect and ensure compliance with the City's Property Standards By-law in accordance with the Building Code Act, 1992 and industry standards.</p> <p>Property owners who receive an Order have the opportunity to discuss the particulars with the City with the goal of achieving voluntary compliance. Nevertheless, property owners who wish to dispute their Order may appeal the Order before the City's Property Standards Committee and subsequently to the Superior Court of Justice.</p> <p>It is also important to note that Officers are held to strict professional standards including but not limited to the City's Code of Conduct. Individuals who have concerns about misconduct can request an investigation by the Ontario Ombudsman.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
35.	SECTION 6: Standards for Residential Occupancy	Section 6.1.1 should mention more than just apartment buildings, dwellings, and lodging houses (e.g. condos, single family homes, accessory apartments, retail establishments, office, industrial buildings, etc.).	<p>Section 6 is clearly defined as Standards for Residential Occupancy. Therefore these standards do not apply to office, retail, industrial buildings, etc.</p> <p>The definition of "Dwellings" in Oshawa's Property Standards By-law reads: means a Building or structure or part of a Building or structure used for the purpose of human habitation, and includes a Building that would be used or would be intended to be used for such purposes, except for its state of disrepair, and shall include every Building on a residential Property other than an Accessory Building.</p> <p>This definition would capture condos, single family homes, accessory apartments, etc.</p>
36.	SECTION 6: Standards for Residential Occupancy	<p>Section 6.4.1 defines the minimum floor area for a Lodging Unit, it should also define a maximum size.</p> <p>The reviewer cited Smith Fall's standard – which sets out a maximum number of occupants in a dwelling allowed based on the size of a habitable room.</p>	<p>The City's standard is:</p> <p>"The minimum floor area for a Lodging Unit shall be not less than 7m² (75 sq. ft.) for single occupancy and 4.6m² (50 sq. ft.) per Person for multiple occupancy."</p> <p>Which is "less than" Smith Falls. Both provisions set out the same standard, however they are worded differently (e.g. minimum floor area vs. max occupancy).</p>
37.	SECTION 6: Standards for Residential Occupancy	<p>Section 6.7.1 (a) states that at least one washroom includes:</p> <p>"at least one fully operational water closet"</p> <p>This should be amended to define a water closet as a toilet, if that is what the term is referring to.</p>	<p>The term water closet is defined in the Ontario Building Code, so it was not removed.</p> <p>See row 77 in Attachment 1, the word "(toilet)" was added following "water closet" in 6.7.1 (a) for clarity.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
38.	SECTION 6: Standards for Residential Occupancy	Section 6.8.2 should be amended to also include a fan that goes through a ceiling or vent as an "opening or openings for natural ventilation".	<p>This is addressed below in Section 6.8.3: Exhaust to Outside.</p> <p>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 the Dwelling) capable of changing the air once each hour.</p>
39.	SECTION 6: Standards for Residential Occupancy	<p>Section 6.8.6 should be amended to better define what type of ventilation is required in public areas.</p> <p>The issue this proposed amendment is attempting to address is that the standard in 6.8.6 is too vague, and potentially open to a misapplication of the standard. Specifically, that the term 'adequately' is too open to interpretation.</p>	<p>The inspection process will generally attempt to identify apparent signs and/or symptoms of inadequate ventilation (e.g. mould or fungi growing, water droplets forming on the basement ceiling, etc.).</p> <p>The City's Municipal Law Enforcement Officers are highly-trained to inspect and ensure compliance with the City's Property Standards By-law in accordance with the Building Code Act, 1992 and industry standards.</p> <p>Property owners who receive an Order have the opportunity to discuss the particulars with the City with the goal of achieving voluntary compliance. Nevertheless, property owners who wish to dispute their Order may appeal the Order before the City's Property Standards Committee and subsequently to the Superior Court of Justice.</p>
40.	SECTION 7: Standards for Building Services, Systems and Facilities	Section 7.1.7 should define "proper" when discussing "proper chimneys".	Legal review completed; no change required.

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
41.	SECTION 7: Standards for Building Services, Systems and Facilities	<p>Section 7.1.8 Other Fuel Burning Appliances should be merged under an all-encompassing category.</p> <p>Since fireplaces are "fuel burning" tools, this should be captured under an all-encompassing category and this Section is semi redundant.</p>	Legal review completed; no change required.
42.	SECTION 7: Standards for Building Services, Systems and Facilities	Sections 7.2.11 and 7.2.12 should be removed.	Sections 7.2.11 and 7.2.12 apply to Buildings or part of Buildings on a Property that is used as a Restaurant, as well as Businesses, they do not apply to apartment buildings. Staff believes the existing wording is appropriate.
43.	SECTION 7: Standards for Building Services, Systems and Facilities	Section 7.3.4 is unnecessary because earlier in the document specific lux illumination numbers are defined throughout Section 5.11.	<p>Section 5.11.1 – 5.11.5 in Oshawa's Property Standards By-law defines specific illumination requirements for Emergency Lighting, Passageways, Parking, Washrooms and Utility Rooms.</p> <p>Section 7.3.4 defines standards for lighting throughout a dwelling unit as a whole, which is why this Section references 'sufficient' rather than a minimum number.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
44.	SECTION 7: Standards for Building Services, Systems and Facilities	Section 7.3.6 should add "subject to ESA rules" at the end of the sentence.	<p>Electrical Safety standards are established by the Electrical Safety Authority (E.S.A.), who investigate complaints and safety concerns related to the Ontario Electrical Safety Code (O.E.S.C.).</p> <p>Staff contacted the E.S.A., who informed that applicable electrical safety standards apply based on the age of the property/installation. In other words, the O.E.S.C. applies the version of the code that was in place when the work was installed.</p> <p>E.S.A. inspectors possess expertise in various iterations of the O.E.S.C., and are better positioned to apply the appropriate standards based on the particular building they are inspecting.</p>
45.	SECTION 7: Standards for Building Services, Systems and Facilities	Section 7.3.9 be amended for clarity – the way this section reads now means an extension cord cannot be used at all under any condition.	<p>There is a qualifying statement afterwards in this Section that provides clarity of when extension cords can be used: "However, nothing in this Article prevents the use of an extension cord on a semi-permanent basis if used under supervision during any portion of a single day."</p>
46.	SECTION 7: Standards for Building Services, Systems and Facilities	Section 7.4.1 be amended to reference the applicable legislation and then state that the City will enforce that provision(s).	<p>Section 7.4.1 applies to all buildings, not just those governed by the Residential Tenancies Act, 2006.</p> <p>Furthermore, the Residential Tenancies Act is not well-suited to deal with such issues in a timely manner. Accordingly, given the impact on health and safety, the standard was included in the City's Property Standards By-law.</p>

No.	By-law Section	Proposed Amendment	City's Reasoning for Not Accepting
47.	SECTION 7: Standards for Building Services, Systems and Facilities	<p>Section 7.5.1 Every fire escape shall be maintained in good Repair, free from obstructions, and accessible through a door or an openable window.</p> <p>Should add at the end of the sentence "as more specifically defined in the Fire Code, Sections X, Y, Z".</p>	Fire Services enforces these standards when there are complaints, adding the Fire Code Sections here does not add value to this by-law.
48.	SECTION 7: Standards for Building Services, Systems and Facilities	<p>Section 7.8.1 (c) states that the owner of every apartment building shall cause the telephone number of authorized persons:</p> <p>"to be posted in a prominent place on or in the Apartment Building that is common to or regularly frequented by the residents therein"</p> <p>This should be removed as there are privacy related concerns related to the authorized person's telephone number.</p>	<p>This requirement complies with the Municipal Freedom of Information and Protection of Privacy Act, 1990 (M.F.I.P.P.A.), the landlord or authorized representative is acting in a business capacity here, so there are no M.F.I.P.P.A.-related issues.</p> <p>Under M.F.I.P.P.A. all of this information is interchangeable since it is contact information (e.g. email, phone number, address, etc. are all considered public information).</p>
49.	SECTION 8: Vacant Buildings	Section 8.1.1 should be merged under Section 8.1.3 and has the wrong title.	Section 8 is out of scope for this review.
50.	SECTION 8: Vacant Buildings	<p>Section 8.1.4:</p> <p>Change "situate" to "situated".</p> <p>Spell out "twenty-four (24)" months – currently it just says 24.</p>	Section 8 is out of scope for this review.
51.	SECTION 9: Designated Heritage Properties	Section 9.1.1(a) should remove "Oshawa's" before "City Council".	Section 9 is out of scope for this review.