



**THE CORPORATION OF THE
CITY OF MISSISSAUGA**

Property Standards By-law 654-98

(Amended by 357-00, 162-03, 89-04, 76-06, 368-06, 348-07, 211-08)

WHEREAS under subsection 15.1(3) of the Building Code Act, S.O. 1992, c.23, a by-law may be passed by the Council of a municipality prescribing the standards for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

AND WHEREAS the Official Plan for The Corporation of the City of Mississauga includes provisions relating to property conditions;

AND WHEREAS the Council of The Corporation of the City of Mississauga is desirous of passing a by-law under subsection 15.1(3) of the Building Code Act;

AND WHEREAS subsection 15.6(1) of the Building Code Act requires that a by-law passed under subsection 15.1(3) of the Building Code Act shall provide for the establishment of a Property Standards Committee;

NOW THEREFORE the Council of The Corporation of the City of Mississauga hereby **ENACTS** as follows:

1. SHORT TITLE

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

2. DEFINITIONS

In this by-law,

“*accessory building*” means a subordinate building or structure on the same lot as the main building, or a part of the main building and devoted exclusively to a use that is naturally and normally incidental, subordinate, and exclusively devoted to the principal use of the main building on the lot;

“*balcony*” means an external balustraded platform and includes both upper and lower surfaces of the platform; (162-03)

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“boarded building” means a vacant, a partially vacant building, or an abandoned building or structure in which some or all of the windows, doors or other openings have been covered for by affixing wood or metal over them so as to prevent the entrance of elements or unauthorized persons; (162-03)

“certificate of compliance” means a written opinion of property compliance with the standards contained in this by-law issued under Section 15.5 (1) of the *Building Code Act 1992*, S.O. 1992, c.23, as amended. (76-06)

“child of tender years” means a person who is or, in the absence of evidence to the contrary, appears to be under the age of twelve years. (76-06)

“city” means The Corporation of the City of Mississauga in the Regional Municipality of Peel;

“compost” means a mixture of decaying organic matter used or intended to be used as fertilizer;

“Council” means the Council of The Corporation of the City of Mississauga;

“demolish” means the doing of anything to effect the removal of a building or structure or part thereof;

“dwelling unit” means one or more habitable rooms designed, occupied or intended to be occupied as living quarters;

“fence” means any structure, except a structural part of a building, used wholly or partially to screen from view, to enclose or divide a yard or other land, to mark or substantially mark the boundary between adjoining land, and includes swimming pool enclosures, privacy screens, retaining walls, noise attenuation walls, any hedge or grouping of shrubs, or other combination of fencing components which form a continuous barrier for the same purposes; (162-03)

“fire code” means the regulations made under section 12 of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended;

“graffiti” means one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include a sign pursuant to the City's sign by-laws or a mural which has been authorized by the City;

“habitable room” means a room commonly used for living purposes, including a bedroom and kitchen, but does not include any space in a dwelling used as a lobby, hallway, closet, or bathroom, or any room having a floor space of less than 4.5 m²; (162-03)

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“hard surface” means asphalt, concrete, or compacted crushed stone or gravel, granular material or aggregate with an asphaltic or cement binder having a minimum over all depth of 15.0 cm. or any other permanent type of surfacing which prevents the raising of dust or loose particles. (76-06)

“health hazard” means a condition of a premise, a substance, thing, plant or animal other than man, or a solid, liquid, gas or combination or any of them, that has or that is likely to have an adverse effect on the health of any person and includes but is not limited to accumulations of water that is infected with mosquito larva implicated in the transfer of the West Nile Virus; (162-03)

“heritage attributes” means the attributes or features of property, buildings or structures that contribute to the property’s cultural heritage value or interest that are defined or described or that can be reasonable inferred: (211-08)

- (a) In a by-law designating a property passed under section 29 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation, or otherwise;
- (b) In a Minister’s order made under section 34.5 of the *Ontario Heritage Act* and identified as heritage attributes, reason for designation or otherwise;
- (c) In a by-law designating a heritage conservation district passed under section 41 of the *Ontario Heritage Act* and identified as heritage attributes, values, reasons for designation or otherwise;
- (d) In the supporting documentation required for a by-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as heritage attributes, reasons for designation or otherwise; or
- (e) Notwithstanding subsection (d), from section 3.1.3.1 of the Old Port Credit Village Heritage Conservation District Plan where a property is located in the Old Port Credit Village Heritage Conservation District.

“hoarding” means a fence or similar structure used to enclose a property or part thereof which is or intended to be under development

“multiple occupancy residential building” means a building containing more than two dwelling units;

“noise attenuation wall” means a wall which is intended to be used for the purpose of abating noise and which has a minimum density of four pounds per square foot or twenty kilograms per square metre;

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“non-habitable space” means any space in a dwelling or dwelling unit other than a habitable room, and includes a washroom, bathroom, toilet room, laundry, lobby, communication corridor, stairway, closet, boiler room and other space used for service and maintenance of common use, for access to and vertical travel between storeys and a basement or part thereof which does not comply with the standards of occupancy set out in this by-law;

“Ontario Building Code” means the regulations made under section 34 of the Building Code Act, S.O. 1992, c.23, as amended;

“Ontario Electrical Safety Code” means the regulations made under section 111 of the Power Corporation Act, R.S.O. 1990, c. P. 18, as amended;

“parking garage” means a building or part thereof used or intended for the storage or parking of motor vehicles, boats, trailers bicycles or other machinery and which contains no facilities for the repair or servicing of vehicles as authorized in accordance with municipal by-laws.

“Part IV Heritage Property” means real property, including all buildings and structures thereon, that has been designated by the City under section 29 or by the Minister under section 34.5 of the *Ontario Heritage Act, R.S.O. 1990, c.O.18*, as amended, or substituted from time to time. (211-08)

“Part V Heritage Property” means real property, including all buildings and structures thereon, located within a heritage conservation district that has been designated by the City under section 41 of the *Ontario Heritage Act, R.S.O. 1990, c.O.18*, as amended, or substituted from time to time. (211-08)

“residential property” means a property that is used or designed for use as a dwelling unit;

“rooming house” means a residential building in which lodging is provided with or without meals, for hire or gain, where the occupants, in addition to their private accommodations, may or may not have access to a common washroom, kitchen or laundry facilities;

“standards” means the standards of physical condition and occupancy of property set out in this by-law.

“swimming pool enclosure” means a fence or wall or combination thereof including any doors or gates surrounding an outdoor swimming pool and restricting access thereto; and (162-03)

“yard” means any open, uncovered, unoccupied space appurtenant to a building.

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3. SCOPE

This by-law shall apply to all property in the City.

4. STANDARDS

The standards for maintenance and occupancy of property set out in this by-law are prescribed as the minimum standards for the City.

4.1 STANDARDS FOR PART IV AND PART V HERITAGE PROPERTIES (368-06, 348-07, 211-08)

- (1) In addition to the minimum standards for the maintenance and occupancy of property in the City as set out in this by-law, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall: (211-08)**
 - (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 and the components of the property that hold up, support or protect the Heritage Attributes in a manner that will ensure the protection and preservation of the Heritage Attributes.**
- (2) Despite any other provision of this by-law, 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: (211-08)**
 - (a) In a manner that minimizes damage to the heritage values and attributes of the property;**
 - (b) In a manner that maintains the design, colour, texture, grain or other distinctive features of the Heritage Attribute;**
 - (c) Using the same types of material as the original material being repaired and in keeping with the design, colour, texture, grain and any other distinctive features of the original material; and**
 - (d) Where the same types of material as the original material are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material.**

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- (3) Despite any other provision of this by-law and notwithstanding that a permit may be required under the *Ontario Heritage Act* or the *Building Code Act, 1992*, 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: (211-08)
- (a) Using the same types of material as the original;
 - (b) Where the same types of material as the original material 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
 - (c) In a manner that replicates the design, colour, texture, grain and other distinctive features and appearance of the Heritage Attribute.

5. **PROHIBITION**

- (1) No person shall use or occupy, or permit the use or occupancy of any property that does not conform to the standards set out in Sections 7 and 8 of this by-law.
- (2) The owner of any property which does not conform to the standards in this by-law shall repair and maintain the property to conform to the standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.
- (3) Notwithstanding subsection (2), the owner of a Part IV Heritage Property or a Part V Heritage Property which does not conform to the standards in this by-law shall repair and maintain the property to conform to the standards and the property shall not be cleared of all buildings and structures that fail to do so. (368-06, 211-08)

6. **ADMINISTRATION**

- (1) **Property Standards Committee**
 - (a) Council shall appoint at large, by a Resolution of Council, five (5) citizens to the Property Standards Committee for a term of office concurrent with Council.
 - (b) Each member of the Property Standards Committee shall receive an honorarium of \$100.00 per day (\$50.00 per half day) for attendance at Property Standards Committee meetings for the City of Mississauga.

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- (c) Every person who intends to appeal an Order made under subsection 15.2(2) of the Building Code Act, S.O. 1992, c.23, shall submit a notice of appeal in the manner and within the time frame as prescribed in subsection 15.3(1) of the Building Code Act, S.O. 1992, c.23. All notices of appeal shall be accompanied by a non-refundable payment as provided for under the applicable Fees and Charges By-law, as amended. (162-03, 76-06)

(2) **Property Standards Officer**

- (a) The Council may from time to time appoint officers to carry out the administrative functions of this by-law including the enforcement thereof.
- (b) Any building or plumbing inspector, fire prevention officer, arborist or by-law enforcement officer of the City is hereby authorized and directed to act from time to time as an assistant to the officer.

(3) **Certificate of Compliance**

Where a Certificate of Compliance is requested by a property owner, it shall be issued by the property standards officer but only where accompanied by a non-refundable fee payment as provided for under the applicable Fees and Charges By-law, as amended. (76-06)

7. **STRUCTURAL CAPACITY**

Every building or structure or part of a building or structure shall be structurally sound and maintained in that condition so that it has sufficient structural capacity to resist safely and effectively all loads and the effects of loads and influences that may reasonably be expected, having regard to its expected use and service life.

8. **FOUNDATIONS AND FOUNDATION WALLS**

The foundations and the foundation walls of every building or structure or part of a building or structure shall be structurally sound and maintained in that condition so that all masonry cracks are grouted, walls, joists, beams or other exposed wood members are waterproofed, and so that there is adequate subsoil drains at footing levels and that jacking, underpinning or shoring is done where necessary.

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9. EXTERIOR WALLS

- (1) The exterior walls of every building or structure or part of a building or structure must be structurally sound, weather proof and free of loose and unsecured objects and materials. Improperly secured objects and materials shall be either removed, repaired or replaced.**
- (2) All brick and stonework, cornices, entablatures, belt courses, parapet walls, corbels, terra-cotta trim, wall facings and similar decorative features shall be maintained in good repair and safe condition with proper anchorage.**
- (3) The exterior wall of every building and structure shall be properly painted or otherwise treated.**
- (4) The cladding on the exterior walls of all buildings or structures shall consist of masonry stucco, wood, finished plywood, metal or other similar materials that are of equivalent strength, durability and fire resistance.**

10. ROOFS

- (1) The roof of every building or structure shall be structurally sound, weatherproof and free of loose or unsecured objects and materials and excessive accumulations of ice and snow. Improperly secured objects and materials shall be either removed, repaired or replaced.**
- (2) All roof flashing, gutters, valleys, eaves troughs and downpipes shall be secured, free of rust and maintained in a serviceable condition.**
- (3) All soffit and fascia components of a building shall be secured and maintained in good repair and properly painted or otherwise treated.**

11. EXTERIOR DOORS, WINDOWS AND EXTERIOR TRIM

- (1) The exterior doors, windows and exterior trim of every building or structure or part of a building or structure, shall be maintained in a good state of repair, properly fitted to prevent the entrance of the elements and painted or otherwise treated to provide protection against decay and rust.**
- (2) The owner shall provide and install a safety device on any window with a movable sash, and on any balcony door, so as to ensure that a child of tender years will be unable to open such windows or doors to a width greater than four (4) inches (10 centimetres).**

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- (3) The owner of an apartment building shall provide and install in a secure manner, screens on all exterior door and window openings in each apartment unit.
- (4) Where windows in exit stairways of buildings greater than three storeys in height extend to less than 42 inches (107 centimetres) above the landing, they shall be protected by a guard not less than 42 inches (107 centimetres) in height.
- (5) No window referred to in subsection (2) shall be equipped with a safety device that makes it incapable of being opened by an adult in an emergency without the use of tools.

12. BALCONIES

- (1) Balconies shall be structurally sound and shall not allow the ponding of water. All balconies shall be enclosed by a sound, safe, clean railing which is firmly fastened to the main structure.
- (2) All balconies shall be kept clear of accumulations of unsightly material or objects.
- (3) All railings shall be sound, rust free, properly treated or painted.(162-03)

13. EXTERIOR STAIRS AND PORCHES

- (1) All exterior stairs, stairways, porches, awnings, canopies, fire escapes and other related structures shall be structurally sound, properly painted or otherwise treated, and free of loose and unsecured objects and materials.
- (2) Where there is a difference in elevation between adjacent levels of 24 inches or more, a guard shall be installed and maintained in accordance with the Ontario Building Code.

14. UNFINISHED BUILDINGS OR STRUCTURES

All buildings or structures, or parts thereof that are unfinished shall be finished in an acceptable manner within a reasonable amount of time and, where applicable, in accordance with all relevant legislation.

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14.1 BOARDED BUILDINGS (162-03)

- (1) Notwithstanding subsection 11(1), where the exterior doors, windows, trim or other opening of vacant buildings, partially vacant buildings, or abandoned buildings or structures are broken, improperly fitted or otherwise in disrepair the City may order the property owner to board of the building or structure as an interim security repair measure so as to prevent the entrance of elements, or unauthorized persons, or the infestation of pests.**
- (2) The boarding as ordered under subsection (1) shall comply with the following requirements:**
 - (a) All boards used in the boarding shall be installed from the exterior and properly fitted to the size of the opening of the building or structure within the frames in a watertight manner.**
 - (b) All boards shall be painted or otherwise treated so that the colour blends with the exterior of the building.**
 - (c) Doors, windows and other openings at the basement, ground floor and first floor level of the building or structure shall be securely boarded up with a solid piece of plywood or metal plate at least 11 millimetres thick.**
 - (d) Doors, windows and other openings above the first floor level of the building or structure shall be securely boarded up with a solid piece of plywood or metal plate at least 8 millimetres thick.**
 - (e) All plywood used for the boarding must be secured with nails and screws at least 50 millimetres in length, and spaced not more than 150 millimetres on centre.**

14.2 BOARDED BUILDINGS ON HERITAGE PROPERTIES (368-06)

- (1) Notwithstanding the provisions in section 14.1, this section applies exclusively to all buildings and structures located on a Part IV Heritage Property or a Part V Heritage Property. (211-08)**
- (2) Notwithstanding subsection 11(1), where exterior doors, windows or other opening of vacant buildings or structures, partially vacant buildings or structures or abandoned buildings or structures are broken, improperly fitted or otherwise in disrepair the City may order the property owner to board up the building as an interim security measure so as to prevent the entrance of elements, or unauthorized persons, or the infestation of pests.**

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- (3) The boarding as ordered under subsection (2) shall comply with the following requirements:
- (a) In the case of door and window openings, all boards used in the boarding shall be installed from the exterior and shall be properly fitted in a watertight manner to fit within the side jambs, head jamb and the exterior bottom sill of the door or window so that any exterior trim remains uncovered by the boarding.
 - (b) In the case of window openings, all boards used in (a) shall be painted in a manner to reflect the panes of glass, window frames and muntins that were or are found on the window that is being boarded over. The panes of glass shall be painted in matt black and the window frames and muntins shall be painted in a colour that matches that of the original window.
 - (c) In the case of door openings, all boards used in (a) shall be painted in a manner that reflects any glass panes, frame and muntins that were or are found on the door that is being boarded over. The panes of glass shall be painted in matt black and the frames, muntins and remainder of the board shall be painted in a colour which matches that of the original door.
 - (d) All boards not located in a window or door opening shall be painted or otherwise treated so that the colour blends with the exterior of the building or structure.
 - (e) Doors, windows and other openings at the basement, ground floor and first level of the building shall be securely boarded up with a solid piece of exterior grade plywood or metal at least 19 millimetres (3/4 inch) thick.
 - (f) Doors, windows and other openings above the first floor level of the building shall be securely boarded up with a solid piece of exterior grade plywood or metal plate at least 19 millimetres (3/4 inch) thick.
 - (g) All plywood used for the boarding must be secured with nails and screws at least 50 millimetres (2 inches) and spaced not more than 150 millimetres (6 inches) on centre.

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- (h) An exterior lighting fixture shall be installed and/or maintained in the front porch, veranda or area adjacent to the front entrance of the building or structure and must be kept on a timer so that the light will be turned on at 6:00 p.m. and turned off at 11:00 p.m. on each day of the week and shall maintain an average level of illumination of at least (50) lux (4.6 foot candles).”

15. GRAFFITI

All property, including but not limited to, buildings, structures, fences or other objects shall be kept clean of graffiti at all times.

16. INTERIOR HALLWAYS, STAIRWELLS, AND FLOORS

The interior stairs, stairways, stairwells, hallways, landings and floors of every part of a building or structure shall be in a safe and clean and sanitary condition, shall be properly painted or otherwise treated, and;(162-03)

- (1) excessively worn, broken, warped or loose boards, floors and floor coverings must be replaced or repaired in a good workmanlike manner;
- (2) handrails must be securely installed and maintained around any open area;
- (3) all interior doors, doorframes and required hardware must be provided and maintained in good condition and properly functioning and closing.

17. MAIL COLLECTION AREAS

All mail collection areas, including mail boxes, where supplied in any building, shall be maintained in good repair.

18. LIGHTING

- (1) Lighting fixtures shall be installed and maintained in all areas inside and outside every building or structure or part thereof so that work, use or occupation normally carried out in such areas can be undertaken safely.
- (2) All fixtures and all connections thereto shall be kept in a safe working condition.
- (3) Exterior lighting fixtures shall be installed and maintained so as to prevent the light source from shining directly into a dwelling unit.

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19. INTERIOR CEILINGS AND WALLS

- (1) The interior ceilings and walls of every building and structure shall be maintained in a safe and sound condition and in a good state of repair, free of loose plaster.**
- (2) All paint, or other wall covering, which is stained or deteriorated shall be repainted and repaired, missing or loose ceiling or wall tiles shall be repaired or replaced.**
- (3) Repairs made to interior walls and ceilings shall be completed in a workmanlike manner and each repair shall be finished to match the existing wall or ceiling.**

20. REFUSE STORAGE ROOMS AND VERTICAL REFUSE SERVICE SPACES MAINTENANCE

All refuse storage rooms, vertical refuse service spaces and refuse containers shall be operable, accessible at reasonable times and maintained in a clean and sanitary condition free from accumulations of garbage, odours, insects, and other pests. (162-03)

21. LAUNDRY ROOMS, STORAGE ROOMS, RECREATION ROOMS AND CHILDREN'S PLAY AREAS CONTAINED WITHIN MULTIPLE OCCUPANCY RESIDENTIAL BUILDINGS AS COMMON AREAS

- (1) Laundry and recreational equipment contained within multiple occupancy residential buildings shall be maintained in a safe working state of repair.**
- (2) All rooms used for storage, laundry or recreational purposes shall be kept clean and free from health, fire and accident hazards.**
- (3) Every area of a property set aside as a children's play area shall be kept in a clean, safe and operable condition including all equipment placed therein.**

22. CHIMNEYS

Every chimney, smoke pipe, vent, flue or similar apparatus serving a heating device or system shall be:

- (1) installed and maintained so as to prevent the escape of smoke or gases into the building;**
- (2) clear of obstructions;**

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- (3) free from open joints;
- (4) free from broken and loose masonry;
- (5) in good repair, securely anchored and plumb.

23. SWIMMING POOLS

- (1) All swimming pools, wading pools and artificial ponds, and any accessory or parts thereof shall be maintained in good repair free from leaks, mechanical or structural disrepair, or any other defects, accumulations of stagnant water, and free from any safety or health hazard. (162-03)
- (2) All swimming pools, wading pools and artificial ponds, and any accessory or parts thereof which are not operated shall be removed, or fitted with a suitable cover so as to prevent visual blight, the entrance of elements, and/or the infestation of pests or insects. (162-03)

24. LANDSCAPING

Whenever landscaping, parking area, walkways, steps, hedges, trees, fences, curbs, or similar changes to property have been required by the City as a condition of development or redevelopment, such works shall be undertaken and maintained so as to ensure continuous compliance with the City requirements. (162-03, 76-06)

25. FENCES (162-03)

- (1) All fences shall be erected and maintained so that they:
 - (a) do not cause or create an unsightly appearance
 - (b) are structurally sound; and
 - (c) are in a condition free of safety hazards and in a state of good repair.
- (2) For the purpose of this section, the term “good state of repair” means that:

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- (a) the fence is completely built, standing in a vertical position, and is securely anchored;
 - (b) the fence is free of components that are broken, rusted, rotted, or otherwise in disrepair; and
 - (c) any stained or painted surface of the fence are maintained free of peeling paint or stain.
- (3) Fences shall not be used as a support for any structure, object or thing, that is capable of or is causing force to be exerted against or upon the fence.
- (4) With the exception of noise attenuation walls, all fences shall be maintained in accordance with the height restrictions as set out in the City of Mississauga Fence By-law 397-78, as amended.

25.1 NOISE ATTENUATION WALLS (348-07)

All noise attenuation walls shall;

- (1) be structurally sound;
- (2) be maintained in a safe condition;
- (3) be maintained in a good state of repair;
- (4) not be used as a support for any structure, object or thing that could exert a lateral force against or upon the noise attenuation walls and;
- (5) be uniform in appearance in relation to those sections of the wall that are located on adjacent properties but form part of the same stretch of noise attenuation wall

26. TREES

- (1) All trees on a property shall be maintained in a manner that will eliminate a condition which is a source of danger.
- (2) Where the dangerous condition cannot be eliminated by maintenance practices, the tree shall be removed.

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27. TELEVISION AND RADIO ANTENNAE

Television antennae and other similar structures must be securely anchored and maintained in a safe and good condition.

28. LAND

All exterior property areas, including vacant land, shall be maintained in a clean and reasonable condition so as to prevent fire, accidents or health hazard, and more particularly:(162-03)

- (1) No wrecked, dismantled, inoperative, discarded, unused or unlicensed vehicles, trailers, machinery or objects or parts thereof shall be placed, stored or left on land, but this does not apply where such articles are required and used for business purposes permitted under the City's land use by-laws and where such articles are placed, stored or left in a manner which avoids an unsafe or unsightly condition deleterious to the neighbouring environment.
- (2) Any part of a yard that is low lying or has been excavated so that it accumulates water, shall be drained, filled and graded so that water drains to a storm sewer or ditch. Swimming pools, ornamental pools and agricultural ponds shall not be included in this requirement.
- (3) Every hard surfaced walkway, driveway, parking area or laneway shall be evenly graded and maintained free of potholes or uneven sections.
- (4) Dilapidated, collapsed or unfinished structures and all accumulations of material, wood, debris or other objects that create an unsafe or unsightly condition, deleterious to the neighbouring environment, shall be removed.
- (5) All grassed and landscaped areas abutting buildings or structures or on vacant lots in developed residential areas shall be cut and maintained in a reasonable condition in relation to the neighbouring environment.
- (6) All exterior property areas, including vacant land, shall be maintained to prevent accumulations of dust or dirt from spreading to neighbouring properties.
- (7) Notwithstanding subsection (3) of this section, where speed bumps or speed humps have been installed, they shall be distinctively marked so as to be clearly visible to approaching pedestrian and vehicular traffic. (357-00)

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29. HOARDING

All hoarding shall be maintained in a structurally secure manner, neatly painted or otherwise treated and kept free of signs and posters unless such signs and posters are authorized by the City.

30. SNOW REMOVAL

The following subsections apply to all private property containing multiple occupancy residential buildings, and all areas of commercial, industrial and institutional property that the general public has access to:

- (1) All ramps and access routes leading to garages shall be kept free from ice and snow.
- (2) Mechanical de-icing equipment for ramps and access routes, where provided, shall be maintained in a usable condition.
- (3) All walkways and access routes to and from buildings shall be kept free from ice and snow and hazards at all times.
- (4) All exterior parking areas, including laneways, shall be kept free from accumulations of ice and snow at all times.

31. ACCESSORY BUILDINGS

Accessory buildings shall be kept:

- (1) protected by paint, preservative or other weather-resistant material;
- (2) in a structurally sound condition and plumb, unless specifically designed to be other than vertical;
- (3) in good repair and free of accident hazards; and
- (4) so as not to present an unsightly appearance.

32. SIGNS

Exterior signs on any land, building or structure that are unused or not cared for or discarded shall be removed from the property or shall be stored within a building on the property.

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33. HEATING VENTILATION AND MECHANICAL SYSTEMS (162-03)

- (1) All heating, ventilation and mechanical systems shall be provided, maintained and operated free of safety hazards.**
- (2) Any duct work that is part of a heating and/or ventilating system shall be kept in a clean and sanitary condition free of dust, mold, mildews, or any other health hazard.**

34. ELEVATING DEVICES

Elevating devices in multiple occupancy residential buildings, including all parts thereof, shall be maintained in good repair in accordance with the Elevating Devices Act, R.S.O. 1990, c.E.8, as amended, and shall be operational, except for such reasonable period of time as may be required for the purpose of repairing such elevating devices.

35. PARKING GARAGES

(1) Lighting

- (a) Lighting fixtures in all parking garages shall be maintained in good working condition.**
 - (b) Every parking garage shall be illuminated by natural means where available, and adequate number of light fixtures, or the painting of walls, columns and ceilings white in colour, or any combination thereof, so to maintain an average level of illumination of at least fifty (50) lux (4.6 foot candles).**
 - (c) One (1) measurement of intensity of illumination made at floor level for every nine (9) square metres (96.9 square feet) of floor area shall be used in establishing the average level of illumination.**
 - (d) The level of illumination at any location on the floor of a parking garage shall not be less than 11 lux (1 foot candle).**
- (2) All ventilation systems within parking garages shall be maintained in good working order at all times.**

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(3) Exits

- (a) All means of egress, including doors, in parking garages shall be maintained in good repair and free from all obstructions.**
 - (b) All exit signs shall be provided and maintained in good repair in accordance with the requirements of the Ontario Building Code and Fire Code and shall be unobstructed and readily visible.**
- (4) All floor drains in such garages shall be in good working order and free from obstructions.**
- (5) Every floor, wall, ceiling and stairwell of a parking garage shall be kept clean and free from debris, objects or other conditions that might create a hazard, obstruction or unsightly condition.**
- (6) All parking garages shall be kept clear of any machinery, vehicles, boats, trailers or parts thereof which are in an unusable, wrecked, unlicensed, discarded or abandoned condition.**

36. ELECTRICAL SYSTEMS

- (1) All buildings, where required by the Ontario Building Code or the Ontario Electrical Safety Code, shall be connected to an electrical supply system and shall be wired to receive electricity.**
- (2) The capacity of the connection to the building and system of circuits and electrical outlets distributing the electrical supply within the building shall be adequate for the use and intended use and shall be maintained in good working order, free from fire and accident hazards, and in compliance with the Ontario Hydro Electrical Safety Code.**

37. DRAINAGE AND PLUMBING SYSTEMS

- (1) Drainage and plumbing systems on the property shall be provided, installed and maintained in good working order and shall be:**
 - (a) in compliance with the requirements of the Ontario Building Code, the Ontario Water Resources Act, R.S.O. 1990, c.O.40, as amended, and their respective Regulations, as amended from time to time; and**
 - (b) free from leaks, defective or dripping taps and other defects.**

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- (2) **Water run-off from roof surfaces shall discharge into an eaves trough or gutter and thence to a downpipe, discharging into a storm sewer and all eaves troughs and drainpipes shall be maintained:**
 - (a) **watertight and free from leaks; and**
 - (b) **in working order and free from health hazards.**
- (3) **Downpipes need not be connected to a storm sewer when arranged to discharge water run-off at least three feet from the building and contained on the property.**
- (4) **Eaves troughs, gutters, downpipes and storm sewer connections are not required when the roof is designed to prevent water run-off causing deterioration to the building or creating a nuisance to persons on or adjacent to the property.**

38. SEWAGE DISPOSAL

- (1) **When a sanitary sewer is installed on a street or road, all sewage from the abutting property shall be discharged into the sanitary sewer.**
- (2) **When a sanitary sewer has not been installed on a street or road, all sewage from each abutting property shall be discharged into private sewage disposal systems on the subject property and each such system shall be approved by and maintained in accordance with the Ontario Building Code.**

39. REFUSE DISPOSAL

- (1) **Every multiple occupancy residential building having common access corridors to individual apartments shall be equipped with a garbage or refuse room accessible to all tenants on the floor, and all doors to these rooms shall not be equipped with locking devices. Every residential building exceeding two storeys in height shall have a garbage chute with a self closing door connecting the aforesaid rooms to a common room at or near grade.**
- (2) **In all other multiple occupancy residential buildings sufficient rooms with containers and receptacles shall be provided to safely contain all garbage, rubbish, ashes, waste and other refuse, which shall not be allowed to accumulate but shall be removed or made available for removal in accordance with the applicable waste collection by-laws.**
- (3) **The facilities required by subsections 39 (1) and (2) shall be designed and installed in accordance with the Ontario Building Code.**

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- (4) In the event that strict application of subsections 39(1), (2) and (3) are not practical, the Property Standards Officer may accept alternative measures, provided that the resultant standard is generally equivalent to the standard herein required, and that such alternative measures are in accordance with all applicable law.
- (5) All exterior refuse storage and collection areas, including containers and receptacles, shall be maintained in a safe, clean, sanitary, odour free and tidy condition.
- (6) All exterior refuse storage areas, including containers and receptacles, shall be screened from the view of adjacent residential properties where possible and the screening shall be maintained in good repair.

40. COMPOST, PET FOOD AND ANIMAL FEED STORAGE

All compost, pet food and animal feed shall be stored and kept on a property in a reasonable manner so as not to allow offensive odours to effect the surrounding neighbourhood or attract rodents, vermin, pests, or other animals to the property. (89-04).

41. PEST PREVENTION

All dwelling units and the exterior portions of buildings shall be kept free of garbage and refuse at all times so as to prevent the infestation of pests such as rodents, vermin, insects and birds, and methods used for exterminating rodents, vermin, and insects shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990, c. P-11, as amended, and all regulations passed pursuant thereto.(89-04)

42. HUMAN HABITATION

- (1) Non-habitable space shall not be used for human habitation.
- (2) The maximum number of persons residing in a dwelling unit shall not exceed one person for each nine square metres of habitable room floor area.
- (3) No portion of a dwelling unit shall be used for human habitation unless:
 - (a) the floors, walls and ceilings and openings in the exterior walls or roof are watertight, free from dampness and reasonably free from drafts at all times:

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- (b) every habitable room, except a kitchen, contains one or more windows or skylights that

 - (i) open directly to the outside air, and
 - (ii) have a total light transmitting openable ventilating area of not less than that required by the Ontario Building Code;
- (c) all windows and skylights are:

 - (i) glazed or fitted with an approved substitute;
 - (ii) provided with hardware and locking devices;
 - (iii) maintained in good repair; and
 - (iv) if required for ventilating purposes, capable of being easily opened and closed at all times; and
- (d) a heating system is provided which is capable of maintaining adequate and suitable heat in accordance with City of Mississauga By-law 826-84, as amended.
- (4) Every habitable room shall have a minimum ceiling height in accordance with the Ontario Building Code.
- (5) Buildings used or to be used for human habitation shall be insulated to minimize heat loss, air infiltration and moisture condensation on the interior surfaces of walls, ceilings and floors as required by the Ontario Building Code.
- (6) Anything employed in providing water or any energy source serving light, heat, refrigeration or cooking facilities in a dwelling unit occupied by a tenant shall not be disconnected, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.
- (7) Where there is fuel burning equipment in any occupied dwelling unit not occupied by the owner and the owner is required by the lease or agreement providing for the occupancy to provide fuel, an adequate supply of fuel, in a convenient and safe location, shall be available at all times for the equipment.

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- (8) Each kitchen in a dwelling unit shall be:
- (a) equipped with a refrigerator and stove in good repair and in good working condition;
 - (b) provided with cupboards having a capacity of not less than four cubic feet multiplied by the total number of persons occupying the unit; and
 - (c) all counter-tops, drawers and cupboards shall be maintained in good condition;
- (9) Interior and exterior barrier-free access facilities for persons with disabilities where installed or required by the Ontario Building Code or as a condition of development or redevelopment shall be maintained in a good state of repair, operational suitable and available for use by persons with disabilities.
- (10) Every occupant of a dwelling unit shall maintain the dwelling unit and all supplied facilities and equipment therein in a clean and sanitary condition and shall co-operate with the landlord in complying with the requirements of this by-law.

43. **SECURITY**

- (1) Doors which allow access to or egress from a dwelling unit shall be equipped with a lock that:
- (a) complies with the Ontario Building Code and Fire Code; and
 - (b) is maintained in good repair and in an operative condition.
- (2) Exterior security locking and release, and voice communication systems, when provided, shall be maintained in good repair and operative condition, and in compliance with the requirements of the Ontario Building Code.

44. **EGRESS**

Every means of egress from a dwelling unit, building or structure shall be safe and unobstructed and comply with the Ontario Building Code and Fire Code.

45. **TOILET AND BATHROOM FACILITIES**

- (1) Every dwelling unit, except as provided in subsection 45(2), shall contain plumbing fixtures consisting of at least:

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- (a) a water closet;
 - (b) a sink; and
 - (c) a bathtub or shower.
- (2) In a rooming house there shall be a water closet, sink and bathtub or shower for every eight persons or portion thereof and the facilities shall be located on the same storey as, or on the next storey up or down from the storey on which the room or dwelling unit is located.
- (3) Every commercial, institutional and industrial building shall contain plumbing fixtures in accordance with the appropriate Provincial legislation.
- (4) All bathrooms and toilet rooms shall be located within and be accessible from within the building which it serves.
- (5) All bathrooms and toilet rooms shall be fully enclosed and have a door capable of being locked so as to provide privacy for the occupant.
- (6) Where practical a wash basin shall be located in the same room as the water closet.

46. HOT AND COLD RUNNING WATER

Every dwelling unit shall be connected to and supplied with hot and cold running water of adequate water pressure and the hot water shall be at least 43 degrees Celsius measured at the tap with the water running for at least 30 seconds.

47. TELEPHONE WIRING

All internal wiring for telephone use within a dwelling unit shall be maintained in good working order.

48. PENALTY

An owner who fails to comply with an order that is final and binding under this by-law is guilty of an offence under of Section 36(1) of the Building Code Act, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in section 36 of that Act.

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49. VALIDITY

If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of the Council in enacting this by-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

50. TRANSITIONAL RULES

After the date of passing of this by-law, By-law 11-94, as amended, applies only to properties in respect of 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 in respect of such Order, including demolition and repair by the City, have been concluded.

51. REPEAL

Except for the purpose as set out in section 50 of this By-law, By-law 11-94 is hereby repealed.

ENACTED AND PASSED THIS 16th day of December 1998.

Signed by: Hazel McCallion, Mayor and Arthur Grannum, City Clerk