

# **THE CORPORATION OF THE CITY OF DRYDEN**

## **BY-LAW NUMBER 2024-73**

BEING A BY-LAW TO PRESCRIBE MINIMUM STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTIES WITHIN THE MUNICIPALITY.

**WHEREAS** under Section 15.1(3) of the *Building Code Act*, 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 City of Dryden includes provisions relating to property conditions;

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

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

**NOW THEREFORE**, the Council of The Corporation of the City of Dryden enacts as follows:

### **INTERPRETATION AND DEFINITIONS**

#### **TITLE**

This by-law may be cited as the "Property Standards By-law."

#### **INTERPRETATION AND DEFINITIONS**

In this by-law, the word "shall" is mandatory and not directory.

1. A term not defined herein shall have the same meaning as the term in the *Building Code Act* or in the *Ontario Building Code*.
2. Unless otherwise expressly stated, reference to legislation shall mean Ontario legislation and includes the *Building Code Act*, *Ontario Building Code* or provisions, as amended and revised from time to time, and any Act, Regulation or provisions enacted in substitution therefor.
3. The headings in this by-law have been inserted for convenience and reference only and cannot define, limit or expand the scope or meaning of this by-law or any of its provisions.
4. In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.
5. Dimensions specified in metric units shall be the official dimensions. Imperial dimensions contained in parentheses are provided as a convenience only.
6. It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be invalid, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable, and all parts hereof are declared to be separate and independent and enacted as such.
7. The by-law does not apply so as to prevent a farm, meeting the definition of "agricultural operation" from carrying out a "normal farm practice" under the *Farming and Food Production Protection Act, 1998*, S.O. 1998, c. 1.

## **DEFINITIONS**

As used in this by-law, the following terms shall have the meanings indicated:

1. *ACCESSORY BUILDING* – A subordinate building or structure, or portion of a main building, the use of which is incidental to that of the main building and is on the same lot as the main building and which is not used or intended for use as human habitation.
2. *BALUSTRADE* – A protective barrier that acts as a guard 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, and such barrier may or may not have openings through it.
3. *BASEMENT or CELLAR* – Includes any room in a structure of which not less than one-half of the volume is below the finished grade of the ground appurtenant thereto.
4. *BATHROOM* – A room containing a bathtub or shower with or without a toilet and basin.
5. *BUILDING* – As defined Section 1(1) of the *Building Code Act*. This definition is noted as follows:
  - a. A structure occupying an area greater than 15 m<sup>2</sup> consisting of a wall, roof and floor or any of them or a structural system serving the function thereof, including all plumbing, works, fixtures and service systems appurtenant thereto;
  - b. A structure occupying an area of 15 m<sup>2</sup> or less that contains plumbing, including the plumbing appurtenant thereto;
  - c. Plumbing not located in a structure;
  - d. A sewage system; or
  - e. Structures designated in the *Ontario Building Code*.
6. *ONTARIO BUILDING CODE* – Means the regulations made under Section 34 of the *Building Code Act*.
7. *BUILDING CODE ACT* – Means Ontario's *Building Code Act*, S.O. 1992, as amended.
8. *CITY* – The Corporation of The City of Dryden. Municipality shall have a corresponding meaning.
9. *DEMOLISH* - Means to do anything in the removal of a building or any material part thereof and "demolition" has a corresponding meaning.
10. *DWELLING* – Includes, but is not limited to, a building or structure or part of a building or structure that is legally occupied, or designed to be or is capable of being legally occupied in whole or in part for human habitation, and includes a vacant building or structure that could be occupied for such use except for its state of disrepair;
11. *DWELLING UNIT* – One or more rooms in a dwelling connected together as a separate unit in the same building or structure and constituting an independent housekeeping unit.
12. *EMERGENCY ORDER* - An order issued pursuant to Section 15.7 of the *Building Code Act* regarding any non-conformity that poses an immediate danger to the health or safety of any person.
13. *EXTERIOR DOOR* – Includes a storm door and its operational components.
14. *FIRE RESISTANCE RATING* – The time, in hours or fractions thereof, that a material or assembly of materials will withstand the passage of flame and the transmission of heat when exposed to fire under specified conditions of test and performance criteria, or as determined by extension or interpretation of information derived therefrom, as prescribed in the Regulations made under the *Ontario Fire Code*.
15. *FIRE SEPARATION* – A construction assembly that acts as a barrier against the spread of fire and may not be required to have a fire resistance rating or fire protection rating.

16. *GOOD REPAIR* – To be maintained in such condition so as to be safe from accident or hazards, structurally sound, in good working order, and not unsightly by reason of deterioration, damage, defacement or wearing to the extent that visible surfaces require substantial repair or replacement.
17. *GROUND COVER* – Material applied to prevent the erosion of the soil and may include materials such as concrete, flagstone, gravel, asphalt, grass or other forms of landscaping.
18. *HABITABLE ROOM* – Any room in a dwelling unit designed to be used for living, sleeping, cooking or eating purposes, but does not include the following: bathroom, toilet room, laundry room, pantry, lobby, corridor, hall, cellar, attic, stairway, closet, boiler room, other spaces for service or maintenance of the dwelling or access to or vertical travel between floors of the dwelling.
19. *HIGHWAY* - Includes a common and public highway, street, avenue, parkway, driveway, square, place, crescent, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of motor vehicles or vehicles and includes the area between the lateral property lines thereof.
20. *INOPERATIVE VEHICLE* – Includes:
  - a. Any vehicle that is in a state of disrepair, dismantled or is otherwise inoperable.
  - b. Any motor vehicle which may not be lawfully operated upon a highway pursuant to the *Highway Traffic Act* and amendments thereto because of any of the following reasons:
    - i. There is not in existence a currently validated permit for the vehicle; or,
    - ii. There are not displayed on the vehicle, in the prescribed manner, number plates issued in accordance with the *Highway Traffic Act* showing the number of the permit issued for the vehicle; or,
    - iii. In its current state, the vehicle cannot be safely operated on a highway in accordance with the *Highway Traffic Act*.
21. *LAND* – Includes lands whether occupied or unoccupied but excludes publicly owned land.
22. *LODGING HOUSE* – Any house or other building or portion thereof capable of harbouring, receiving or lodging for hire four or more persons, but does not include a hotel, hospital, nursing home, home for the young or the aged or institution which is licensed, approved or supervised under any other general or special Act, nor any nursing home licensed under any other by-law of the City.
23. *LOT* – The land occupied or to be occupied by a building and its accessory buildings together with adjoining open spaces appurtenant thereto and may be composed of several lots or parts thereof according to a registered plan of subdivision.
24. *MAIN BUILDING* – The building that contains the principal use of the lot on which the building is located.
25. *MAINTENANCE* – The preservation and keeping in repair of a property.
26. *MEANS OF EGRESS* – A continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or other egress facility, or combination thereof, for the escape of persons from any point in a building, floor area, room or contained open space to a public thoroughfare and includes both exits and access to exits.
27. *MOTOR VEHICLE* – Includes automobiles, recreational vehicles, motorcycles, and commercial vehicles, but does not include off-road vehicles, trailers, boats, motorized snow vehicles, mechanical equipment, or any vehicle drawn, propelled or driven by muscular power.
28. *MULTIPLE DWELLING* – A building or structure containing three or more dwelling units.
29. *MIXED-USE BUILDING* – A building used in part for non-residential purposes.

30. *NON-HABITABLE ROOM* – Any room in a dwelling or dwelling unit other than a habitable room and includes a bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, basement, boiler room, space used for service or maintenance of the dwelling, and for access to vertical travel between floors.
31. *NON-RESIDENTIAL PROPERTY* – A building or structure or part of a building or structure not occupied for the purpose of human habitation, with the lands and premises appurtenant thereto, and all outbuildings, fences or erections thereon or therein.
32. *NOTICE OF APPEAL* – A notice in the format prescribed within Schedule A and as described in Section 3.6 of this by-law.
33. *OCCUPANCY* – The use or intended use of a property or part thereof, or the primary purpose of the building, structure, or portion thereof.
34. *OCCUPANT* – Any person or persons over the age of 18 years in possession of the property.
35. *OFFICER* – A person designated by The Council of The Corporation of the City of Dryden to carry out the administrative functions of this by-law including the enforcement thereof as:
  - a. Chief Building Official, pursuant to the *Building Code Act* and referred to as an Inspector.
  - b. Property Standards Officer, pursuant to the *Building Code Act* and referred to as an Officer.
  - c. An alternate Property Standards Officer, pursuant to this by-law.
36. *ORDER* – A Property Standards Order issued pursuant to Section 15.2(2) the *Building Code Act*, or a Directive for Expert Examination issued pursuant to Section 15.8(1) of the *Building Code Act*.
37. *OWNER* – Includes:
  - a. The registered owner of the land on which the building is located or, if the building is owned separately from the land on which the building is located, the owner of the building, unless the person is a person prescribed in the Ontario Building Code.
  - b. The person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; and,
  - c. A lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.
38. *POTABLE WATER* – Water deemed suitable for human consumption by the Medical Officer of Health of the Northwestern Health Unit.
39. *PROPERTY* – A building or structure or part of a building or structure, and includes the land and premises appurtenant thereto, and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property.
40. *PROPERTY STANDARDS COMMITTEE* – A committee of Council as defined within the *Building Code Act* acting under the legislated authority provided by Section 15.6 of said Act and carrying out the functions provided by Section 15.3 of said Act. "Committee" shall have a corresponding definition.
41. *REPAIR* – Includes the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that a property conforms with the standards established in this by-law.
42. *RAINWATER LEADER* – A conductor that conveys stormwater from the roof of the building or other structure.

43. *RESIDENTIAL PROPERTY* – Any property in which one or more Dwelling Units is located.
44. *RESIDENTIAL RENTAL PROPERTY* – Any residential property in respect of which there exists one or more landlord-tenant relationships.
45. *SEWAGE SYSTEM* – The City's sanitary sewage system or a private sewage disposal system approved by the Minister of the Environment under the provisions of the Environmental Protection Act and the Regulations thereunder.
46. *SMOKE DETECTOR* – Includes a products-of-combustion detector and means a device for the detection of the presence of one or more of the products of combustion of a fire based on the ionization principle, resistance bridge method or cloud chamber effect, and automatically initiating a signal indicating this condition, approved by either the Underwriters' Laboratories of Canada or Canadian Standards Association.
47. *STANDARDS* – The standards for maintenance and occupancy prescribed by this by-law.
48. *TOILET ROOM* – A room containing a toilet.
49. *VEHICLE* – Includes any vehicle that cannot be plated in accordance with the *Highway Traffic Act*, trailers, camper trailers, boats, motorized snow vehicles, mechanical equipment, off-road vehicles, and any vehicle drawn, propelled or driven by muscular power.
50. *WINDOW* – An opening in the wall or roof of a building that is fitted with glass or other transparent material in a frame to admit light and/or air.
51. *YARD* – The land around and appurtenant to the whole or any part of a building and used or intended to be used or capable of being used in connection with the building.

## **SECTION 1 – OBLIGATIONS OF OWNER, OCCUPANT**

### **1.1** Any owner of property shall:

- a. Repair, maintain and keep clean the property in accordance with these standards and take immediate action to eliminate any unsafe condition.
- b. Ensure that every supplied facility in or on the property is:
  - i. constructed, installed and maintained so that it will function safely and effectively;
  - ii. kept in a satisfactory working condition; and,
  - iii. available for use by the occupants and other users of the property in accordance with the standards.
- c. Not use or occupy; permit the use or occupancy of; rent from or to or offer to rent from or to another person any property that does not conform to the standards as defined in this by-law.

### **1.2** Every occupant of a dwelling unit, in that part of the dwelling unit that the occupant occupies, or controls shall:

- a. Maintain all plumbing, cooking, refrigerating appliances and fixtures and all storage facilities and other equipment therein in a clean and sanitary condition;
- b. Keep all exits from the dwelling unit clean and unobstructed; and,
- c. Maintain the dwelling unit in a clean and sanitary condition.

### **1.3** All repairs shall be made in a good workmanlike manner with materials that are suitable and sufficient for the purpose and free from defects.

## **SECTION 2– CONFLICTS**

- 2.1** If there is a conflict between any provision of this by-law and a provision of any other City of Dryden by-law, the provision that establishes the highest standard to protect the health, safety and welfare of the general public prevails.
- 2.2** This by-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
- 2.3** Notwithstanding anything elsewhere contained herein, where renovations have been made to an existing building under the authority of a building permit issued pursuant to the *Ontario Building Code*, such renovations shall be deemed to comply with the standards.
- 2.4** Any action purported to be taken under this by-law that is authorized under the *Building Code Act* and is referenced within any report, order, written correspondence or any other document by a section of this by-law shall be considered to have been taken under its respective section of the *Building Code Act*.
- 2.5** Where any existing building condition is found to be in contravention of this by-law but is permitted as legal non-conforming by the Ontario Building Code, the Ontario Building Code provisions shall prevail.
- 2.6** Producing or providing relevant documents or information related to proof of compliance under Sections 2.3 or 2.5 shall be the responsibility of the property owner.

## **SECTION 3 – ADMINISTRATION AND ENFORCEMENT**

### **3.1 POWERS TO ENTER AND INSPECT**

- a. An Officer acting under this by-law may, at any reasonable time and upon producing proper identification, enter upon a property without a warrant for the purpose of inspecting the property to determine:
- i. whether the property conforms with the standards prescribed in this by-law; or
  - ii. whether an order has been complied with.
- b. Despite Subsection 3.1a, an Officer shall not enter or remain in any room or place actually used as a dwelling unless:
- i. the consent of the occupant is obtained, the occupant first having been informed that the right of entry may be refused and entry made only under the authority of a warrant issued under the *Building Code Act*;
  - ii. a warrant issued under the *Building Code Act* is obtained;
  - iii. the delay necessary to obtain the consent of the occupant or a warrant would result in an immediate danger to the health or safety of any person;
  - iv. the entry is necessary to terminate a danger under Section 15.7(3) of the *Building Code Act*; or,
  - v. the requirement of Subsection 3.1c is met and the entry is necessary to remove a building or restore a site under Section 8(6) of the *Building Code Act*, to remove an unsafe condition under clause 15.9(6)(b) of the *Building Code Act*, or to repair or demolish under Section 15.4(1) of the *Building Code Act*.
- c. Within a reasonable time before entering the room or place for a purpose described in Subclause 3.1b.v, an Officer shall serve the occupant with notice of his or her intention to enter it.

- d. For the purposes of an inspection under Subsection 3.1a, an Officer may:
  - i. require the production for inspection of documents or things, including drawings or specifications, which may be relevant to the property or any part of the property;
  - ii. inspect and remove documents or things relevant to the property or part of the property for the purpose of making copies or extracts;
  - iii. require information from any person concerning a matter related to a property or part of the property;
  - iv. be accompanied by a person who has special or expert knowledge in relation to a property or part of a property;
  - v. alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection. Any receipts, sample divisions/parts thereof, and/or copies of reports shall be provided to the appropriate persons in accordance with Subsection 15.8 of the *Building Code Act*; and,
  - vi. order the owner of the property to take and supply at the owner's expense such tests and samples as are specified in the order.
- e. A sample taken under Subsection 3.1d.v shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if,
  - i. the person requests that the sample be divided at the time it is taken and provides the necessary facilities; and
  - ii. it is technically feasible to divide the sample.
- f. If an Officer takes a sample under Subsection 3.1d.v and has not divided the sample into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.
- g. An Officer shall provide a receipt for any document or thing removed under Subsection 3.1d.ii and shall promptly return them after the copies or extracts are made.
- h. Copies of or extracts from documents and things removed under this section and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as and have the same evidentiary value as the originals.
- i. No person shall hinder or obstruct or attempt to hinder or obstruct an Officer in the exercise of a power or the performance of a duty under this by-law.
- j. A refusal of consent to enter or remain in a place actually used as a dwelling is not hindering or obstructing unless the officer or authorized person is acting under a warrant issued under the *Building Code Act* or in the circumstances described in Subsection 3.1b.iii, iv, or v.
- k. Every person shall assist any entry, inspection, examination, testing or inquiry by an inspector, chief building official, officer or a person authorized by a registered code agency in the exercise of a power or performance of a duty under the *Building Code Act*.
- l. No person shall neglect or refuse,
  - i. to produce any documents, drawings, specifications or things required under Subsection 3.1.d.i or 3.1d.v by an Officer; or
  - ii. to provide any information required under Subsection 3.1.d.iii by an Officer.

### **3.2 OFFENCES AND PENALTIES**

- a. A person is guilty of an offence under Paragraph 36(1)(b) of the *Building Code Act*, 1992 if the person:
  - i. fails to comply with an order, direction or other requirement made under this by-law; or,
  - ii. fails to comply with a standard prescribed in this by-law.
- b. A person who is convicted of an offence is liable to a fine of not more than \$50,000 for a first offence and to a fine of not more than \$100,000 for a subsequent offence.
- c. Every director or officer of a corporation who knowingly concurs in the failure to comply or the contravention under Subsection 3.2a is guilty of an offence.
- d. If a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$500,000 for a first offence and \$1,500,000 for a subsequent offence.

### **3.3 PROPERTY STANDARDS ORDERS, DIRECTIVES**

- a. An Officer who finds that a property does not conform to one or more of the standards prescribed in this by-law may make an order:
  - i. stating the municipal address and/or the legal description of the property;
  - ii. giving reasonable particulars of the repairs to be made and/or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;
  - iii. indicating the time for complying with the terms of the order and giving notice that, if the repair or clearance is not carried out within that time, the City may carry out the repair or clearance at the owner's expense; and
  - iv. indicating the final date for giving notice of appeal from the order.
- b. The order shall be served on the owner of the property, and such other persons affected by it as the Officer determines, and a copy of the order may be posted on the property in a location visible to the public.
- c. No person shall remove from any premises any sign, notice or placard placed thereon pursuant to Section 15.2(3) of the *Building Code Act* or this by-law except an Officer or other person acting within the scope of his or her powers or duties hereunder or under the said Act, or a person acting with the authority of such Officer or other person.
- d. An order may be served personally, by email to the last known email address of the person to whom service is required to be made, or by registered mail sent to the last known address of the person to whom notice is to be given or to that person's agent for service.
- e. If an order is served by registered mail, the service shall be deemed to have been made on the fifth day after the day of mailing unless the person to whom the notice or order is given or that person's agent for service establishes that, acting in good faith, through absence, accident, illness or other unintentional cause the order was not received until a later date.
- f. If an order is served by email, the service shall be deemed to have been made on the day of sending unless:
  - i. the order was sent after 5 p.m., in which case service shall be deemed to have been made on the following day; or



- ii. the person to whom the notice or order is given or that person's agent for service establishes that, acting in good faith, through absence, accident, illness or other unintentional cause, the notice was not received until a later date.
- g. An order may be registered in the proper land registry office and, upon such registration, any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the day on which the order was served.
- h. Where there is doubt as to the structural or conditional adequacy of all or part of a building, or the systems within or attached thereto, an Officer may make an Order requiring the owner to take and supply at the owner's expense such tests and samples as are specified in the order, undergo examinations or testing by an expert or other qualified professional as approved by the Officer, produce any relevant reports, documents or things, or any other relevant information as specified in the order.

### **3.4 EMERGENCY ORDER RE DANGEROUS NON-CONFORMITY WITH STANDARDS**

- a. If upon inspection of a property the Officer is satisfied that there is non-conformity with the standards in this by-law to such extent as to pose an immediate danger to the health or safety of any person, the Officer may make an order containing particulars of the non-conformity and requiring remedial repairs or other work to be carried out immediately to terminate the danger.
- b. The order shall be served on the owner of the property and such other persons affected thereby as the Officer determines and a copy shall be posted on the property.
- c. After making an order under Subsection 3.4a, the Officer may, either before or after the order is served, take any measures necessary to terminate the danger and, for this purpose, the City may, through its employees and agents, at any time enter upon the property in respect of which the order was made without a warrant.
- d. If the order was not served before measures were taken to terminate the danger, the Officer shall serve copies of the order in accordance with Subsection 3.4b as soon as practicable after the measures have been taken, and each copy of the order shall have attached to it a statement by the Officer describing the measures taken by the municipality and providing details of the amount expended in taking the measures.
- e. If the order was served before the measures were taken, the Officer shall serve a copy of the statement mentioned in Subsection 3.4d in accordance with Subsection 3.4b as soon as practicable after the measures have been taken.
- f. As soon as practicable after the requirements of Subsection 3.4d or 3.4e have been complied with, the Officer shall apply to a Judge of the Superior Court of Justice for an order confirming the order made under Subsection 3.4a and the Judge shall hold a hearing for that purpose.
- g. In disposing an application, the Judge shall confirm, modify or rescind the order, and determine whether the amount spent on measures taken to terminate the danger may be recovered in whole, in part, or not at all. The amount determined by the Judge to be recoverable shall be a lien on the land and shall have priority lien status as described in Section 1 of the *Municipal Act*.

### **3.5 PROPERTY STANDARDS COMMITTEE**

- a. A Property Standards Committee is hereby constituted for the City of Dryden.
- b. The Property Standards Committee shall consist of a minimum of three members of the public appointed by Council and who are qualified to be elected as members of Council.
- c. Members shall hold office for the term of the Council that appointed them or until their successors are appointed.
- d. Council shall forthwith fill any vacancy that occurs within the membership of the Committee.

- e. The members shall elect a chair from among themselves; when the chair is absent through illness or otherwise, the Committee may appoint another member as acting chair.
- f. The members shall provide for a Secretary for the Committee, who shall keep on file the records of all official business of the committee, including records of all applications and minutes of all decisions respecting those applications, and Section 253 of the *Municipal Act*, 2001, as the case may be, applies with necessary modifications to the minutes and records.

### **3.6 APPEALS TO COMMITTEE**

- a. An owner or occupant who has been served with an order and who is not satisfied with the terms of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail and the applicable fee as provided for under the City's Fees and Charges By-law, as amended, to the Secretary of the Property Standards Committee within 14 days after being served with the order.
- b. An order that is not appealed according to the timeline and manner referred to in Subsection 3.6a shall be deemed to be confirmed and be ineligible for appeal.
- c. Where a Notice of Appeal is submitted in accordance with Subsection 3.6a, the Property Standards Committee shall hear the appeal.
- d. On an appeal, the Property Standards Committee has all the powers and functions of the Officer who made the order, and the Committee may do any of the following things if, in the Committee's opinion, doing so would maintain the general intent and purpose of this by-law:
  - i. confirm, modify or rescind the order to demolish or repair;
  - ii. extend the time for complying with the order.
- e. The City or any owner or occupant or person affected by a decision under Subsection 3.6d may appeal to the Superior Court of Justice by notifying the City Clerk in writing and by applying to the Court within 14 days after a copy of the decision is sent.
- f. An order that is deemed to be confirmed or that is confirmed or modified by the Property Standards Committee or by a Judge of the Superior Court of Justice shall be final and binding upon the owner and/or occupant who shall carry out the repair or demolition within the time and in the manner specified in the order.
- g. Following an appeal hearing commenced pursuant to the provisions of this by-law, the Property Standards Committee shall provide, in writing, its decision by causing a copy to be served personally, by electronic mail, or by registered mail to:
  - i. the appellant and/or their agent;
  - ii. the Officer who issued the order; and
  - iii. any other person who appeared at the hearing of the appeal.
- h. The Committee may, at their discretion, waive any fees and charges relative to the Order subject to appeal, except for any amounts applicable as an Appeal Application Fee.

### **3.7 NOTICE OF APPEAL**

- a. The Secretary of the Property Standards Committee, upon receipt of a notice of appeal made under Section 15.3(1) of the *Building Code Act*, shall:
  - i. determine the date, place and time of the hearing of the appeal which shall commence not less than seven days and not more than 30 days from the date of receipt of the aforesaid notice; and,

- ii. give notice in writing of the date, place and time of the hearing to the following and such notice shall be served personally, by electronic mail, or by registered mail to:
  - 1. the appellant and/or their agent;
  - 2. the Officer who issued the order; and
  - 3. any other interested persons.
- b. Notwithstanding the provisions of Subsection 3.7a.i, in the event of an exigent circumstance whereby an appeal hearing cannot be commenced within 30 days of receipt of a Notice of Appeal made pursuant to Section 15.3(1) of the *Building Code Act*, the Secretary of the Property Standards Committee shall, as soon as reasonably possible, determine an appropriate date, place and time for the hearing to be held.

### **3.8 REMEDIAL ACTION**

- a. If an order is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the Property Standards Committee or a Judge, the City may cause the property to be repaired or demolished accordingly.
- b. For the purpose of Subsection 3.8a, employees or agents of the City may enter the property at any reasonable time without a warrant to repair or demolish the property, provided that, if this requires entry into any room or place actually used as a dwelling, within a reasonable time before entering, the occupant is served with notice of the intention to enter.
- c. Neither the City nor a person acting on its behalf is liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the City in the reasonable exercise of its powers under Subsection 3.8a.
- d. The City shall have a lien on the property for the amount spent on the repair or demolition under Subsection 3.8a and the amount shall have priority lien status as described in Section 1 of the *Municipal Act, 2001*.
- e. Where action has been taken by the City pursuant to Section 15.4 of the *Building Code Act* as a result of the failure of the owner or occupant of the property to comply with an order made pursuant to this by-law, any items removed from the property by the City shall be disposed of by the City at an appropriate disposal site.

### **3.9 CERTIFICATES OF COMPLIANCE**

- a. Where, after an inspection, an Officer is of the opinion that a property is in compliance with this by-law, and a completed application in the format prescribed by Schedule B to this by-law in conjunction with the applicable fee payment is submitted to the City, an owner of the property shall be issued a certificate of compliance.
- b. If the order has been registered on title, then in addition to issuing a certificate of compliance under Subsection 3.9a, the City Clerk shall forthwith register in the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a discharge of the order.

### **3.10 ALTERNATE PROPERTY STANDARDS OFFICERS**

- a. An alternate Property Standards Officer may carry out the powers and functions of an Officer where necessary due to unavailability or absence of a Property Standards Officer or Chief Building Official.
- b. Delegation of duties to an alternate Property Standards Officer shall be provided in written form at least 1 business day in advance of the unavailability or absence where the unavailability or absence is considered a planned absence.
- c. An alternate Property Standards Officer shall only, except where otherwise expressly authorized by a Chief Building Official or Property Standards Officer, carry out the role of

an Officer in situations where a non-conformity has caused, permitted or created, or is likely to cause, permit or create any of the following:

- i. fire hazards;
- ii. accident hazards;
- iii. health and safety hazards; or,
- iv. risks of damage to property, or unauthorized entry into any building.

### **3.11 TRANSITION**

- a. Any notice or order made pursuant to By-law No. 2811-2001 Chapter 171 – Property Standards is continued under and in conformity with the provisions of this by-law so far as consistently may be possible until the work required by the notice or order is completed or any other enforcement proceedings have been concluded.
- b. Where a person is alleged to have contravened By-law No. 2811-2001 Chapter 171 – Property Standards before the date this by-law comes into force, By-law No. 2811-2001 Chapter 171 – Property Standards continues to apply for purposes of any enforcement proceedings brought against the person until the proceedings have been concluded.
- c. All proceedings taken pursuant to By-law No. 2811-2001 Chapter 171 – Property Standards shall be taken up and continued under and in conformity with the provisions of this by-law so far as consistently may be possible.
- d. In the recovery or enforcement of penalties and forfeitures incurred, or in any other proceeding in relation to matters that have happened before the repeal of By-law No. 2811-2001 Chapter 171 – Property Standards, the procedure established by this by-law shall be followed so far as it can be adopted.
- e. The members of the Property Standards Committee as it exists on the effective date of this by-law shall continue in office until successors are appointed in accordance with the provisions of this by-law.

## **SECTION 4– STANDARDS FOR MAINTENANCE AND OCCUPANCY OF BUILDINGS**

### **4.1 SCOPE**

- a. This section prescribes the standards for maintenance and occupancy for all buildings and structures in the City of Dryden, other than accessory buildings and structures governed by Section 5 hereof.

### **4.2 PEST PREVENTION**

- a. A building shall be maintained free of rodents and insects at all times and methods used for exterminating rodents or insects or both shall conform with the provisions of the *Pesticides Act* and the Regulations thereunder.
- b. A basement or cellar window used or designed to be used for ventilation, and any other opening in a basement or cellar, shall be screened with wire mesh or such other material as will effectively exclude rodents and insects.
- c. During the time of year when insects are likely to enter into a building, each door or window, including a window in a door or other device that opens to the outside, shall be screened with wire mesh or such other material as will effectively exclude insects.

### **4.3 VENTILATION**

- a. Every habitable room except for a living room and a dining room shall be provided with:
  - i. natural ventilation that shall:
    1. consist of an opening or openings with a minimum aggregate unobstructed free flow area of 0.28 m<sup>2</sup>; and
    2. be located in the exterior walls or through openable parts of skylights; or,
  - ii. mechanical ventilation, which shall change the air once each hour.
- b. Every bathroom or room containing a water closet 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 0.09 square metre.
- c. An opening for natural ventilation as noted in Subsection 4.3b may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to the outside of the building. Where the ventilation duct exhaust opening is located on an exterior wall, it shall be located a minimum of 2 metres away from any window of an adjoining building.
- d. All systems of mechanical ventilation or air conditioning shall be maintained in good repair and vented to the exterior.
- e. Every enclosed attic or roof space shall be vented by openings to the exterior to provide at least 0.09 square metre of unobstructed vent area for every 27.9 m<sup>2</sup> of attic or roof space.
  - i. the vents required by Subsection 4.3e hereof may be roof, eave or gable-end type or any combination thereof.
- f. Every workroom shall have an opening or openings for natural ventilation, which openings shall have a minimum aggregate unobstructed free flow area of 0.28 square metre or 0.2% of the floor area of the room, whichever is the greater, and be located in the exterior walls or through openable parts of skylights.
- g. In lieu of complying with Subsection 4.3f, mechanical ventilation which changes the air once each hour may be provided.

### **4.4 STRUCTURAL STANDARDS**

- a. Every part of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any load to which it may be subject.
- b. Materials or objects which have been damaged or show evidence of rot or other deterioration, shall be repaired or replaced.
- c. Where there is reason to believe that the structural capacity or stability of any part of a building or accessory structure is in doubt, the Property Standards Officer may direct the owner to submit written assessment of the adequacy of the building, structure or part thereof. Such assessment shall be prepared by a professional engineer qualified in the pertinent field and licensed by the Province of Ontario, and all costs shall be borne by the owner.

### **4.5 FOUNDATION WALLS**

- a. Every building, unless of the slab-on-grade type, shall be supported by foundation walls or piers which extend below the frost line or to solid rock, and all footings, foundation walls, piers, and slabs-on-grade shall be of masonry or other suitable material.

- b. Foundation structures shall be maintained in good repair and structurally sound, and shall prevent the entrance of moisture, insects, and vermin. Maintenance, where applicable, includes but is not restricted to, shoring of walls, installing sub-soil drains at the footings, grouting masonry cracks, parging and waterproofing the walls or floor.

#### **4.6 EXTERIOR WALLS AND OBJECTS**

- a. The exterior walls and their components shall be maintained so as to reasonably protect against their deterioration due to weather and insects. Maintenance, where applicable, shall include, but not be limited to, painting, the application of preservation, restoring or repairing of walls, pointing of joints, waterproofing of the wall itself, coping or flashing, installing or repairing termite shields, and by treating the soil by a suitable means.
- b. Objectionable markings or other defacement of exterior surfaces shall be removed and the surface restored.
- c. All canopies, marquees, signs, awnings, stairways, fire escapes, standpipes, exhaust ducts and similar equipment, attachments, extensions and their supporting members shall be maintained in good repair, properly and safely anchored and protected from the elements and against decay and rust by the periodic application of a weather-coating material, unless constructed of materials inherently resistant to deterioration.
- d. Air conditioners shall be equipped with adequate devices for the prevention of condensation drainage onto entrance areas, sidewalks or walkways.

#### **4.7 ROOF**

- a. A roof of a building, including fascia board, soffit and cornice, shall be maintained in a watertight condition so as to prevent leakage into the building. Maintenance, where applicable, includes, but is not limited to, repairing of the roof, fascia board, soffit and cornice, and flashing, applying waterproof coatings, installing or repairing eavestroughs and rain-water piping.
- b. Dangerous accumulations of snow or ice or both shall be removed from the roof.
- c. Television aerials and other roof structures shall be maintained in a safe condition or shall be removed from the roof.
- d. Eavestroughs and downpipes shall be kept in good repair and working order, watertight and free from leaks, and free from health or accident hazards.

#### **4.8 WINDOWS AND EXTERIOR DOORS**

- a. Windows, skylights, exterior doors and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and precipitation into the dwelling, and so as to provide proper illumination and security. Maintenance, where applicable, includes, but is not limited to, painting, the application of preservative, renewing rotten or damaged doors, door frames, window frames, shutters, sashes and casings, refitting doors and windows, weather stripping and replacing broken window, and door glass, missing or torn screens and defective door and window hardware. Interior doors, closet doors and cupboard doors shall be maintained in good repair.
- b. Subject to Section 2.5, every window of a dwelling unit in which there are resident children under the age of seven years or under and which is located above the first storey of a multiple dwelling, except a window which services as a secondary means of egress, shall be equipped with:
  - i. a safety device to prevent opening of any part of such window to a width in excess of 100 millimetres and conforming with the requirements of the *Ontario Building Code* for New Construction; or
  - ii. a securely affixed screen or guard so designed as to prevent the passage of a 100-millimetre-diameter sphere.

#### **4.9 EGRESS**

- a. Every building and every dwelling unit within a building shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the exterior of the building at street or grade level.
- b. The passage required in Subsection 4.9a shall not pass through a room in another dwelling unit.
- c. There shall be a secondary means of egress:
  - i. for every dwelling unit located on any storey above the second storey and for two or more dwelling units located in the basement, so as to provide a safe and convenient means of egress in case of an emergency; and,
  - ii. for a dwelling unit if, because of special conditions prevailing with respect to such dwelling unit, it would be hazardous not to provide the same.
- d. Where a secondary means of egress is required, such egress shall consist of at least:
  - i. a casement-type window opening in the direction of travel with a minimum unobstructed opening of 1,060 millimetres x 560 millimetres and not higher than 900 millimetres above floor level; and,
  - ii. where above the second storey opening onto a balcony with minimum area of 1 square metre plus 0.5 square metre for each additional dwelling unit served thereby, such balcony is to be equipped with guardrails as required by Section 4.11 of this by-law.

#### **4.10 STAIRS, BALCONY AND PORCH**

- a. Every stairway, balcony, porch or canopy shall be maintained so as to be reasonably free from holes, cracks, excessive wear and warping, and other defects that are accident hazards.
- b. Without restricting the generality of Subsection 4.10a, the required maintenance includes:
  - i. repairing or replacing treads, risers or floors that show excessive wear or are broken, warped or loose;
  - ii. repairing, renewing or supporting structural members that are rotted, deteriorating or loose; and,
  - iii. painting.

#### **4.11 GUARDRAILS AND HANDRAILS**

- a. Subject to Section 2.5, every open side of a stairway, flat roof to which access may be gained through a doorway, terrace, balcony, porch, landing or stairwell shall have a rigid guardrail not less than 1,070 millimetres high of non-climbable design, in good repair and firmly attached so as to provide reasonable protection against accident or injury.
- b. Handrails shall be installed and maintained in good repair on all stairways exceeding three steps.
- c. A barrier, such as a balustrade, shall be installed and maintained in good repair on the open side of a balcony, porch, landing and stairwell with a rise of 1.5 metres or more.
- d. Subsection 4.11c does not apply to a stairway leading to a basement that does not contain a dwelling unit.
- e. Subsections 4.11a, b, and c shall not apply to platforms and ramps for leading or receiving goods in the normal course of business.

#### **4.12 INTERIOR WALLS AND CEILINGS**

- a. Every wall and ceiling shall be maintained in good condition and free from holes, large cracks, loose plaster and accident hazards.
- b. Without limiting the generality of Subsection 4.12a, the maintenance required thereby includes, where applicable, repairing or filling holes and cracks and removing and replacing loose or defective parts.
- c. Every ceiling, both sides of an interior wall and the interior side of an exterior wall shall be covered with a durable material that is resistant to cracking, scratching or breaking, or regularly painted or decorated so as to provide a finished surface which can be easily cleaned.
- d. Where occupancies are separated vertically, the dividing walls shall:
  - i. be continued in the basement from the top of the footings or the floor to the underside of the finished floor surface;
  - ii. be continued in the attic from the top of the finished ceiling surface to the underside of the finished roof surface; and
  - iii. be tightly sealed with caulking of mineral wool or similar non-combustible material.

#### **4.13 FLOORS**

- a. Every floor shall be maintained so as to be free of loose, warped, protruding, broken or rotten boards, holes or cracks or other defects that are fire or accident hazards.
- b. Where a floor is covered with linoleum or a similar covering that has become torn, worn or holed so that it retains dirt or is an accident hazard, the covering shall be repaired, replaced or removed.
- c. Every bathroom floor, shower-room floor and toilet room floor shall have a floor of water-repellent material and shall be maintained reasonably impervious to water.
- d. Without restricting the generality of Subsection 4.13c, maintenance includes installing, repairing, refinishing and replacing a floor or floor covering with one that will provide the required conditions.

#### **4.14 CLEANLINESS**

- a. Every floor, wall, ceiling, fixture and appliance shall be maintained in a clean and sanitary condition as is appropriate to the use which is being made of the building.
- b. Every building shall be kept free from rubbish, debris or any condition that constitutes a fire, accident or health hazard.

#### **4.15 MAINTENANCE - SOLID-FUEL BURNING APPLIANCES**

- a. Every fireplace, woodstove or other solid-fuel-burning appliance used, capable of being used or intended to be used in a building for burning fuel in an open fire shall be maintained in good repair and so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures and shall be effectively vented to the outside air by means of a chimney, a flue, a smoke pipe, a vent pipe or a similar duct.
- b. Without limiting the generality of Subsection 4.15a, where applicable the maintenance required thereby includes securing connection to a chimney that complies with the standards of this by-law, lining and repairing and relining with fire-resistant material and installing, repairing and replacing the hearth, in accordance with the *Ontario Fire Code*.
- c. Every chimney, smoke pipe, flue and vent in a building shall be maintained so as to prevent gases from leaking into the dwelling, and at all times shall be kept in good repair and maintained free from loose bricks and mortar, or any other defects, including



prevention of the heating of adjacent combustible materials and structural members to unsafe temperatures.

- d. Without limiting the generality of Subsection 4.15c, where applicable, the maintenance required may include clearing the flue of obstructions, sealing open joints, repairing masonry, using other suitable means, or where necessary, complete rebuilding.

#### **4.16 CERTIFICATION; REGULATORY COMPLIANCE - SOLID-FUEL BURNING APPLIANCES**

- a. Every solid fuel-burning appliance in operable condition or which is capable of producing heat, where such appliance is situated, installed, or mounted for use within a dwelling or building other than an accessory building, shall be:
  - i. installed in accordance with the *Ontario Building Code* or *Fire Code* provisions;
  - ii. installed, used, operated, and/or maintained in accordance with the appliance manufacturer's model-specific published procedures, guidelines, recommendations or instructions, where available; and,
  - iii. installed, used, operated, and/or maintained in accordance with applicable recognized safety standards as set by the Canadian Standards Association, and any other applicable, non-conflicting laws, regulations, or by-laws, where applicable as the case may be;
  - iv. certified by a qualified WETT Certified Inspector, in which providing proof of inspection/certification shall be the onus of the owner or occupant of the property;

#### **4.17 ELECTRICAL SERVICE**

- a. The electrical wiring and all electrical fixtures located or used in a building shall be installed and maintained in good working order and in conformity with the *Ontario Electric Safety Code*.
- b. Subject to Section 4.24, an adequate supply of electrical power shall be available at all times in all parts of every occupied dwelling unit.
- c. Where a hazardous condition exists, or is likely to exist because of their use, extension cords are prohibited.
- d. Fuses or overload devices shall not exceed limits set in the *Ontario Electric Safety Code*.
- e. Subject to Subsection 4.17f, every habitable room shall have:
  - i. at least two electrical outlets for the first 11 m<sup>2</sup> or less of floor area; and,
  - ii. one electrical outlet for each additional nine m<sup>2</sup> or less of floor area.
- f. A kitchen in a dwelling shall have at least two electrical duplex convenience outlets each on a separate circuit.
- g. Every laundry room or area in a dwelling used for doing laundry shall have at least one electrical duplex convenience outlet, each on a separate circuit.
- h. An electrical light fixture controlled by a wall switch shall be permanently installed in every water closet, toilet room, furnace room, bathroom, shower room, kitchen, kitchenette, cooking space, laundry room, furnace room, hall and stairway in a dwelling.
- i. All electrical wiring, circuits, fuses, circuit breakers and electrical equipment in a dwelling shall be maintained at all times in good repair and working order, free from fire and shock hazards.

#### **4.18 PLUMBING**

- a. All plumbing, drainpipes, water pipes and plumbing fixtures and every connecting line to the sewage system shall be maintained in good working order and free from leaks and defects, and all water pipes and appurtenances thereto shall be protected from freezing.

#### **4.19 WATER SUPPLY, PLUMBING FIXTURES, TOILETS AND BATHROOMS**

- a. Every dwelling shall be provided with an adequate supply of potable water from an approved public or community system or approved private source under the authority having jurisdiction.
- b. Buildings where people work shall have a minimum of one water closet and one washbasin supplied with an adequate supply of hot and cold running water readily accessible and in an enclosed room located on the same property.
- c. Every toilet, sink, wash basin, bathtub or shower required by this by-law shall have an adequate supply of hot and cold running water (except the toilet for which only cold running water is necessary) and shall be maintained in good working order.
- d. All hot water systems shall be capable of supplying hot water from taps as required in this by-law at a temperature range from 45° C. to 60° C. (113° F. to 140° F.).
- e. Where a toilet is used by the occupants of more than one dwelling unit, there shall be one toilet, in good working order, available for each 10 persons occupying such dwelling, and the room or rooms in which such fixtures are located shall be accessible only from a common hall.
- f. No toilet or urinal shall be located within a room that is used or intended to be used for the preparation, cooking, storing or consumption of food or for sleeping purposes.
- g. All bathrooms and toilet rooms shall be located within and accessible from within the dwelling.
- h. Every dwelling unit, except as provided by Subsection 4.19e, shall contain plumbing fixtures consisting of at least a toilet, kitchen sink, wash basin and a bathtub or shower.
- i. All bathrooms and toilet rooms shall be fully enclosed and with a door capable of being locked so as to provide privacy for the user.
- j. A wash basin served by running water draining into the sewage system shall be located in the same room as the toilet room, and where this is not possible, the wash basin shall be located in a room conveniently adjacent to the room containing the toilet room.
- k. All toilet facilities and toilet rooms shall be kept in a sanitary condition at all times.
- l. Each toilet room shall be provided with toilet paper, soap and individual towels or other means of drying.

#### **4.20 HEATING SYSTEMS**

- a. Every dwelling shall be provided with a heating system capable, at all times of the year, of safely maintaining 20 degrees centigrade in all parts of all habitable rooms, bathrooms and toilet rooms.
- b. Where persons are employed in sedentary duties and operations in an enclosed space or room within a building, the heating equipment shall be capable of providing sufficient heat in such spaces or rooms to maintain a temperature of not less than 20 degrees centigrade during normal working hours.
- c. The heating system shall be maintained in good repair and working condition.
- d. Auxiliary heaters shall not be used as a primary source of heat.
- e. A room heater shall not be placed so as to cause a fire hazard to walls, curtains, furniture, or other combustible materials, or impede the free movement of persons within the room where the heater is located.
- f. A furnace, except an approved space heater, located adjacent to or in a habitable room, shall be enclosed with walls, ceiling and door having a fire resistance rating of not less than one hour.

- g. A space that contains a heating unit shall be provided with sufficient combustion air from the outside.
- h. Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel, a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location and properly constructed so as to be free from fire or accident hazards.
- i. Subject to Section 4.24, an adequate supply of fuel shall be available at all times.
- j. Fuel burning equipment shall be vented to a chimney or a vent flue by means of a rigid connection.
- k. All fuel burning appliances, equipment, accessories and installations in a dwelling to which the *Energy Act* applies shall be installed and maintained in compliance with the provisions of that Act and the Regulations thereunder.

#### **4.21 LIGHT**

- a. Every habitable room in a dwelling shall contain one or more windows or skylights that are wholly above the adjoining finished grade that open directly to the outside air, and that have a total light transmitting area of not less than 5% of the floor area of the room. The glass area of a door may be considered as a portion of the required window area.
- b. Whenever walls or other portions of structures are facing and located less than 900 millimetres from a window, such a window shall not be deemed to face directly to the outside or included as contributing to the required minimum window area of the room.
- c. In a dwelling, adequate lighting equipment shall be provided and maintained in good working order at all times in every stairway, hall, bathroom, shower-room, toilet room, basement or cellar, laundry room, furnace room, similar non-habitable workroom and kitchen.
- d. All public hallways and stairs in multiple dwellings shall be lighted at all times at a level of not less than 50 LX (4.6 footcandles) by the owner.
- e. In all buildings, sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways, halls and stairways, whenever the building is in use, and at all times in every stairway provided for use in case of fire or other emergency.

#### **4.22 BASEMENTS, CELLARS AND CRAWL SPACES**

- a. Every basement, cellar or unheated crawl space shall be adequately vented to the outside air by means of screened windows which can be opened or by louvres with screened openings, the area of which shall not be less than 1% of the floor area.

#### **4.23 HABITABLE ROOMS**

- a. A non-habitable room shall not be used as a habitable room.
- b. The maximum number of residents in a dwelling unit shall not exceed one person per 9 m<sup>2</sup> of habitable room floor area.
- c. For the purposes of computing the habitable room space in Subsection 4.23b:
  - i. the floor area under a ceiling which is less than 1.4 metres high shall not be counted; and,
  - ii. if a finished ceiling is not applied to the underside of the joists, then the bottom of the joists shall be deemed to be a ceiling for the purpose of establishing this measurement.
- d. The minimum height of a habitable room shall be 2.0 metres over at least 1/2 of the floor area.

- e. No room in a dwelling unit shall be used for sleeping purposes unless there is a minimum width of 1.8 metres and a minimum floor area of 5.5 m<sup>2</sup>.
- f. The minimum floor area of a room used by two or more persons for sleeping shall be 3.7 m<sup>2</sup> for each person so using the room.
- g. No hallway shall be used as a bedroom.
- h. No basement or cellar space shall be used as a dwelling unit or as a habitable room except where, in addition to other standards prescribed in this by-law, the following requirements are met:
  - i. floors and walls shall be so constructed as to be impervious to leakage of underground and surface runoff water and treated against dampness;
  - ii. where separated dwelling suites exist within the same structure, each habitable room shall be separated from the heating equipment or other hazardous equipment or material, by a full height partition having a fire resistance rating of at least one hour; and
  - iii. access to each habitable room shall be gained without passage through a furnace room or boiler room.

#### **4.24 UTILITIES NOT TO BE SHUT OFF**

- a. No owner or occupant of a dwelling which is used for the purpose of human habitation shall disconnect, shut off, remove, otherwise discontinue or cause or permit the disconnection, shutting off, removal or other discontinuance of gas, water, steam, electric power, fuel oil or other service or utility servicing the dwelling.
- b. Subsection 4.24a shall not apply where disconnection is reasonably necessary to safely make repairs, replacements or alterations in, at or upon the dwelling, in which case shall only be disconnected during the reasonable time required to take such action.
  - i. where disconnection occurs pursuant to this subsection, an occupied dwelling shall be provided with an alternative source of heat capable of maintaining the temperature of occupied spaces at a minimum 20 degrees Celsius.
- c. The person liable for rates for such service or utility shall be deemed to have caused or permitted the discontinuance, removal or shut off thereof where the same occurs on account of non-payment.

#### **4.25 SEWAGE AND DRAINAGE**

- a. All owners of property shall cause all necessary connections to be properly made with the municipal sewage system where the same is available, to enable all necessary toilets to be drained into the municipal sewers, and the further use of any toilet, vault, well or cesspool instead of the toilet system so connected with the municipal sewers, as aforesaid, shall be discontinued.
- b. Any existing drainage system discharging roof drainage, surface and storm water, or sump pump discharge into any municipal sanitary sewer or combined sanitary and storm sewer shall be removed or disconnected to eliminate such discharge into the sanitary sewer or combined sanitary and storm sewer.
- c. Water drainage and/or discharge systems, including roof drainage, sump pumps, and surface and storm water discharge, shall be designed to:
  - i. discharge waters above-grade in a manner that promotes soil substrate absorption of such discharge; and,
  - ii. prevent recurrent ponding or the entrance of water into any building, structure or adjacent property.

- d. Water drainage and/or discharge systems shall not be discharged onto any entranceway, walkway, sidewalk, stair, steps, adjacent property, or any highway.
- e. Every roof drainage system shall be discharged onto the ground at least 1 metre (39 inches) from the building or structure, providing that it does not adversely affect adjacent properties or cause erosion.
- f. Untreated or inadequately treated sewage shall not be discharged onto the surface of the ground whether into a natural or artificial drainage system or otherwise.
- g. Temporary exceptions to this section, partially or wholly, may be granted by the Director of Public Works, Chief Building Official, or Property Standards Officer in the case of legal non-conforming drainage systems. Compliance with this section shall be met in the case of any substantial repairs or replacement of existing drainage systems.

#### **4.26 GARBAGE DISPOSAL**

- a. Every multi-residential or commercial building, dwelling unit, single-family dwelling, or any other occupied building shall be provided with sufficient receptacles to contain all garbage, rubbish, ashes, and trade or industrial waste.
- b. Receptacles, garbage and refuse chutes and the walls, ceilings and floors of garbage and refuse storage rooms shall be so constructed and maintained as to be free of holes, breaks or cracks and shall have a smooth, easily cleaned finish which is impervious to water.
- c. Garbage, ashes and rubbish shall be promptly stored in appropriate receptacles and made available for removal in accordance with the City of Dryden Waste Management By-law, or any by-law enacted in substitution therefor.
- d. Every garbage chute, disposal room, storage area, container or receptacle shall be washed or disinfected as often as necessary to maintain a clean, odour-free condition.
- e. Without restricting the generality of Subsection 4.26a, property shall be kept free of any refuse or litter, and containers shall be provided for the disposal of such refuse or litter.
- f. Receptacles shall be made of watertight construction, provided with a tight-fitting cover, and maintained in a clean state.

#### **4.27 SMOKE DETECTORS AND FIRE SEPARATION**

- a. In every residential building, there shall be provided and maintained in good repair and satisfactory operating condition and ready for instant use at all times a smoke detector or detectors of the single station alarm type, and audible within bedrooms when intervening doors are closed. Smoke detectors shall be installed at the ceiling and between bedrooms or the sleeping areas and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area.
- b. Such smoke detectors and alarms shall be equipped with visual indication that they are in operating condition.
- c. Whereby the *Ontario Building Code* or the *Ontario Fire Code* establishes that a building shall be equipped with smoke alarms and/or carbon monoxide alarms beyond the scope of Ss. 4.27 a) or b), the building shall be maintained to comply with the standards of the *Ontario Building Code* and/or *Ontario Fire Code*.
- d. Within every dwelling, there shall be:
  - i. three-fourths-hour fire separation for floors, walls, ceilings of all individual suites of multi-residential occupancy;
  - ii. one-hour fire separation for floors, walls, doors and ceilings where other occupancies exist; and

- iii. in the case of multi-residential occupancies, a solid core door for the entrances of dwelling units and hallways for reasons of security, fire separation, noise barrier and heat loss.

#### **4.28 KITCHENS IN RESIDENTIAL BUILDINGS**

- a. Every room in which meals can be prepared or are prepared shall have:
  - i. a suitable cupboard for storing food with not less than 2.3m<sup>2</sup> of space;
  - ii. a space provided for cooking and refrigeration appliances. This includes suitable electrical or gas connections for the cooking appliances;
  - iii. work surfaces at least 1.22 metres in length x 0.61 metres in width, exclusive of the sink, which are impervious to moisture and grease and easily cleanable so as not to impart any toxic or deleterious effect to food; and,
  - iv. a sink that:
    - 1. is surrounded by surfaces impervious to grease and water, including at least the lower 12cm of the adjacent wall; and,
    - 2. is served with hot and cold running water.

#### **4.29 MULTIPLE DWELLINGS**

- a. Subject to Section 2.5, in addition to the other standards required in this by-law, the following shall apply in the case of multiple dwellings:
  - i. every room used for sleeping purposes held under separate tenancy and every dwelling unit in a multiple dwelling shall have at the entrance to the room or the dwelling unit, as the case may be, a door that closes securely and that is fitted with adequate hardware, including a locking device, maintained in good repair and working condition.
  - ii. guards, as hereinafter defined, shall be provided for all unprotected openings and open spaces in multiple dwellings exceeding three storeys in building height in the following locations:
    - 1. around every roof to which access is provided other than for maintenance;
    - 2. around every raised floor, mezzanine, balcony, gallery, bridge, exterior passageway or other location where the difference in elevation between floor levels or between floor and ground levels is greater than 600 millimetres;
    - 3. around every open side of a landing in a public stairway;
    - 4. across every window or glass panel in an exit stairway, public hallway or public corridor or any area accessible to the public that extends to less than 1,070 millimetres above the stairs, landing or floor;
    - 5. except as provided in Paragraph 6 to this Subsection, across any window located more than 1.8 metres above the ground level and that extends within 750 millimetres of the floor unless such window has fixed glazing; and
    - 6. all opening windows within a dwelling unit may be equipped with latching or automatic engaging devices to control the window opening and screens, in lieu of the protective guard, provided such windows are in compliance with the requirements of the Ontario Building Code for new construction.

- iii. for the purpose of this section, a guard shall be at least 1,070 millimetres in height, and the size of any opening through such guard shall be such as to prevent the passage of a spherical object having a diameter of 100 millimetres. Every required guard shall be designed so that no member, attachment or opening located between 100 millimetres and 900 millimetres above floor level will facilitate climbing.

#### **4.30 LODGING HOUSES**

In addition to the other standards required in this by-law, including but not limited to the standards set forth in Section 4.29, the standards provided for in this section apply only to lodging houses. In Subsection 4.30c.ii, "manual fire alarm" means non-electrical, manually operated fire gongs.

- a. The owner of a lodging house shall provide a covered garbage receptacle in each kitchen and shall maintain such receptacle in a clean and sanitary condition.
- b. Every kitchen which is used in common by all or some of the occupants of a lodging house shall contain a stove and refrigerator maintained in good repair and in a clean and sanitary condition, providing at least 0.06 cubic metre of refrigeration space for each lodger.
- c. The owner of every lodging house shall:
  - i. for a building of two or more storeys, provide and maintain in good repair and satisfactory operating condition and ready for instant use at all times in each storey, adjacent to the stairways and in the basement or cellar adjacent to the stairways, a smoke detector which is electrically interconnected in a manner that causes simultaneous activation of all other alarms within the lodging house. The power supply for the interconnected products-of-combustion detectors shall be supplied from the main electrical distribution panel in the lodging house. The products-of-combustion detector shall be equipped with visual indication that it is in operating condition; and,
  - ii. ensure that every manual fire alarm and products-of-combustion detector in such lodging house is maintained in good repair, in satisfactory operating condition, and ready for instant use at all times.
- d. The owner of every lodging house shall provide and maintain:
  - i. on every floor level, in the corridors and lobbies thereof, a fire extinguisher bearing the Underwriters Laboratories of Canada designation 2-A-1910BC so located that there is one such extinguisher within 23 metres of any point in any such location; and
  - ii. one dry chemical type 2A-10BC fire extinguisher within 15 metres of any point in any heating, laundry, storage and electrical area.
- e. The owner of a lodging house shall ensure that every fire extinguisher in such lodging house is maintained in accordance with the *Ontario Fire Code*, Section 6.2 or any section enacted in substitution thereof.

#### **4.31 MIXED-USE BUILDINGS**

- a. In mixed-use buildings, wherein noxious fumes or gases are or could be present, all surfaces separating the non-residential portion from the residential portion shall be of gas-tight construction and maintained in good repair to effectively prevent the passage of noxious fumes or gases through the separation.
- b. In a mixed-use building, all openings provided for ductwork, pipes and electrical service shall be close fitting to adequately prevent the passage of fire or smoke.

#### **4.32 MOULD**

- a. Any accumulation of mould shall be immediately cleaned and removed by the owner of a building.

- b. No person shall occupy or permit the occupancy of a building, or portion thereof, where an accumulation of mould exists which could pose a health concern to any person who occupies the building or portion thereof.
- c. Any condition in a building, including but not limited to water penetration, humidity or inadequate ventilation, which may relate to the creation and growth of mould, shall be repaired, replaced or removed by the owner of the building. The owner shall take all reasonable steps necessary to prevent reoccurrence of mould growth.
- d. If, in the opinion of the Officer, the mould accumulation is moderate or extensive, the Officer may order the owner to provide within a reasonable timeframe at the owner's expense, a report prepared by a Certified Air Quality Assessment professional, or by other such persons trained and knowledgeable in the field as approved by the Officer.
  - i. the report in Subsection 4.32d will detail the types of mould present, extent of mould contamination, the steps necessary for remediation, and any other details as the Officer may deem necessary;
  - ii. the owner shall provide a copy of the report to the Officer;
  - iii. the owner shall undertake the appropriate remediation outlined in the report; and,
  - iv. the owner shall provide a follow-up report which confirms that air quality levels are consistent with a healthy environment, to the satisfaction of the Officer.
- e. Notwithstanding any other provision of this by-law, Subsections 4.32b and 4.32c shall not apply if the presence of mould is minor in nature and relates to general maintenance and/or lifestyle.

## **SECTION 5 – MAINTENANCE AND OCCUPANCY STANDARDS OF YARDS AND ACCESSORY BUILDINGS**

### **5.1 YARD KEPT CLEAN**

- a. A yard shall be kept clean and free from rubbish or other debris and any objects or conditions that may create a health, fire or accident hazard.

### **5.2 GRASS, WEEDS AND UNDERGROWTH**

- a. All heavy or obnoxious undergrowth shall be eliminated from the yard.
- b. An owner shall keep grass and/or weeds trimmed so as not to exceed 200 millimetres in height.
- c. Subsection 5.2a and 5.2b shall not be construed as applicable to any lands which are zoned as Rural within the City of Dryden Zoning By-law except as follows:

on lands containing one or more permanent buildings, grass, weeds and undergrowth shall be maintained in accordance with Subsections 5.2a and 5.2b within:

- 1. the immediate area of any building or structure;
  - 2. any area which lies between a dwelling and the boundary line of a road allowance, having a minimum total width of the dwelling; and,
  - 3. any area adjacent to a driveway, having a minimum width of 0.9 metres.
- d. In accordance with the City of Dryden Official Plan in respect to the Shoreline Residential zone, where applicable, a 15m wide portion of land directly adjacent to any shoreline shall be exempt from this section to allow for riparian vegetation buffer zones.



### **5.3 EROSION OF SOIL**

- a. A yard shall be cultivated or protected by a suitable ground cover, which prevents the erosion of the soil.

### **5.4 TREES AND SHRUBS**

- a. All trees on the property shall be kept pruned and maintained so as to be free from dead or dying branches. Dead or dying trees and shrubs shall be removed from the property.
- b. An owner shall keep hedges, shrubs, trees or similar growth trimmed so as not to interfere with the use of a highway, thoroughfare, sidewalk or lane.

### **5.5 WRECKED VEHICLES, EQUIPMENT AND PARTS**

- a. No owner, unless otherwise provided within this section, shall cause or permit land to be used for the storage of inoperative vehicle(s), mechanical equipment, or parts thereof, except in accordance with the following:
  - i. the inoperative vehicle(s), mechanical equipment, or parts are stored completely within a fully enclosed building; or,
  - ii. the inoperative vehicle(s) are stored within a driveway, to which a maximum of one inoperative vehicle shall be permitted, provided that it is actively being repaired.
- b. Where any inoperative vehicle remains stored outdoors beyond a period of 6 months, the owner or occupant of the property shall remove the inoperative vehicle from the property and/or properly store the inoperative vehicle within an enclosed building. In the event where any inoperative vehicle is relocated to any property other than a property where a bona-fide repair or storage business is operated, an extension of 6 months shall only be provided upon providing proof of vehicle ownership change.
- c. Subsections 5.5a and 5.5b shall not apply to the storage of motor vehicles, mechanical equipment and parts:
  - i. on any property zoned as Rural or Rural Residential; or,
  - ii. which are reasonably necessary for the conduct of a directly related, bona-fide business lawfully conducted under the authority of a valid City of Dryden business licence.
- d. In the case of any property within the Rural or Rural Residential zones, no owner shall cause or permit land to be used for the storage of inoperative vehicle(s), mechanical equipment, or parts thereof, except in accordance with the following:
  - i. the inoperative vehicle(s), mechanical equipment, or parts are stored completely within a fully enclosed building; or,
  - ii. where not related to a home industry or home occupation, the inoperative vehicle(s), mechanical equipment, or parts:
    - 1. are stored outdoors within the rear or interior side yard;
    - 2. meet setbacks required for an accessory building; and,
    - 3. does not, in the sole opinion of the Officer, contribute to, cause, or create any unsightly conditions or visual impact to any neighbouring property, environmental hazards, or accident, health or safety hazards to any person.

### **5.6 PASSAGEWAYS**

- a. Steps, walks, driveways, parking spaces and similar areas of a yard shall be maintained in good repair so as to afford safe passage along them.

## **5.7 FENCES**

- a. Fences, barriers and retaining walls shall be kept in good repair, free from accident hazards, and protected where necessary by paint, preservative or other weather-resistant material. All fences shall comply with the maintenance standards as established in the current City by-law regulating fences.

## **5.8 ACCESSORY BUILDINGS AND STRUCTURES, FUEL-BURNING APPLIANCE**

- a. An accessory building or structure shall be kept in good repair, free from health, fire and accident hazards, and protected by paint, preservative or other weather-resistant material.
- b. The roof and roof drainage of an accessory building, including any fascia board, soffit and cornice, shall be maintained in a watertight condition so as to prevent leakage into the building.
- c. An accessory building with a total floor area of 15 m<sup>2</sup> or greater shall have eavestroughs and rain-water piping that effectively prevents soil erosion along the perimeter of the building.
- d. Dangerous accumulations of snow or ice or both shall be removed from the roof.
- e. Every solid fuel-burning appliance in operable condition or capable of producing heat, where such appliance is situated, installed, or mounted for use within within any accessory building or structure, or any other type of enclosed space,
  - i. be installed and/or used in accordance with any applicable Ontario Building Codes, CSA Standards, and any other applicable laws, regulations, by-laws, or other safety standards, as the case may be;
  - ii. be installed, used, operated, and/or maintained in accordance with the appliance manufacturer's model-specific published procedures, guidelines, recommendations or instructions, where available;
  - iii. be certified by a qualified WETT Certified Inspector, in which providing proof of inspection/certification shall be the onus of the owner or occupant of the property;

## **5.9 INSECTS AND/OR RODENTS**

- a. Accessory buildings and yards shall be kept free of noxious insects and/or rodents and of conditions that are likely to cause or permit their presence.

## **5.10 INFLAMMABLE MATERIALS**

- a. No materials of an inflammable nature shall be on the property unless they are safely and lawfully stored.

## **5.11 SIGNS AND BILLBOARDS**

- a. All signs and billboards shall be maintained in good repair, and any signs, which are weathered and faded, or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed or put into a state of good repair. All signage within the municipality shall comply with the Sign By-law, as amended.

## **5.12 DISPOSAL OF WASTE**

- a. No lands shall be used for the dumping or disposal of waste, and owners shall remove any waste dumped or disposed of on their property, whether by their permission or not.
- b. Notwithstanding Subsection 5.12a, nothing in this by-law shall be deemed to interfere with the filling or raising of land with earth or rock fill or the disposal of waste on any lands which have been designated for that purpose by by-law of the City.

- c. Every building and dwelling unit shall be provided with sufficient receptacles to contain all garbage, rubbish, ashes and trade or industrial waste. All waste shall be promptly disposed of in accordance with the City of Dryden Waste Management By-law.

### **5.13 COMPOST HEAPS**

- a. The occupant of a residential property may provide for a compost heap in accordance with health regulations, provided that the compost heap is no larger than 0.7 square metre and 1.83 metres in height, and provided that it is retained on all sides by concrete blocks or lumber of the same height as the compost heap or in a 200-litre enclosed container, a metal frame building with cement floor or a commercial plastic enclosed container.

### **5.14 LOT GRADING - DRAINAGE**

- a. All yards shall be provided and maintained with adequate surface water drainage, including suitable provisions for its disposal without causing erosion, ponding or the entrance of water into any building, or any basement or crawlspace thereof.
- b. No roof, driveway or any other surface drainage, including the drainage of water from swimming pools, shall be discharged onto any entranceway, walkway, sidewalk, stair, steps, adjacent property, right-of-way, or in such a manner that it will penetrate or damage a building, structure or property.
- c. Lot drainage shall be contained within the limits of the premises from which it originated until absorbed by the soil or drained to an approved swale or ditch.
- d. No fill shall remain in an unleveled state on any residential property for longer than thirty (30) days, except where the property is a construction site for which a building permit is in effect.
- e. Any physical alterations or obstructions to any ditch, natural drainage, or change in lot grade on private property shall not:
  - i. impede or impair any existing positive flow of storm, rain, ground, surface or subsurface water;
  - ii. deviate from the existing drainage pattern;
  - iii. deviate from an approved grading and drainage alteration plan in the case of any new construction; or,
  - iv. cause, create or be likely to cause or create any adverse conditions on any abutting property.
- f. For the purposes of Subsection 5.14e.ii. and iii. above, "deviate" does not include a corrective measure which, in the sole opinion of the Officer, improves the property's drainage without impacting the existing drainage pattern, approved grading and drainage pattern, or causes an adverse condition on any abutting property.
- g. An exception to any relevant part of this Section may be granted in special circumstances where any public land or infrastructure is the primary recipient of waters, subject to written approval of the Director of Public Works, Chief Building Official, or Property Standards Officer.
- h. Subsections 5.14b. and c. shall not apply where, as of the date of enactment of this by-law, current drainage systems direct surface waters onto sidewalks, boulevards or roadways within the Downtown Commercial or Institutional Zones.
- i. Notwithstanding Subsection 5.14h., at such time where substantial repairs or replacement of any roof drainage system is undertaken, or in the case of new construction, the property shall be brought into compliance with Subsections 5.14b. and c., except where permitted under Subsection 5.14g.

## **SECTION 6 – MAINTENANCE OF VACANT BUILDINGS AND VACANT LANDS**

### **6.1 FIRE AND ACCIDENT HAZARDS**

- a. All vacant buildings and vacant lands shall be kept free of conditions or objects that might create a fire, health or accident hazard.

### **6.2 RECURRENT PONDING**

- a. All vacant lands shall be graded, filled up or otherwise drained so as to prevent recurrent ponding of stormwater.

### **6.3 SOIL EROSION AND UNDERGROWTH**

- a. All vacant lands shall be cultivated or protected by suitable ground cover, which reasonably protects against the erosion of the soil, and all heavy and obnoxious undergrowth shall be eliminated.

### **6.4 DISPOSAL OF WASTE**

- a. No vacant lands shall be used for the dumping or disposal of waste, and owners shall remove any waste dumped or disposed of on their property, whether by their permission or not.
- b. Notwithstanding Subsection 6.4a, nothing in this by-law shall be deemed to interfere with the filling or raising of land with earth or rock fill or the disposal of waste on any lands which have been designated for that purpose by by-law of the City.

### **6.5 RETAINING WALLS**

- a. All retaining walls shall be kept in good repair and capable of sustaining all loads imposed thereon.

### **6.6 FIRE DAMAGE**

- a. In the event of fire, measures shall be promptly taken to demolish or restore the damaged exterior and interior of a building.
- b. Without restricting the generality of the foregoing, such measures may include:
  - i. making the building, accessory building or structure, and site safe;
  - ii. cleaning any smoke-damaged surfaces;
  - iii. repairing of fire-damaged surfaces;
  - iv. restoring any such exposed surfaces;
  - v. securing the building in accordance with Section 6.7;
  - vi. demolishing the building and clearing the site, leaving it in a graded and level condition; or,
  - vii. erecting "No Trespassing" sign(s).
- c. The process of restoration or demolition shall be commenced within 18 months of the date of damage by fire.
  - i. where required, issuance of an approved demolition or building permit shall be considered as commencement of the process.

### **6.7 VACANT BUILDINGS**

- a. The owner of a vacant building shall protect every such building against risk of fire, accident or other danger by effectively preventing the entrance thereto by all unauthorized persons. All openings through which entry can be obtained shall be covered

with at least 12.5 millimetres thick weatherproof plywood securely fastened by screws or tamper-proof fasteners. The owner shall also make the site safe or impede entry by erecting fences, barricades or barriers where necessary.

- b. Where a building remains vacant for a period of more than 90 days, the owner or their agent shall ensure that all utilities serving the building are properly disconnected or otherwise secured to prevent accidental or malicious damage to the building or adjacent property.
- c. Subsection 6.7b does not apply where such utilities are necessary for the safety or security of the building.

**SECTION 7 – REPEAL AND PASSAGE THEREOF**

THAT By-law No. 2811-2001 Chapter 171 – Property Standards of the *Municipal Code* of the City of Dryden and all amendments thereto are hereby repealed, subject to Section 3.11 of this By-law.

AND THAT This By-law shall come into force and take effect on the final passing thereof.

Enacted and passed this 9<sup>th</sup> day of December 2024 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

THE CORPORATION OF THE CITY OF DRYDEN

\_\_\_\_\_

Mayor

\_\_\_\_\_

Clerk

**SCHEDULE A – NOTICE OF APPEAL**



City of Dryden  
Building & Planning Department  
30 Van Horne Avenue  
Dryden, ON | P8N 2A7

**NOTICE OF APPEAL FORM**

APPELLANT INFORMATION		
NAME OF APPELLANT:		
STREET ADDRESS:		
CITY:	PROVINCE:	POSTAL CODE:
PHONE NUMBER:	E-MAIL ADDRESS:	
PREFERRED METHOD OF NOTIFICATION:	<input type="checkbox"/> MAIL	<input type="checkbox"/> E-MAIL

APPEAL INFORMATION	
ORDER NUMBER:	ISSUE DATE:
APPEAL DEADLINE AS SET OUT IN THE ORDER:	
<input type="checkbox"/> COPY OF ORDER ATTACHED	<input type="checkbox"/> FEE PAYMENT ATTACHED

PROPERTY INFORMATION	
PROPERTY ADDRESS:	
PROPERTY OWNER/OCCUPANT NAME:	
AGENT (IF ANY):	

REQUEST TO THE COMMITTEE (Check the applicable box below)	
<input type="checkbox"/> I require more time to address the Order.	<input type="checkbox"/> I disagree with the Order and ask for it to be rescinded.
<input type="checkbox"/> I require the Order to be modified as follows (please include further details):	

BRIEFLY EXPLAIN THE REASON(S) FOR YOUR APPEAL	
Signature	Date
<hr/> Property Owner/Occupant or Agent	<hr/> Year                  Month                  Day

## **How to Submit the Notice of Appeal Package**

Submit the completed Notice of Appeal, including a copy of the Order and fee payment, by registered mail or by delivering it in person to:

City of Dryden, Office of the City Clerk  
Attention: Property Standards Committee Secretary  
30 Van Horne Avenue  
Dryden, Ontario P8N 2A7

### **IMPORTANT**

- You must include the non-refundable appeal application fee as indicated in the Order. Cheques or money orders are payable to the City of Dryden. Do not send cash in the mail.
- Take care to fill out this form by printing legibly.
- Attach a copy of the Order you are appealing to the Notice of Appeal.
- The Notice of Appeal must be received on or before the final date for appeal, with a copy of the Order and applicable Fee. Should the Notice of Appeal be received after the deadline to appeal, it will not be processed, and it will be returned to the Appellant.

## **If an Agent is Appearing on Behalf of the Appellant**

An agent who appears on behalf of an owner/occupant at a hearing must be able to do so in accordance with the *Law Society Act* and its regulations.

An agent who is not licensed under the *Law Society Act* and its regulations and who signs this Notice of Appeal must complete the appropriate Authorization to Act as Agent for Appeal below, signed by the owner/occupant, and **include this page with the Notice of Appeal Package.**

### **If the property owner/occupant is an individual:**

I/we, \_\_\_\_\_ *[insert name(s) of owner(s)/occupant(s)]*, the owner(s)/occupant(s) of \_\_\_\_\_ *[insert address of property]* authorize \_\_\_\_\_ *[insert name of agent]* to act as my/our agent for the purposes of the appeal of Order \_\_\_\_\_ *[insert Order number and issue date]* to the City of Dryden Property Standards Committee.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **If the property owner/occupant is a corporation:**

On behalf of \_\_\_\_\_ *[insert name of the corporation]*, which owns/occupies \_\_\_\_\_ *[insert address of property]*, I, \_\_\_\_\_ *[insert name of person authorized to bind the corporation]*, authorize \_\_\_\_\_ *[insert name of agent]* to act as the corporation's agent for the purposes of the appeal of Order \_\_\_\_\_ *[insert Order number and issue date]* to the City of Dryden Property Standards Committee.

Corporation Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Position: \_\_\_\_\_

I have authority to bind the corporation.

**SCHEDULE B – CERTIFICATE OF COMPLIANCE REQUEST**



City of Dryden  
Building & Planning Department  
30 Van Horne Avenue  
Dryden, ON | P8N 2A7

**PROPERTY STANDARDS  
CERTIFICATE OF COMPLIANCE REQUEST FORM**

<b>Applicant Information</b>	
Name:	
Mailing Address:	
City/Town:	Postal Code:
Telephone #:	Email Address:
Registered Owner	Authorized Agent

<b>Certificate of Compliance Required for:</b>	
Property Address:	
Order #:	Date of Order:

<b>Any additional details you wish to include:</b>

Submit a completed and signed copy of this form by e-mailing it to [ginquiries@dryden.ca](mailto:ginquiries@dryden.ca), by delivering it in person, or by mailing it to the address at the top of this page. A member of the City's Building and Planning Department will call or e-mail you for payment of the Certificate of Compliance fee.

\_\_\_\_\_  
Signature – Applicant or Agent

\_\_\_\_\_  
Date