

Property Standards Significant Change Comparison Chart	
By-law 2017-007	By-law 2007-100
Formatting throughout	
Significant Definitions (added)	
<ul style="list-style-type: none"> • “Act” means the <i>Building Code Act, 1992</i>, S.O. 1992, c. 223, as amended; • “Accessory building” means a subordinate building or structure, on the same lot as the main building or a part of the main building devoted exclusively to a use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the property • “Adverse effect” means one or more of, <ul style="list-style-type: none"> a) impairment of the quality of the natural environment for any use that can be made of it, b) injury or damage to property or to plant or animal life, c) harm or material discomfort to any person, d) an adverse effect on the health of any person, e) impairment of the safety of any person, f) rendering any property or plant or animal life unfit for human use, g) loss of enjoyment of normal use of property, and h) interference with the normal conduct of business; • “Air” means open air not enclosed in a building, structure, machine, chimney, stack or flue; (“air”) • “Building” means: <ul style="list-style-type: none"> a) A structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structure system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto; b) A structure occupying an area of ten square metres or less that contains plumbing, including the 	

<p>plumbing appurtenant thereto;</p> <p>c) Plumbing not located in a structure</p> <p>d) Sewage system; or,</p> <p>e) Structures designated in the <i>Building Code</i>.</p> <ul style="list-style-type: none"> • “Building Code” means the Ontario Regulation 350/06, as amended, or other regulations made under section 34 of the Act; • “Certificate of Compliance” means a certificate issued by an Officer if he/she is of the opinion that the property, for which the certificate has been requested, is in compliance with the standards established by this by-law; • “Construction Fence” means a temporary fence erected on or around a Property or a portion of a Property to protect a site where construction or demolition is occurring or is contemplated to occur, “Hoarding” shall have the same meaning; • “Contaminant” means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an adverse effect; (“contaminant”) • “Council” means the Council of the Town; • “Demolish” means to do anything in the removal of a building or any material part thereof and “demolition” has a corresponding meaning; • “Fence” means a fence as defined in the Fence By-law; • “Fence By-law” means the Town of Oakville Fence By-law as amended or replaced from time to time; • “Ground cover” means organic or non-organic material applied to prevent soil erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping; • “Heritage attributes” means, in relation to heritage properties, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest, and which are defined or described in a by-law passed by the Town 	
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<p>or a Minister’s order made under, pursuant to or in accordance with the <i>Ontario Heritage Act</i>;</p> <ul style="list-style-type: none"> • “Heritage property” means a real property, and includes all buildings and structures thereon, in the Town that: <ul style="list-style-type: none"> a) Has been designated by the Town under section 29 of the <i>Ontario Heritage Act</i> or by the appropriate Minister under section 34.5 of the <i>Ontario Heritage Act</i>; or, b) Is within a heritage conservation district pursuant to Part V of the <i>Ontario Heritage Act</i>; • “Highway Traffic Act” means the <i>Highway Traffic Act</i>, R.S.O. 1990 c. H.8, as amended; • “Landlord” includes: <ul style="list-style-type: none"> a) The owner of a rental unit or any other person who permits occupancy of a rental unit, other than a tenant who occupies a rental unit in a residential complex and who permits another person to also occupy the unit or any part of the unit; and, b) The heirs, assigns, personal representatives and successors in title of a person referred to in clause (a) • “Municipal Act, 2001” means the <i>Municipal Act, 2001</i>, S.O. 2001, c. 25, as amended; • “Officer” means any person authorized by the Town to enforce by-laws and includes Municipal Law Enforcement Officers, property standards officers and provincial offences officers; • “Owner” includes: <ul style="list-style-type: none"> a) The registered owner of the property; b) The person for the time being managing or receiving the rent of the property, whether on the person’s own account or as agent or trustee of any person, or who would receive the rent if the property were let; and, 	
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<p>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 as set out in this by-law;</p> <ul style="list-style-type: none"> • “Refuse” means any article or thing that: <ul style="list-style-type: none"> a) Has been cast aside, discarded or abandoned, whether of any value or not; b) Has been used up, in whole or in part, whether of any value or not; c) Has been expended or worn out, in whole or in part, whether of any value or not; • “Rental Unit” means a dwelling unit used, or intended to be used, as a residential rental property; • “Sign” means any surface, structure and other component parts, which is used or capable of being used as a visual medium or display to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device; • “State of good repair” means; <ul style="list-style-type: none"> a) In conformity with the <i>Act</i> and the <i>Building Code</i>; b) Structurally sound; c) Not broken, rusted, rotten or in a hazardous condition; d) Not unsightly to the extent that it would be deleterious to abutting property owners or the neighbourhood; e) In proper working order; f) Adequately protected by weather-resistant material, if applicable; • “Tenant” means a person who pays rent or is required to pay rent in return for a right to occupy a rental unit; • “Undesirable material” includes: <ul style="list-style-type: none"> a) Refuse, rubbish, garbage, brush, waste, litter, debris; b) Injurious insects, termites, rodents, vermin and other pests; 	
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<ul style="list-style-type: none"> c) Growth of grass in excess of 15.24 cm (6") d) Giant hogweed (<i>Heracleum mantegazzianum</i>); e) Ragweed (<i>Ambrosia spp.</i>); f) Poison ivy (<i>Rhus radicans L.</i>); g) Ground cover, hedges and bushes which overhang the sidewalk, impede pedestrian or vehicular traffic or cause a site obstruction; h) Dead, decayed or damaged trees or other natural growth and the branches and limbs thereof; i) Wrecked, dismantled, inoperative, discarded, unused or unlicensed motor vehicles or trailers, except in an establishment licensed and zoned to conduct or operate a wrecking business; j) Stagnant water which provides a breeding place for mosquitoes or other health hazards; k) Machinery or parts thereof, or other objects or parts thereof, or accumulation no material; l) All furniture used for exterior use that becomes dilapidated; or m) All furniture designed for interior use; 	
<p>Air Quality</p> <p>4.2 Air Quality</p> <p>4.1.1 All buildings, or portions thereof, shall be kept free from accumulations of airborne contaminants that may cause an Adverse affect to any person.</p> <p>4.1.2 No person shall occupy, or permit the occupancy of a building or portion thereof, where a high concentration of airborne contaminants exist which may cause an Adverse affect to any person who occupies the building, or portion thereof.</p> <p>4.1.3 Notwithstanding any other section of this by-law, section 4.2.1 and 4.2.2 shall not apply if, in the opinion of an Officer, the presence of airborne contaminants is</p>	

<p>minor in nature and relates to general maintenance and/or lifestyle.</p>	
<p>Mould</p> <p>4.3 Mold</p> <p>4.3.1 Any extensive accumulation of mold shall be immediately cleaned and removed by the owner of a building.</p> <p>4.3.2 No person shall occupy, or permit the occupancy of a building, or portion thereof, where an extensive accumulation of mold exists which could pose a health concern to any person who occupies the building, or portion thereof.</p> <p>4.3.3 Any condition in a building, including but not limited to water penetration, humidity or inadequate ventilation, which relate to the creation and growth of mold, shall be repaired or removed by the owner of the building.</p> <p>4.3.4 Notwithstanding any other provision of this by-law, section 4.2.1 and 4.2.2 shall not apply if, in the opinion of an Officer, the presence of mold is minor in nature and relates to general maintenance and/or lifestyle.</p>	
<p>Lighting</p> <p>5.2 LIGHTING</p> <p>5.1.1 Lighting fixtures, lamps and their supports and connections shall be maintained in a safe and complete condition, without visible deterioration and in working order.</p> <p>5.1.2 All exterior lights shall not cause light to trespass on to adjacent properties that would likely disturb the inhabitants or shine directly into a dwelling unit.</p> <p>5.1.3 Sensor activated lighting shall not be triggered by activity off the property.</p> <p>5.1.4 Lighting as required by the Building Code shall provide and be maintained to allow for an adequate level of lighting so that the use normally carried out in such areas can</p>	<p>Exterior Lighting and Supports</p> <p>5.3 <u>EXTERIOR LIGHTING AND SUPPORTS</u></p> <p>5.3.1 In all Yards and Properties, standards supporting artificial lights and all exterior lighting and the connections thereto shall be kept in a safe condition, in good repair and in working order</p>

be undertaken safely	
<p data-bbox="186 237 443 264">Construction Fencing</p> <p data-bbox="186 306 574 333">5.5 CONSTRUCTION FENCES</p> <p data-bbox="186 342 792 688">5.5.1 Unless granted an exemption under 5.5.5, a person issued a building or demolition permit under the <i>Building Code</i>, for any work except internal work contained within a building in the Town, shall erect and maintain a construction fence to enclose the construction or demolition site, including any areas where equipment is operated or equipment or material is stored.</p> <p data-bbox="186 697 797 833">5.5.2 All construction fencing used on a property shall be maintained in a structurally secure manner and neatly painted or otherwise treated.</p> <p data-bbox="186 842 789 1045">5.5.3 Construction fence shall be kept free from posters, signs, notice and advertising material, words, pictures or drawings, except as permitted under the Town Sign By-law, as amended from time to time or replaced from time to time.</p> <p data-bbox="186 1054 789 1119">5.5.4 Construction fence shall be kept free from graffiti or other defacements.</p> <p data-bbox="186 1157 800 1365">5.5.5 The Chief Building Official is authorized to grant an exemption from the requirements in 5.6.1 to erect a fence if the Chief Building Official is satisfied that conditions at a site would not present a particular hazard to the public after having regard to:</p> <ul style="list-style-type: none"> <li data-bbox="428 1373 800 1438">a) The proximity of the site to occupied dwellings; <li data-bbox="428 1446 800 1614">b) The proximity of the site to places frequented by the public, including streets, parks, businesses and workplaces; <li data-bbox="428 1623 773 1724">c) The effectiveness of any existing fencing adjacent to the site; <li data-bbox="428 1732 800 1833">d) Any proposed security measures to deter entry to the site; <li data-bbox="428 1841 773 1898">e) The hazard presented by the activity occurring and 	

<p style="padding-left: 40px;">materials used on the site;</p> <p style="padding-left: 20px;">f) The expected duration of the hazard; and,</p> <p style="padding-left: 20px;">g) Any other safety considerations.</p> <p>5.5.6 Where work on a construction or demolition site is substantially suspended or abandoned, the Chief Building Official may revoke an exemption granted under 5.5.5 by serving written notice of the revocation on the permit holder.</p> <p>5.5.7 General requirements of every fence required by 5.5 shall:</p> <ul style="list-style-type: none"> a) Be erected at the perimeter of the site to fully enclose the site; b) Be constructed so that the side and rear yard portions of the construction fence are built of wood, plastic mesh or other material that can be shown to provide performance and safety equivalent to these fence types and provide a visual barrier between the construction site and neighboring properties; c) Be built to deter entry by unauthorized persons or vehicles; d) Have no rails, other horizontal or diagonal bracing, attachments or pattern of openings on the outside that would facilitate climbing; e) Contain no opening more than 100 millimeters (3.9 in.) wide except where required for access to and from the site; f) At any access opening, be equipped with gates that shall: <ul style="list-style-type: none"> I. Contain wire mesh or similar material sufficient to provide visibility for traffic entering or exiting the site; II. Open inward towards the construction site; III. Be built to specifications that provide performance and safety at least 	
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<p>equivalent to the fence; and, IV. Deter entry by unauthorized persons;</p> <p>g) Be maintained:</p> <ul style="list-style-type: none"> I. In good repair with no gaps larger than 100 millimeters (3.9 in.) below the fencing and be free of graffiti and posters; II. Free from health, fire and accident hazards; and, III. So that any access opening is closed and locked or securely reinstalled when the site is unattended. <p>h) Be removed at the request of an officer or no later than 30 days after completion of the construction or demolition work.</p> <p>5.5.8 Height of a fence required by 5.5 shall:</p> <ul style="list-style-type: none"> a) Have a height of not less than 1.8 metres (5.9 ft.) above the grade outside the enclosed area. <p>5.5.9 A construction fence shall be built to the following minimum standards:</p> <ul style="list-style-type: none"> a) If built of wood, the outside face shall be smooth exterior grade plywood or wafer board 12.5 millimeters (.5 in.) thick that is closed-boarded, securely nailed or screwed to 89 millimeter (3.5 in.) vertical posts spaced at 2.4 metre (7.9 ft.) centres and embedded sufficiently deep into the ground to provide a rigid support , and securely nailed or screwed to 39 millimeter (1.5 in.) by 89 millimeter (3.5 in.) horizontal rails secured to the vertical posts at the top, bottom and intermediate locations at 600 millimeter (2 ft.) centres; b) If built with plastic mesh, the fencing shall be fastened securely at 200 millimeter (7.9 in.) centres to steel T or 50 millimeter (2 in.) wide U posts, spaced at not more 	
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<p>than 1.2 metre (4 ft.) centres and embedded at least 600 millimeters (2 ft.) into the ground and to top and bottom horizontal steel rails or 9-gauge steel wire;</p> <p>c) If built of chain link, the mesh shall have openings no larger than 50 millimeters (2 in.) and shall be fastened securely both to vertical steel posts, spaced at not more than 2.4 metre (7.9 ft.) centres and embedded at least 600 millimeters (2 ft.) into the ground, and on top and bottom horizontal steel rails or 9-gauge steel wire;</p> <p>d) Any hoarding, canopy or similar protective barrier required under provincial law may form part of the fence; and,</p> <p>e) The construction fence may be a combination of the fence types specified in 5.5 or may be built of other materials if the fence can be shown to provide performance and safety equivalent to fence types specified.</p>	
<p>Retaining Walls</p> <p>5.6 RETAINING WALLS</p> <p>5.6.1 Retaining walls shall be maintained in a state of good repair</p> <p>5.6.2 Where a retaining wall is in excess of 0.6m (2 feet) in height and forms part of, or is adjacent to, a means of egress, a guard shall be provided unless access is restricted to the retaining wall.</p>	
<p>sign Installation</p> <p>5.7 SIGN INSTALLATION AND MAINTENANCE STANDARDS</p> <p>5.6.1 A sign shall be:</p> <p> a) Maintained in a state of good repair and without any visible deterioration; and,</p> <p> b) Installed and maintained in a reasonably vertical plane, unless</p>	

<p>otherwise approved by the town.</p> <p>5.4.1 Any unused, not cared for or discarded signs shall be removed from the property or shall be stored within a building.</p>	
<p>Doubt as to Structural Condition</p> <p>6.1 DOUBT AS TO STRUCTURAL CONDITION</p> <p>6.1.1 If, in the opinion of an Officer, there is doubt as to the structural condition of a building or structure or parts thereof, an Officer may issue an Order that such a building or structure, or parts thereof, be examined by a professional engineer licensed to practice in Ontario, at the owner's sole expense, and that a written report, which may include drawings for any recommended remedial work, be provided to an Officer.</p> <p>6.2 ENGINEERS REPORT ACCEPTANCE</p> <p>6.2.1 An Officer may accept the findings contained in the engineer's report pursuant to subsection 6.2.1, provided that the Officer is satisfied that all deficiencies have been identified and appropriately dealt with by the report.</p> <p>6.2.2 Upon completion of all of the work required by the engineers report, a further report prepared by the professional engineer shall be submitted to the Officer certifying that all of the work proposed in the written report has been completed and is in accordance with all applicable legislation.</p> <p>6.2.3 No structural element may be added, removed, repaired or modified in any manner until a required permit has been obtained from the Chief Building Official.</p>	
<p>Residential Rental Properties – Outdoor storage of refuse and recyclable material</p> <p>9.1 OUTDOOR STORAGE OF REFUSE AND RECYCLABLE MATERIAL</p>	

<p>9.1.1 Where refuse or recyclable material is stored for disposal outside of the enclosed walls of a building, the refuse or recyclable material shall be blocked from view if it is stored less than 60m (196 ft) from a public highway, street, walkway, park or residential property so as not to be visible from such locations or as required under an approved site plan.</p> <p>9.1.2 In addition to the conditions outlined in section 9.9.1, the storage of refuse or recyclable material permitted by an owner shall be blocked from view and the aforesaid visual blockage shall:</p> <ul style="list-style-type: none"> a) Extend from grade to a height of 0.3m (1ft) above the height of the storage container(s); b) Consist of a continuous opaque visual barrier; and, c) Be maintained in a clean, sanitary and odour controlled condition. 	
	<p>Section 5 – removed (added to Lot Maintenance By-law)</p> <p>5.1 General</p> <p>5.1.1 All vacant lots and every Yard shall be kept clean and free from:</p> <ul style="list-style-type: none"> 5.1.1.1 Injurious insects, termites, rodents, vermin and other pests and any condition which might result in the harbouring of such pests; 5.1.1.2 Dead, decayed or damaged trees or other natural growth and the branches or limbs thereof which create an unsafe condition; and 5.1.1.3 Stagnant water which provides a breeding place for mosquitos or other Health Hazards. <p>5.1.2 No fill shall be allowed to remain in an unlevelled state on any Property for longer than seven (7) days unless the Property is:</p> <ul style="list-style-type: none"> 5.1.2.1 A construction site for which

	<p>a building permit is in effect;</p> <p>5.1.2.2 A property being subdivided under subdivision agreement with the Town; or</p> <p>5.1.2.3 Property upon which material is being stored with the approval of the administration of the Town or the Regional Municipality of Halton in connection with a public works contract.</p> <p>5.1.3 No fill shall be left in an uncovered state (not covered by sod, seed or agricultural crop) on any Property for longer than thirty days unless the Property is:</p> <p>5.1.3.1 A construction site for which a building permit is in effect;</p> <p>5.1.3.2 A Property being subdivided under subdivision agreement with the Town; or</p> <p>5.1.3.3 Actively being farmed.</p> <p>5.1.4 Every Yard, field. Parking lot, carport and vacant Property shall be kept free of Collectible Material, brush, Non-collectible Waste, Recyclable Material and unsightly storage.</p> <p>5.1.5 No Motor Vehicle, other than a Motor Vehicle currently bearing a valid licence plate sticker issued by the Ministry of Transportation and capable of being driven, shall be parked other than in a building, on any Property in the Town of Oakville unless the parking of the unlicensed or inoperative Motor Vehicle is incidental to a permitted use under the Town’s zoning by-law for the zone in which the Property is located.</p> <p>5.1.6 No machinery, vehicle, boat, trailer or part thereof which is in an unusable, wrecked, discarded, dismantled, partially dismantled or abandoned condition, shall be stored or allowed to remain on</p>
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	<p>any Property, unless otherwise permitted by the Town's zoning by-law and if necessary, licensed under the Town's Licensing By-law.</p> <p>5.1.7 Lawns, hedges and bushes will not be permitted to become overgrown or unsightly. Specifically, grass and weeds shall not exceed 20.33cm (8 inches) in height.</p> <p>5.1.8 Walks, driveways and parking lots will be maintained free from accident hazards.</p> <p>5.1.9 All exterior Property areas, including vacant land, shall be maintained to prevent accumulations of dust or dirt from spreading to neighbouring properties.</p>
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