

Authority: Planning and Housing Committee Item
PH25.8, adopted as amended by City of Toronto
Council on November 12 and 13, 2025

CITY OF TORONTO

Bill 1483

BY-LAW -2025

To repeal City of Toronto Municipal Code Chapter 629, Property Standards and replace with new Chapter 629, Property Standards as set out in Schedule A to this by-law.

Whereas under section 15.1 of the Building Code Act, 1992, the City may pass a by-law prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas; and

The Council of the City of Toronto enacts:

- 1.** Chapter 629, Property Standards is repealed and replaced with the new chapter set out in Schedule A to this by-law.
- 2.** This by-law shall come into force on May 1, 2027.

Enacted and passed on December , 2025.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

**TORONTO MUNICIPAL CODE
CHAPTER 629, PROPERTY STANDARDS**

Chapter 629

PROPERTY STANDARDS

ARTICLE 1

Definitions and Application

§ 629-1.1 Definitions.

As used in this chapter, the following terms have the meanings indicated:

BASEMENT – A storey of a building or structure that is entirely or partially below ground level.

BUILDING CODE – Means Ontario regulation O. Reg. 163/24, as amended from time to time and any successor regulation made under section 34 under the Building Code Act, 1992, S.O. 1992, c. 23.

EXIT – An exit from a building or structure leading to the exterior of the building or structure.

EXTERIOR AREAS – Includes roads, pathways, parking areas, garbage storage areas and yards.

GROUND COVER – Any landscaping material applied to the ground to prevent erosion and ponding including concrete, flagstone, brick, asphalt, gravel, mulch, groundcover plants, grass, and artificial turf.

GUARD – A barrier.

HABITABLE ROOM – A room in a residence lawfully used or capable of being lawfully used for living, sleeping, cooking or eating purposes including sanitary facilities.

HANDRAIL – A continuously graspable rail which may form the top part of a guard.

MERCANTILE OCCUPANCY – means the occupancy or use of a building or part thereof for the displaying, selling or offering for sale of retail goods, wares, or merchandise.

OCCUPANT – A person over the age of 18 years in possession of the property.

OWNER – Includes:

- (1) An owner in fee simple;
- (2) A person for the time being managing or receiving the rent for a property for themselves or as an agent of another person; and/or
- (3) A person who would receive the rent for a property if it were leased.

PEST – An animal, a plant, or other organism that is injurious, noxious or troublesome, whether directly or indirectly, and an injurious, noxious or troublesome condition or organic function of an **animal**, a plant, or other organism. Does not include any species designated under the Species at Risk Act, S.C. 2002, c. 29 or Endangered Species Act, 2007, S.O. 2007, c. 6.

PROPERTY, ETC.

PROPERTY – A parcel of land or a part of a parcel of land and includes:

- (1) Any building or structure or part of a building or structure on the property;
- (2) Any mobile home, mobile building, mobile structure, outbuilding, fence or other erections on the property; and
- (3) Vacant property.

MIXED-USE PROPERTY – A property lawfully occupied or capable of being lawfully occupied in part for residential purposes and in part for non-residential purposes.

MULTIPLE RESIDENCE – A building or part of a building containing three or more residential units.

NON-RESIDENTIAL PROPERTY – A property lawfully occupied or capable of being lawfully occupied other than for a residential purpose.

RESIDENTIAL PROPERTY – A property lawfully occupied or capable of being lawfully occupied solely for residential purposes.

RESIDENTIAL UNIT – A building or part of a building lawfully occupied or capable of being lawfully occupied as living accommodations by one or more persons as a self-contained unit with a kitchen and sanitary facilities.

REPAIRED AND/OR MAINTAINED IN GOOD REPAIR – Includes the following, and may also include additional standards as set out in this chapter:

- (1) Free from defects;
- (2) Made of materials that are sufficient to ensure maintenance in good repair, including compatible in design to adjoining finished materials;
- (3) In a safe and clean condition without any loose components; and
- (4) In good working condition and operational, where applicable;

RETAINING WALL – A wall or similar structure built to hold back the pressure from soil or similar material separating two grade levels.

SANITARY FACILITY – A room containing one or more toilets, washbasins, bathtubs or showers or any combination of toilets, washbasins, bathtubs or showers.

SEWAGE SYSTEM – The City sanitary sewer system or a private sewage disposal system approved by the City.

STANDARDS – The standards for the maintenance and use of property set out in this chapter.

STOREY – The portion of a building situated between the top of a floor:

- (1) and the top of the floor next above it; or
- (2) the ceiling above the floor, if there is no floor above it.

SUPPLIED FACILITY – An appliance, fixture or piece of equipment, including any related system, provided in conjunction with the use of a property and that is required to be provided under the Building Code, Municipal Code, the Health Protection and Promotion Act, R.S.O. 1990, c. H.7 or other applicable legislation or by-law.

VEHICLES

MOTORIZED VEHICLE – Includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, e-bike and any vehicle drawn or propelled by any kind of power, except those drawn or propelled by muscular power.

NON-MOTORIZED VEHICLE – Includes a bicycle, scooter and any vehicle drawn or propelled by muscular power.

YARD – The part of a property unoccupied by a building and includes vacant land.

§ 629-1.2 Application.

- A. This chapter applies to all property in the City of Toronto.
- B. If there is a conflict between a provision in this chapter and a provision of any other City by-law, the provision that establishes the highest standard prevails where it protects the health, safety and well-being of persons and protection of persons and property.
- C. In this chapter a reference to an Act, regulation, or by-law is to that Act, regulation, or bylaw as it is amended or re-enacted from time to time.

ARTICLE 2

Property Standards Committee

§ 629-2.1 Property Standards Committee; appeals; fees.

- A. A Property Standards Committee is established that consists of four Committee Hearing Panels.

- B. Each Committee Hearing Panel shall hear appeals of orders made under §629-6.2 respecting property in the geographic area of a Community Council area as set out in Appendix B-3 of Chapter 27, Council Procedures.
- C. If an order applies to a property that is located in the geographic area of more than one Community Council, the appeal may be heard by either Committee Hearing Panel responsible for one of the geographic areas in which the property is located.
- D. A person appealing an order to the Property Standards Committee shall pay the fee set out in Chapter 441, Fees and Charges, in advance of the hearing for the processing of the appeal.

§ 629-2.2 Members

- A. The Property Standards Committee shall be composed of 16 members with four members assigned to each Committee Hearing Panel from time to time.
- B. The members of the Property Standards Committee shall be appointed for a 4-year term or such other term specified by Council and serve at pleasure of Council until their successors are appointed.
- C. Members shall be at least 18 years old and a resident of the City.
- D. Members shall not act as agents or representatives for any person on their appeal of an order to the Property Standards Committee.

§ 629-2.3 Reporting.

- A. The Chair of the Property Standards Committee shall report annually to the Planning and Housing Committee, or its successor, and the report shall include:
 - (1) A summary of the activities of the Property Standards Committee, including the number of items heard in the calendar year across all four hearing panels, and any changes made to the hearing process during the past year;
 - (2) Emerging issues and observations that, in the Property Standards Committee's opinion, should be reviewed by the City of Toronto; and
 - (3) Any other matters that, in the Property Standards Committee's opinion, impact the effective operation of the property standards appeal process.

ARTICLE 3

General Duties and Obligations

§ 629-3.1 Compliance required.

No person shall use or permit the use, including renting, or offering for rent, any property that does not conform with the standards set out in this chapter.

§ 629-3.2 Owner's duties.

Every owner shall ensure:

- A. Their property is repaired and/or maintained in accordance with the standards set out in this chapter;
- B. Immediate action is taken to eliminate any unsafe condition;
- C. That every supplied facility is:
 - (1) Constructed, installed, and repaired and/or maintained in good repair;
 - (2) Kept in a satisfactory working condition;
 - (3) Not disconnected except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering the supplied facility, and then only during the reasonable minimum time that the action is necessary;
 - (4) Available for use by the occupants and other users of the property;
- D. A room designed and intended for use as a non-habitable area is not used as a habitable area; and
- E. The maximum number of persons living in a habitable room and the dimensions of that habitable room are in accordance with the rules for constructed new buildings or altered or reconstructed existing buildings in the current Building Code and Fire Code.

§ 629-3.3 Emergency contact sign.

Every owner of a multiple residence shall ensure that:

- A. A sign is posted and maintained in a prominent place in the front lobby or entrance of the building that indicates, in lettering not less than 1.3 centimetres in height (approximately size 40 font in Arial):
 - (1) The current name, address, telephone number and email address of the owner, manager or other person responsible for the property; and
 - (2) The current name, telephone number and email address of a person who will respond immediately in the case of an emergency at the property on a 24-hour basis.
- B. Calling a telephone number or contacting an email address listed on the sign required under subsection A does not result in any fee being charged.
- C. The information on the sign required under subsection A is updated immediately when there is a change to that information.

§ 629-3.4 Making and completing repairs.

Every owner shall ensure all repairs are made and completed with appropriate skill, using appropriate materials, are free from defects, and are suitable and sufficient for the intended function.

ARTICLE 4

Standards

§ 629-4.1 Maintenance of exterior areas

A. Permitted exterior storage

Nothing in this section prevents the storage of material in an exterior area if permitted by applicable by-laws, including zoning by-laws, and stored neatly.

B. General

Every owner shall ensure that all yards and any other part of their property are kept clean and free from:

- (1) Accumulations of waste or any conditions that are health, fire or other hazards;
- (2) Dilapidated, collapsed or unfinished structures; and/or
- (3) Mechanical equipment, motorized or non-motorized vehicle(s), trailer(s) or boat(s) or any part of them, unless the owner is lawfully permitted to use the yard for this purpose.

C. Firewood

Every owner may store or permit the storage of firewood for domestic use in a rear yard if the area used for this storage is not more than 15 percent of the area of the rear yard and the firewood is:

- (1) Neatly piled at least 30 centimetres from any property line;
- (2) Stored at least 15 centimetres above grade; and
- (3) Stored so that the total height of the woodpile is less than 1.5 metres.

§ 629-4.2 Landscaping

Every owner shall ensure that:

A. All yards:

- (1) Are landscaped so as to direct the flow of surface water away from the walls of all buildings; and
- (2) Have suitable ground cover to prevent ponding of water and/or unstable soil conditions including erosion.

- B.** A tree or other plant, or a limb or branch of it, that is dead or damaged is removed from the property or otherwise pruned to remove the dead or damaged portions of the tree or plant.

- C. All hedges, shrubs, trees or other plants are planted and maintained in a manner that does not:
- (1) Obstruct the safety of the public.
 - (2) Affect the safety of vehicular or pedestrian traffic.
 - (3) Constitute an obstruction of view for vehicular traffic.
 - (4) Wholly or partially conceal or interfere with the use of any hydrant or water valves.
 - (5) Overhang or encroach upon any pavement, sidewalk or travelled portion of any street or highway.

§ 629-4.3 Drainage

Every owner shall ensure that:

- A. All catch basins, storm drains, ditches and swales are repaired and/or maintained in good repair and kept free of obstructions.
- B. No roof drainage, sump pump drainage, or swimming pool drainage is discharged or channeled onto:
- (1) City owned land;
 - (2) Walkways;
 - (3) Stairs;
 - (4) Entrance ways;
 - (5) Any road allowance;
 - (6) Directly or indirectly into the sewage system; or
 - (7) In such a manner that it will penetrate or damage a building or structure.
- C. The drainage from all roofs of buildings and structures shall discharge into an eavestrough or roof gutter, other than those buildings or structures where eavestroughs or roof gutters are not requirements for constructed new buildings of that type or altered or reconstructed existing buildings of that type in the current Building Code.
- D. The drainage from all eavestroughs or roof gutters shall drain into a downspout that discharges:
- (1) Away from a building and/or structure;
 - (2) Either:
 - a. Into a rain-water collection system;
 - b. Directly into a building drain; or
 - c. Not more than 15 centimetres above grade.
- E. Where features on a property, including but not limited to building design and placement, site access and servicing, waste storage, parking, loading, landscaping, grading, drainage, accessory, and storm water management have been required by the City as a condition of development or redevelopment approval or, in the case of grading or drainage, by an approved grading plan, such features are repaired and/or maintained in good repair so as to ensure continuous compliance with the

City development or redevelopment approval requirements or the approved grading plan.

§ 629-4.4. Sheds, fences and retaining walls.

Every owner shall ensure that all sheds and similar structures, fences including screens, and retaining walls are constructed with suitable and uniform materials, repaired and/or maintained in good repair, and free from hazards.¹

§ 629-4.5 Structural adequacy of foundations, basements and other similar parts of buildings and structures.

Every owner shall ensure that any foundation wall, basement, crawl space or other similar part of a building or structure is repaired and/or maintained in good repair including being adequate to carry the loads imposed on it and to prevent the entry of moisture.

§ 629-4.6 Exterior surfaces

Every owner shall ensure that the exterior surfaces of buildings and structures are repaired and/or maintained in good repair including being:

- A. Without defacement, including stains or smoke damage.
- B. Properly anchored and protected from the elements so as to be secure and prevent the decay or collapse of any equipment attached to exterior surfaces including, but not limited to: canopies, marquees, awnings, screens, grilles, stairways, pipes, ducts, standpipes and/or cooling systems.
- C. Renewed or refinished to maintain a similar appearance to previously finished walls and erected to prevent deterioration.

§ 629-4.7 Means of access or egress.

Every owner shall ensure that all stairs, verandas, porches, decks, loading docks, ramps, balconies, fire escapes and other similar structures, means of access or egress and all components attached to them are:

- A. Repaired and/or maintained in good repair, including being free from hazardous conditions, obstructions and impediments; and
- B. In accordance with all applicable requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code and Fire Code, including having handrails and/or guards installed and maintained in accordance with all applicable height, spacing, and load requirements.

¹ For information regarding suitable and uniform materials, reference TORONTO MUNICIPAL CODE CHAPTER 447, FENCES.

§ 629-4.8 Roofs and roof structures.

Every owner shall ensure that:

- A. The roofs of all buildings and structures and the roof's components are repaired and/or maintained in good repair including being weather-tight.
- B. The roofs of all buildings and structures and the roof's components are free from leaks and unsecured or unsafe objects and materials, including accumulations of ice and snow that may create a hazard;
- C. All roof decks, catwalks and related guards are repaired and/or maintained in good repair;
- D. All eavestroughs, roof gutters, flashing and downspouts are repaired and/or maintained in good repair including free from leaks, unsecured or unsafe objects and materials, and obstructions;
- E. All aerials, satellite dishes, lightning arrestors, solar panels and other similar and associated structures are repaired and/or maintained in good repair; and
- F. All chimneys, smoke or vent stacks, other similar roof structures, and associated structures are repaired and/or maintained in good repair.

§ 629-4.9. Exterior doors, windows and exterior openings.

Every owner shall ensure that:

- A. Any openings in an exterior wall of a building, including but not limited to, exterior doors, windows, skylights, and basement hatchways, are:
 - (1) Fitted with an exterior door or window;
 - (2) Repaired and/or maintained in good repair including in a weather-tight condition;
 - (3) Free from hazardous conditions, obstructions, and impediments; and
 - (4) Easily operable.
- B. Structures associated with exterior openings, including but not limited to, screen doors and storm windows, are repaired and/or maintained in good repair.
- C. All windows in a residential unit that are capable of being opened shall be fitted and equipped with screens that are repaired and/or maintained in good repair.
- D. All windows in a residential unit that are capable of being opened shall be fitted with guards in accordance with all applicable requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code.

- E. All windows capable of being opened and all exterior doors are:
 - (1) Free from defective hardware; and
 - (2) Capable of being locked or otherwise secured from inside the building.
- F. All glazed doors, windows, and other transparent surfaces are kept clean to permit visibility and the passage of light.

§ 629-4.10. Waste storage and disposal.

Every owner shall ensure that:

- A. Waste is removed from the property in accordance with applicable City by-laws.
- B. All waste is contained on the property in an enclosed waste storage facility, exterior bulk or roll-off garbage disposal system, or in a covered waste receptacle that will not:
 - (1) Attract pests;
 - (2) Create a health or other hazard; or
 - (3) Obstruct an emergency route, recreation facility, parking area, driveway or walkway.
- C. There is an adequate waste storage facility or exterior bulk/roll-off garbage disposal system or a sufficient number of covered waste receptacles that are readily accessible to all occupants so as to contain all waste.
- D. Waste receptacles are free from leaks, equipped with a tight-fitting cover, pest-proof, and maintained in a clean state.
- E. If a garbage chute system was originally installed in a multiple residence, the system is operative unless permitted to be closed in accordance with applicable City by-laws.
- F. All garbage chutes, waste storage facilities and/or waste receptacles maintain a clean and odour-free condition.
- G. Any place for temporary storage and disposal of waste is kept in a litter-free and odour-free condition and maintained in a manner that will not:
 - (1) Attract pests;
 - (2) Create a health or other hazard; or
 - (3) Obstruct an emergency route, recreation facility, parking area, driveway or walkway.
- H. If an exterior bulk or roll-off garbage disposal system is used, it is equipped with covers or similar devices that are easily opened, but are not left open, except when being loaded.

- I. Any exterior bulk or roll-off garbage disposal system is large enough to contain all waste generated between collections and is not loaded beyond the top of a container.

§ 629-4.11. Steps, walks, driveways, parking and loading areas, etc.

Every owner shall ensure that:

- A. Steps, landings, walks, driveways, parking areas, ramps, and similar areas of a property are repaired and/or maintained in good repair including:
 - (1) So as to afford safe passage under normal use;
 - (2) Being kept free from hazardous conditions, obstructions and impediments;
 - (3) Kept free from dirt, surface dust and waste;
 - (4) Free from cracks and holes; and
 - (5) Landscaped or finished to prevent ponding of water and to direct the flow of water away from the walls of all buildings.
- B. A walk is provided from the principal entrance of every building to a public street, or to a driveway that provides access to a public street.
- C. All areas used for motorized vehicular traffic or the parking or storage of a motorized vehicle are:
 - (1) Either:
 - (a) Surfaced with asphalt, concrete, interlocking stone, or other safe and dust-free equivalent surface; or
 - (b) For a non-residential property abutting a residential property, surfaced with asphalt, concrete or interlocking stone, or dust-free equivalent surface;
 - (2) Covered with suitable, clearly visible markings to indicate parking spaces;
 - (3) Provided with secured curb stops or other restraining devices to prevent vehicles from causing injury to any person or encroaching on or causing damage to any property; and
 - (4) Repaired and/or maintained in good repair.

§ 629-4.12. Floors, stairs and landings.

Every owner shall ensure that:

- A. Every floor, stair, landing and every surface covering and finish attached to or laid upon it are repaired and/or maintained in good repair, including being:
 - (1) Maintained so as to properly perform its intended function;
 - (2) Smooth and level;
 - (3) Free from any trip or other hazardous condition;
 - (4) In a clean and sanitary condition free from holes, stains, rubbish or debris;
 - (5) Maintained to be impervious to water;
 - (6) In a condition to resist the entry of pests; and
 - (7) In a condition that permits easy cleaning.

- B. Any repair, replacement, refinishing, or painting required to achieve compliance with Subsection A shall be such that the material used shall have a finish and facing similar to that of the existing surface.

§ 629- 4.13. Interior walls and ceilings.

Every owner shall ensure that:

- A. Every wall and ceiling shall be repaired and/or maintained in good repair, including being in a sanitary condition and free from stains, holes, and leaks.
- B. Any repair to achieve compliance with Subsection A shall reasonably match the existing finish of a wall or ceiling.
- C. Marks, stains, smoke damage, or other similar markings on interior walls, ceilings, or other surfaces in public areas of a property are removed and the surface kept to reasonably match the existing surface.

§ 629-4.14. Interior doors, passageways and exits.

Every owner shall ensure that:

- A. Doors, passageways and exits shall be repaired and/or maintained in good repair, including being:
 - (1) Maintained free from hazardous conditions, obstructions and impediments;
 - (2) Free from defective hardware or other elements;
 - (3) Easily operable; and
 - (4) For doors, fitting its frame.
- B. Required or provided safety equipment relative to exits, such as, but not limited to, door closures, co-ordinating devices, smoke seals and pressurized vestibules, latching devices, hinges, moulding and similar devices shall be repaired and/or maintained in good repair.
- C. All doors and hatches to the roof that provide access for the purpose of maintenance shall be kept locked at all times except when maintenance work is actively being conducted on the roof.

§ 629-4.15. Multiple-residences entrances and exits.

Every owner shall ensure that:

- A. An entrance or exit to a building with multiple residential units is:
 - (1) Maintained in accordance with all applicable technical requirements in the Building Code, as approved at the time of construction;
 - (2) Repaired and/or maintained in good repair; and
 - (3) Equipped with a door that is:

- (a) Equipped with self-closing and self-locking mechanisms;
 - (b) Not secured in an open position except in an emergency situation; and
 - (c) Kept locked at all times.
- B. In multiple residences where there is a shared entrance/exit terminus:
 - (1) A voice communications system between each dwelling unit and the front lobby or entrance/exit terminus shall be provided that is:
 - (a) Capable of controlling the security locking device for the main entrance/exit terminus; and
 - (b) Repaired and/or maintained in good repair.
 - (2) For clarity, a voice communications system that can be operated via an occupant's mobile device qualifies as an acceptable system provided it complies with Subsection 1.
- C. If exit doors are used as an exit from a building containing 10 or more residential units, the doors are:
 - (1) To be so arranged as to:
 - (a) Have an electromagnetic locking mechanism in accordance with the applicable technical requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code; or
 - (b) Be readily opened without the use of a key, special device or special knowledge in the direction of exit travel.
 - (2) To have exit signage and/or emergency lighting that allows the door to be easily identified and operated even in darkness.
- D. If a door connects a residential unit to the exterior or to an entrance or exit system shared in common with other residential units, the door shall:
 - (1) Afford the occupants of the residential unit with a reasonable degree of privacy;
 - (2) Afford the occupants of the residential unit with a reasonable degree of safety;
 - (3) Be in a condition to control air leakage;
 - (4) Subject to subsection (5), have dead-bolt locks which:
 - (a) Have a bolt throw of not less than 2.5 centimetres;
 - (b) Are protected with a solid or hardened free-turning ring or bevelled cylinder housing;
 - (c) Are of a type that cannot be accidentally locked against entry by closing of the door; and
 - (d) Are repaired and/or maintained in good repair;
 - (5) Despite subsection (4), a dead-bolt lock is not required on:
 - (a) Entrance doors equipped with electronic or electrical locking devices,
 - (b) Entrance doors more than two metres above the adjacent grade and not having direct access to grade via stairs, or

- (c) Exit doors not permitted to have a locking device under either the Ontario Fire Code or the Building Code.
- E. Shared locker and storage rooms in a multiple residence have a door that is equipped with a locking device that can control access, and the door shall be kept locked in a closed position.

§ 629-4.16. Ancillary rooms.

Every owner shall ensure that:

- A. All provided laundry, recreation and other ancillary rooms, and the facilities, amenities and equipment in the rooms, are kept clean and repaired and/or maintained in good repair.
- B. All sinks provided in a laundry room are connected to hot and cold running water and properly connected to the drainage system.
- C. All laundry rooms have a trapped floor drain connected to the drainage system and capable of adequately draining the floor.

§ 629-4.17. Elevators.²

Every owner shall ensure that:

- A. Elevator outages are reported to a contractor registered with the province within 72 hours of the owner becoming aware of the outage.
- B. Elevators are kept clean.
- C. Elevator lighting fixtures, lamps, elevator buttons, floor indicators, and ventilation fans are repaired and/or maintained in good repair including being operational.

§ 629-4.18. Mail.

Every owner shall ensure that:

- A. Every residential unit has a separate and secure mailbox or mail receptacle that is repaired and/or maintained in good repair.
- B. If a mail slot provides direct access into a residential unit, it shall be designed or located so as to prevent access from the slot to unlock the doorknob or other locking device.

² For clarity, the maintenance and safe operation of elevators is governed by provincial legislation. Specifically, the Technical Safety and Standards Act, 2000, and its associated regulations, which are enforced by the Technical Standards and Safety Authority. This includes all provisions related to the safe operation, repair, maintenance, and function of elevating devices.

- C. Access to mail rooms is repaired and/or maintained in good repair to ensure the security of the mail.

§ 629-4.19. Kitchen facilities.

Every owner shall ensure that:

- A. Every kitchen in a residential unit has a sink that is:
 - (1) Installed in a counter made of material impervious to water;
 - (2) Connected to an adequate supply of potable running hot and cold water; and
 - (3) Connected to the drainage system of the residential unit.
- B. Each kitchen in a residential unit has connected and operating gas or electrical supply(s) for cooking and refrigeration appliances.
- C. Every cupboard, kitchen fixture, and fitting is repaired and/or maintained in good repair.
- D. Appliances supplied in a residential unit shall be repaired and/or maintained in good repair.

§ 629-4.20. Electrical service and outlets.

Every owner shall ensure that:

- A. Every building and residential unit is wired for electricity and connected to an operating electric supply system.
- B. The capacity of the system of circuits and electrical outlets within a building are adequate for the intended use of all rooms.³
- C. Adequate electrical outlets are installed to prevent the need for extension cords or other extensions being used as a permanent wiring system.⁴
- D. All electrical fixtures, switches, receptacles, and connections to them are repaired and/or maintained in good repair, including in a safe and complete condition such that they:
 - (1) Securely holds plugs;
 - (2) Provide consistent power;
 - (3) Show no signs of burning, discoloration, or melting; and
 - (4) Have a clean, undamaged faceplate.

³ For clarity, property owners should reference the current technical guidelines in the Ontario Electrical Safety Code, as amended from time to time, for guidance on circuit capacity.

⁴ For clarity, property owners should reference the current technical guidelines in the Ontario Electrical Safety Code, as amended from time to time, for guidance on the number of electrical outlets needed in dwellings.

§ 629-4.21 Buffering.

Every owner shall ensure that barriers or deflectors are installed and maintained:

- A. To prevent the light from motorized and non-motorized vehicle headlights from shining directly into a residential unit; and
- B. To provide a visual screen to persons at grade from outdoor dumpsters, garbage drop-off areas, outdoor storage areas, and other similar areas, unless a site-specific exemption has been provided by the City. These barriers or deflectors shall be opaque and installed to limit wind-blown waste, wrappings, debris, and similar things from littering or settling on other properties.

§ 629-4.22. Lighting Levels.

Every owner shall ensure that:

- A. All lighting fixtures and outlets are:
 - (1) Repaired and/or maintained in good repair; and
 - (2) Maintained in accordance with all applicable technical requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code.
- B. For Multiple Residence, Mixed-use, and commercial properties, all parking lots, walkways, stairs, ramps or other similar exterior areas, a minimum level of illumination of 10 lux (0.90 foot-candle) is maintained at ground or tread level and at angles and intersections at changes of level where there are stairs or ramps.
- C. All standards supporting artificial lights, lighting, and the connections to lighting shall be kept in a clean condition, and repaired and/or maintained in good repair.

§ 629-4.23 Light Intrusion.

For the purposes of this section, the following apply:

FULL-CUT-OFF FIXTURE – Means a luminaire or light fixture installed in a horizontal position where the light bulb is recessed in the light fixture or otherwise shielded in such a way to ensure light from the fixture shines directly downwards.

UNREASONABLE LIGHT INTRUSION – Means any light intrusion into a dwelling unit that would disturb the peace, rest, enjoyment, or comfort of a **reasonable** person in the circumstances.

Every owner shall ensure that:

- A. Any exterior light that causes unreasonable light intrusion into a habitable room on an adjacent property or a leased habitable room within the same property is:

- (1) Installed and maintained within a full-cut-off fixture, or a barrier or deflector that achieves the same effect, so that it no longer creates an unreasonable light intrusion; or
 - (2) Shielded and redirected so that it no longer creates an unreasonable light intrusion; or
 - (3) Removed or decommissioned to eliminate the unreasonable light intrusion.
- B. All temporary or permanent lighting mounted on construction cranes or elevated equipment within a construction site is:
 - (1) Directed strictly downward;
 - (2) Installed and maintained within a full-cut-off fixture or a barrier or deflector that achieves the same effect; and
 - (3) Is turned off or dimmed to no more than 30% light output or less between 11:00 p.m. of one day and 7:00 a.m. of the next day.
- C. Subsection B does apply to any lighting required by provincial or federal safety regulations, including, but not limited to, the installation of aviation navigation lights per Transport Canada standards.

§ 629-4.24. Plumbing; water and sanitary facilities.

Every owner shall ensure that:

- A. All plumbing systems are maintained so that:
 - (1) All drain, waste and vent piping, plumbing fixtures, and appurtenances contained in the plumbing system are connected to a sewage system;
 - (2) All water piping is connected to the municipal water service system; and
 - (3) They are repaired and/or maintained in good repair, including being free from leaks, protected from freezing, and capable of draining sinks and basins under normal conditions of use.
- B. Every residential unit and multiple residence has an adequate supply of potable and running hot and cold water which meets the following standards:
 - (1) The water must be from a source approved by the Medical Officer of Health;
 - (2) The hot water supply must provide hot water with a temperature range:
 - (a) from 45 degrees Celsius to 49 degrees Celsius in all fixtures except clothes washers and dishwashers;
 - (b) and from 45 degrees Celsius to 60 degrees Celsius in all clothes washers and dishwashers.
- C. Where a water distribution system in a group home, residential care home, nursing home, retirement home, seniors community house, or personal-care multi-tenant house supplies hot water to any bathtub, shower or hand basin that is accessible to a patient or resident in the building, the water distribution system has one or more temperature gauges and control devices that are:

- (1) Accessible only to supervisory staff; and
 - (2) Capable of being adjusted to ensure that the temperature of the water supplied to those fixtures does not exceed 43 degrees Celsius.
- D. Every residential unit and multiple residence has at least one toilet, one wash basin, one kitchen sink, and one bathtub or shower that each are:
 - (1) connected to an adequate supply of potable, hot and cold running water compliant with subsection B; and
 - (2) repaired and/or maintained in good repair.
- E. Every toilet is installed and located to afford privacy.
- F. A wash basin compliant with subsection D is installed in or adjacent to every room that contains a toilet or urinal.
- G. In every basement that has a concrete floor, one or more trapped floor drains is installed that:
 - (1) is connected to the sewage system;
 - (2) is screened with a metal grill or other suitable material designed to resist the entry of pests; and
 - (3) is repaired and/or maintained in good repair, including being free of leaks and blockages.
- H. Where a building with a mercantile occupancy of more than 300 square metres or an established occupancy load of more than nine persons has a sanitary facility that is provided or required for public use under the Building Code, predecessor legislation or other applicable law:
 - (1) The following signs are posted:
 - (a) A sign on the door or entrance to the sanitary facility in a conspicuous manner, that clearly indicates that it is a sanitary facility, that is in a and location satisfactory to the Executive Director, Municipal Licensing and Standards; and
 - (b) Directional signs, which shall be displayed at one or more customer service counters, attendant stations or cash register areas so that the location of the sanitary facilities within the building or the part of the building with a mercantile occupancy is prominently displayed.
 - (2) The sanitary facility is available for the use of the mercantile occupancy's customers at all times that the mercantile occupancy is open to the public for business, except when a retail business is staffed by a single operator or attendant and complying with this availability requirement would cause a security problem.

§ 629-4.25. Heating and cooling.

Every owner shall ensure that:

- A. Every heating and cooling system or unit is repaired and/or maintained in good repair.
- B. Every residential property and every residential unit has a heating system capable of maintaining a room temperature of 21 degrees Celsius at 1.5 metres above the floor level in all living spaces, including bathrooms and toilet rooms.
- C. Every furnace room and every boiler room is vented to provide combustion air for the heating equipment directly from the outside air.
- D. No auxiliary heaters are used as a permanent source of heat.
- E. Fireplaces and other solid-fuel-burning appliances are connected to a smoke pipe, chimney flue, or gas vent that is repaired and/or maintained in good repair.
- F. Any installed cooling system is:
 - (1) Operated from June 1 to September 30 so as to maintain an indoor temperature of not more than 26 degrees Celsius;
 - (2) Equipped with proper devices to prevent condensation drainage or discharge onto sidewalks, walkways, driveways and entrance areas or other areas used for pedestrian or vehicular traffic;
 - (3) Configured so as not to cause damage to the walls or foundations or other parts of a building;
 - (4) Not disconnected for any property occupied by a tenant or lessee except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering the system or unit, and then only during the reasonable minimum time that the action is necessary; and
 - (5) Repaired and/or maintained in good repair.

§ 629-4.26. Ventilation.

Every owner shall ensure that:

- A. Every room or space in their property has natural or mechanical ventilation in accordance with all applicable technical requirements in the Building Code, as approved at the time of construction.
- B. Where a mechanical ventilation system, pressure gravity ventilation system, or other similar system is installed on a property, it shall be:
 - (1) Turned on,
 - (2) Regularly cleaned; and
 - (3) Repaired and/or maintained in good repair.

- C. If a system of mechanical ventilation that exhausts noxious fumes, gases, dust, or sawdust is operated from a non-residential property:
- (1) The discharge from the system shall terminate:
 - (a) Above the roof line of the building where the system is installed; and
 - (b) Not less than 3 metres clear of any skylight, window, ventilation or other opening of another building; and
 - (2) The system shall be operated in such a way as not to constitute a nuisance.
- D. If noxious fumes or gases are or could be present in a mixed-use property:
- (1) The building shall have ventilation to remove the noxious fumes or gases from the building in accordance with the applicable technical requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code; and
 - (2) All surfaces, including walls, separating any non-residential portion(s) of the building where noxious fumes or gases are or could be present from the residential portion(s) of the building shall be:
 - (a) Of gas-tight construction which effectively prevents the passage of any noxious fumes or gases through the surface; and
 - (b) Repaired and/or maintained in good state of repair.
- E. A parking or storage garage that has capacity for more than five motorized vehicles shall have a mechanical ventilation system:
- (1) Capable of providing a supply of fresh air; and
 - (2) Which ensures ventilation in accordance with the applicable technical requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code.
- F. Subsection E does not apply to an open-air storey of a parking or storage garage if at least 25 percent of the total area of the perimeter walls of the storey is open to the outdoors in a manner that will provide cross ventilation to the entire storey.

§ 629-4.27. Parking or storage garages.

Every owner shall ensure that:

- A. The walls, floors, ceilings and columns of every parking or storage garage are repaired and/or maintained in good repair, including being free of holes, cracks, and impervious to water.
- B. If a parking or storage garage has capacity for more than five motor vehicles and a common entrance, the parking or storage garage is painted as follows:
- (1) Every ceiling, wall and column shall be painted white, or a similar colour, from all areas 60 centimetres above floor level; and
 - (2) The remaining portion of the wall and the column from floor level to a height of 60 centimetres shall be painted black, or a similar dark contrasting colour.

- C. No machinery, boats, motorized and non-motorized vehicles, trailers or parts of them that are in a wrecked, discarded, dismantled, inoperative or abandoned condition, or junk or rubbish shall be kept or allowed to remain in a parking or storage garage.
- D. Every parking or storage garage is equipped with operating lighting fixtures and outlets throughout the parking or storage garage that are turned on.

§ 629-4.28. Garages doors; exit doors and signage.

Every owner shall ensure that:

- A. If a garage door allows for vehicular ingress or egress from a parking or storage area and is equipped with an automatic door opening/closing mechanism, the garage door is equipped with a sensing device that does not allow the door to close when any person, animal, or object is crossing its path.
- B. Every parking or storage garage has a sufficient number of pedestrian exits located in accordance with all applicable technical requirements in the Building Code and Fire Code, as approved at the time of construction.
- C. Every pedestrian exit door referred to in Subsection B is designed and installed to open, close, and lock in accordance with all applicable technical requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code and Fire Code.
- D. Every pedestrian exit door referred to in Subsection B:
 - (1) Remains accessible at all times;
 - (2) Is clearly visible or associated with signage which is clearly visible from all points within the storage or parking garage; and
 - (3) Is sufficiently illuminated and repaired and/or maintained in good repair, including signage being free of cracks, so that the door is clearly visible even in an emergency.

ARTICLE 5

Heritage Property Standards

§ 629-5.1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

HERITAGE ATTRIBUTES:

- A. The attributes or features of property, buildings or structures that contribute to the property's cultural heritage value or interest that are defined or described or that can be reasonably inferred:

- (1) In a by-law designating a property passed under section 29 of the Ontario Heritage Act and identified as heritage attributes, values, reasons for designation, or otherwise;
 - (2) In a Minister's order made under section 34.5 of the Ontario Heritage Act and identified as heritage attributes, values, reasons for designation or otherwise;
 - (3) In a by-law designating a heritage conservation district passed under section 41 of the Ontario Heritage Act and identified as heritage attributes, values, reasons for designation or otherwise; or
 - (4) In the supporting documentation required for a by-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as heritage attributes, reasons for designation or otherwise.
- B. The elements, features or building components including, roofs, walls, floors, retaining walls, foundations and independent interior structures and structural systems that hold up, support or protect the heritage values and attributes and without which the heritage values and attributes may be at risk.

PART IV HERITAGE PROPERTY - Real property, including all buildings and structures thereon, that has been designated by the City under section 29 or by the Minister under section 34.5 of the Ontario Heritage Act.

PART V HERITAGE PROPERTY - Real property, including all buildings and structures thereon, located within a heritage conservation district that has been designated by the City under section 41 of the Ontario Heritage Act.

PROPERTY - A building or structure or part of a building, or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes unoccupied property, Part IV Heritage Properties and Part V Heritage Properties.

§ 629-5.2. Minimum standards.

In addition to the minimum standards for the maintenance and use of property in the City as set out in this chapter, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall:

- A. Maintain, preserve and protect the heritage attributes so as to maintain the heritage character, and the visual and structural heritage integrity of the building or structure.
- B. Maintain the property in a manner that will ensure the protection and preservation of the heritage values and attributes.

§ 629-5.3. Repair of heritage attributes.

- A. Despite any other provision of this chapter, where a heritage attribute of a Part IV heritage property or a Part V heritage property can be repaired, the heritage attribute shall not be replaced and shall be repaired:
- (1) In a manner that minimizes damage to the heritage values and attributes;
 - (2) In a manner that maintains the design, colour, texture, grain or other distinctive features of the heritage attribute;
 - (3) Using the same types of material as the original and in keeping with the design, colour, texture, grain and any other distinctive features of the original; and
 - (4) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material.

§ 629-5.4. Replacement of heritage attributes.

- A. Despite any other provision of this chapter, where a heritage attribute of a Part IV heritage property or a Part V heritage property cannot be repaired, the heritage attribute shall be replaced:
- (1) Using the same types of material as the original;
 - (2) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material; and
 - (3) In such a manner as to replicate the design, colour, texture, grain and other distinctive features and appearance of the heritage attribute.

§ 629-5.5. Clearing and levelling of heritage properties.

Despite any other provision of this chapter, no building or structure on a Part IV heritage property or a Part V heritage property may be altered or cleared, including but not limited to removed, demolished or relocated except in accordance with the Ontario Heritage Act.

§ 629-5.6. Unoccupied and damaged designated heritage properties.

- A. Despite *Chapter 632 Property, Vacant Or Hazardous*, § 632-3E., where a Part IV heritage property or a Part V heritage property remains unoccupied for a period of 90 days or more, the owner shall ensure that appropriate utilities serving the building are connected as required in order to provide, maintain and monitor proper heating and ventilation to prevent damage to the heritage attributes caused by environmental conditions.
- B. Despite *Chapter 632 Property, Vacant Or Hazardous*, § 632-3C, the owner of an unoccupied Part IV heritage property or a Part V heritage property shall protect the building and property against the risk of fire, storm, neglect, intentional damage or damage by other causes by effectively preventing the entrance to it of all animals and unauthorized persons and by closing and securing openings to the building with boarding:
- (1) That completely covers the opening and is properly fitted in a weather-tight manner within the side jambs, the head jamb and the exterior bottom

- sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding;
 - (2) That is fastened securely in a manner that minimizes damage to the heritage attributes and the historic fabric and is reversible;
 - (3) In a manner that minimizes visual impact.
- C. Despite *Chapter 632 Property, Vacant Or Hazardous*, § 632-3C(2), no window, door or other opening on a Part IV heritage property or Part V heritage property shall be secured by brick or masonry units held in place by mortar unless required by a Municipal Standards Officer.

§ 629-5.7. Conflict.

If there is a conflict between this section and any other provision in this chapter or any other City by-law, the provision that establishes the highest standard for the protection of heritage attributes shall prevail.

ARTICLE 6

Orders, Appeals of Orders, Remedial Action, Certificates of Compliance, Powers to Enter and Inspect, Offences and Penalties

§ 629-6.1. Property Standards Orders.

- A. An officer who finds that a property does not conform to one or more of the standards set out in this chapter may make an order:
 - (1) Stating the municipal address and/or the legal description of the property;
 - (2) Giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;
 - (3) 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
 - (4) 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. Service:
 - (1) 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.
 - (2) 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.

(3) If an order is served by email, the service shall be deemed to have been made on the day of sending unless:

- (a) the order was sent after 5 p.m., in which case service shall be deemed to have been made on the following day; or
- (b) 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.

D. 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.

§ 629-6.2. Appeals of Property Standards Orders.

- 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 to the secretary of the Property Standards Committee within 14 days after being served with the order.
- B. An order that is not appealed within the time referred to in Subsection A shall be deemed to be confirmed.
- C. 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 Property Standards Committee may do any of the following things if, in the Property Standard Committee's opinion, doing so would maintain the general intent and purpose of this chapter:
 - (1) Confirm, modify or rescind the order to demolish or repair;
 - (2) Extend the time for complying with the order.
- E. The City or any owner or occupant or person affected by a decision under Subsection D 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, if appealed from the Property Standards Committee, 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.

§ 629-6.3. 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:
 - (1) Whether the property conforms with the standards set out in this chapter;
or
 - (2) Whether an order has been complied with.

- B. Despite Subsection A, if the entry requires entry into any room or place actually used as a dwelling, the officer will not enter the room or place actually used as a dwelling unless:
 - (1) The consent of the occupier is obtained, the occupier 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, 1992, S.O. 1992, c. 23;
 - (2) A warrant is issued under the Building Code Act, 1992, S.O. 1992, c. 23;
 - (3) The delay necessary to obtain a warrant or the consent of the occupier would result in an immediate danger to the health or safety of any person;
or
 - (4) The entry is necessary to terminate a danger under section 15.7(3) of the Building Code Act, 1992, S.O. 1992, c. 23.

- C. For the purposes of an inspection under subsection A, an officer may:
 - (1) Require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the property or any part of the property;
 - (2) Inspect and remove documents or things relevant to the property or part of the property for the purpose of making copies or extracts;
 - (3) Require information from any person concerning a matter related to a property or part of the property;
 - (4) Be accompanied by a person who has special or expert knowledge in relation to a property or part of a property;
 - (5) 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; and
 - (6) 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.

§ 629-6.4. 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. To Subsection A, employees or agents of the City may enter the property at any reasonable time without a warrant to repair or demolish the property.

- C. Despite Subsection B, if the entry requires entry into any room or place actually used as a dwelling, the employee or agent of the City will not enter the room or place actually used as a dwelling unless:
- (1) The consent of the occupier is obtained, the occupier 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, 1992, S.O. 1992, c. 23;
 - (2) A warrant is issued under the Building Code Act, 1992, S.O. 1992, c. 23;
 - (3) The delay necessary to obtain a warrant or the consent of the occupier would result in an immediate danger to the health or safety of any person;
 - (4) The entry is necessary to terminate a danger under section 15.7(3) of the Building Code Act, 1992, S.O. 1992, c. 23; or
 - (5) The occupant is served with notice of the intention to enter a reasonable time before the entry and the entry is necessary to repair or demolish under Subsection A.
- D. 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 A.
- E. The City shall have a lien on the property for the amount spent on the repair or demolition under Subsection A and the amount shall have priority lien status as described in Section 3 of the City of Toronto Act, 2006.

§ 629-6.5. Emergency order.

- A. If upon inspection of a property an Officer is satisfied that there is non-conformity with the standards set out in this Chapter 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 A, 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. 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 municipality in the reasonable exercise of its powers under Subsection C.
- E. 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 B 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.

- F. If the order was served before the measures were taken, the officer shall serve a copy of the statement mentioned in Subsection E in accordance with subsection B as soon as practicable after the measures have been taken.
- G. As soon as practicable after the requirements of Subsection E or F 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 A and the judge shall hold a hearing for that purpose.
- H. The judge in disposing of an application under Subsection G shall,
 - a. confirm, modify or rescind the order; and
 - b. determine whether the amount spent on measures to terminate the danger may be recovered in whole, in part or not at all.
- I. The disposition under subsection H is final.
- J. 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 3 of the City of Toronto Act, 2006.

§ 629-6.6. Certificate of compliance.

- A. When, after an inspection, an officer is of the opinion that a property is in compliance with this chapter, an owner of the property shall be issued a certificate of compliance upon submitting a completed application form and paying the applicable fee to the City.
- B. If the order has been registered on title, then in addition to issuing a certificate of compliance under Subsection A, 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

§ 629-6.7. Offences and penalties.

- A. A person is guilty of an offence under section 36(1)(b) of the Building Code Act, 1992, S.O. 1992, c. 23; if the person:
 - (1) Fails to comply with an order, direction or other requirement made under this chapter; or
 - (2) Fails to comply with a standard prescribed in this chapter.
- B. Every director or officer of a corporation who knowingly concurs in the furnishing of false information, the failure to comply or the contravention under Subsection A is guilty of an offence.

- C. 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 any subsequent offence(s).
- 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.

ARTICLE 7

Transition

§ 629-7.1. Transition.

- A. Where a person is alleged to have contravened this chapter or an order, direction or other requirement made under this chapter before May 1, 2027, this chapter as written on April 30, 2027, continues to apply for purposes of any appeals or other enforcement proceedings brought by or against the person until the proceedings have been concluded.