



CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: December 7th, 2021

NO. \_\_\_\_\_

MOVED BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

“BE IT RESOLVED THAT the following candidates, who have signified in writing their interest in being appointed to a Vacant Councillor Seat, be considered for appointment to fill such vacancy:

1. Kim Brooker
2. Bart Castelyn
3. Kenneth Ferance
4. Richard Gould
5. Sarah Homer
6. John Richardson.”

CARRIED \_\_\_\_\_

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEAS</u>	<u>NAYS</u>
Coun Cross	_____	_____
Coun	_____	_____
Coun	_____	_____
Coun Shippam	_____	_____
Mayor Pennell	_____	_____

CORPORATION OF THE MUNICIPALITY OF CALVIN

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DATE: December 7th, 2021

NO. \_\_\_\_\_

MOVED BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

“THAT \_\_\_\_\_ and \_\_\_\_\_ be appointed as Councillor for the Corporation of the Municipality of Calvin for the remainder of the (Term of Office) 2018-2022 Term of Council.”

CARRIED \_\_\_\_\_

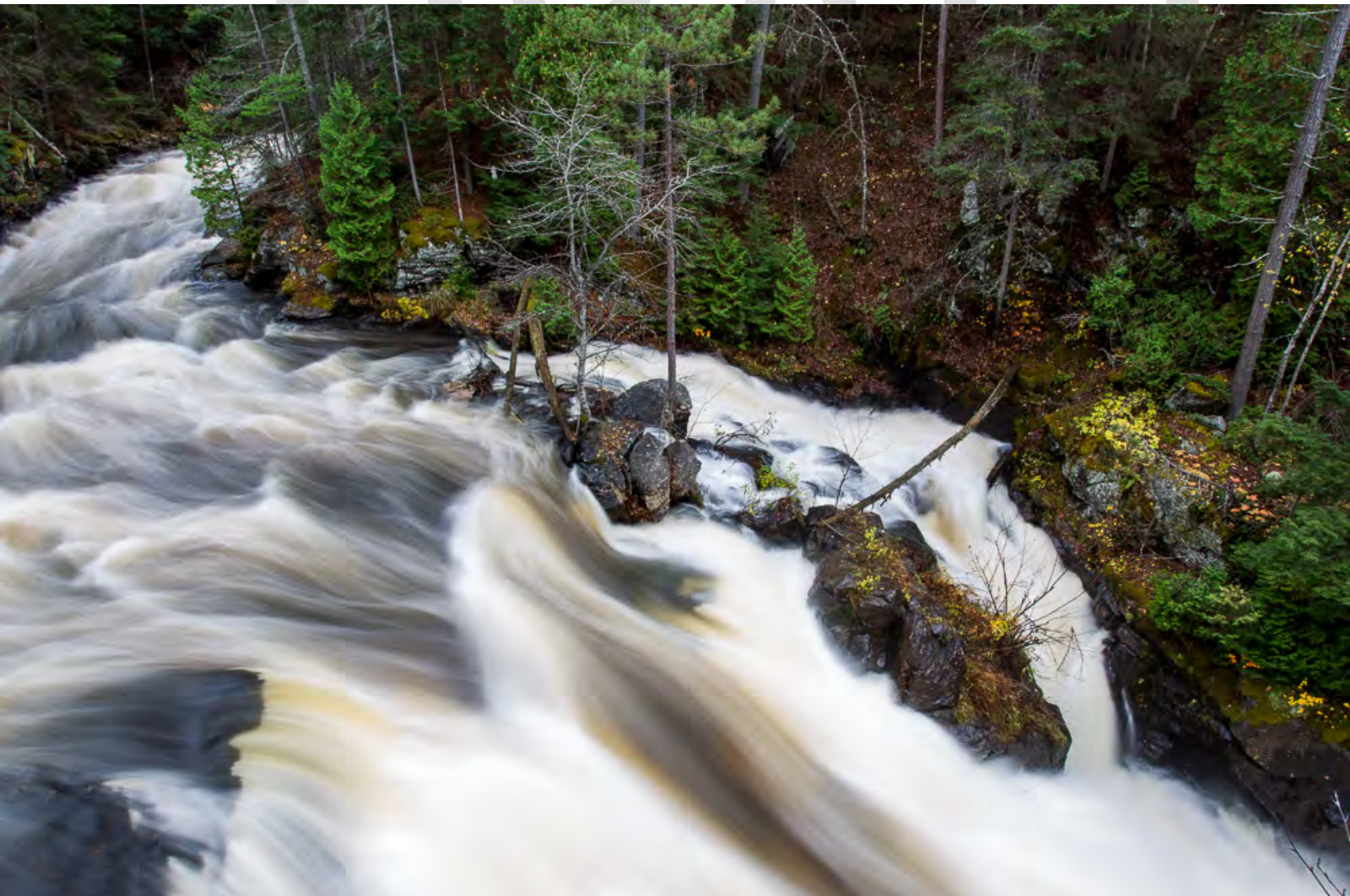
DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEAS</u>	<u>NAYS</u>
Coun Cross	_____	_____
Coun	_____	_____
Coun	_____	_____
Coun Shippam	_____	_____
Mayor Pennell	_____	_____



# Municipality of Calvin Strategic Plan 2022-2026

DRAFT



# Message from Council

On behalf of the Council and staff of the Municipality of Calvin, we are pleased to present the 2022-2026 Strategic Plan. The Plan articulates goals and objectives for the next five (5) years. It is a communication tool to inform residents of the direction the Municipality would like to take and how it will be achieved.

This document represents our compass to the future. It builds on some of the elements residents were looking for when they elected their new Council including openness and transparency. It continues to focus on building a vibrant, safe and healthy community for the next leg of the Municipality's journey.

The strategic planning process began in late 2019, taking 25 months to formulate. Council has put a lot of thought, time and effort in putting the plan together, attempting to include all the ideas put forth with a direction that would support the Vision and Mission Statement of our community.

The Strategic Plan does not capture everything the Municipality does each day for our citizens. Rather it captures the significant measures necessary to move on priority goals. It also takes into account several important stakeholder perspectives and considerations from constituents identified through the 2018 election campaign, our strategic plan community survey, staff, direction from previous Council and directions received through the Legislative Agenda. This will be our first Strategic Plan and it will be reviewed every five (5) years from this point on for completion of goals and readjustment if necessary.

The Strategic Plan will guide the Municipality's budget over the next five (5) years. It is through the budget process that Council's Strategic Plan will be implemented with details on actions, timing, required resources and accountability. On an annual basis, Council will report to citizens of Calvin on its implementation progress and how the work is impacting our community. In closing, we wish to thank everyone who provided input as we prepared our Strategic Plan. Your voice is valued!



# Strategic Plan

## Vision and Mission Statements

### VISION

Calvin is a rural, family-based community that embraces change while respecting the rich heritage and culture of our area. With the participation of our residents and ongoing partnerships with our neighbouring communities, we will continue to develop the Municipality of Calvin as an affordable, accessible and safe place to live, work and play.

### MISSION

To build a strong rural and safe community dedicated to the preservation of our heritage and culture as well as the development of our natural and human resources. To promote and cultivate our forward thinking community and to grow our partnerships through collaboration and resource sharing with our neighbouring communities.



# Strategic Plan

## Strategic Goals & Objectives

Goals	Objectives
<b>1. Increase the life of our Landfill</b>	<p>1.a) Continue to be proactive with limiting divertible items over the edge.</p> <p>1.b) Investigate a potentially different flow of vehicles at the landfill, to make the flow more efficient and safer.</p> <p>1.c) Purchase of a new compactor truck to increase compaction rates even more.</p> <p>1.d) Enforcement of transparent bag use so employees can educate citizens on divertible materials.</p> <p>1.e) Signage/Educational materials for divertible materials at the landfill.</p>
<b>2. Municipal Vehicles</b>	<p>2.a) Investigate the purchase/lease of a pickup truck for use by all departments.</p> <p>2.b) Investigate what type of vehicle (4 X 4, ¾ ton), plus appropriate accessories</p> <p>2.c) 3-5 year timeframe</p>

### **3. Animal Control**

- 3.a) Educational campaign for dog tags and the importance of them.**
- 3.b) Investigate costs associated with microchipping dogs, a chip reader and obtaining access to the appropriate database.**
- 3.c) Investigate Shared Services with local Municipalities.**
- 3.d) Set up a social media campaign to encourage residents to licence their dogs as well as taking photos of their dogs so they are easier to return to their owners.**

### **4. Financing for Future Infrastructure**

- 4.a) Reserves need to be built back up for future plans for the Municipality. Funding from the upper levels of government are slowly disappearing and therefore we need to help ourselves.**
- 4.b) Future growth projects need to be determined, develop a plan for the Recreation Facilities for the next 5 years and then begin to set aside appropriate funds for them.**
- 4.c) Investigate fundraising opportunities.**
- 4.d) Support affordable housing initiatives, friendly senior services including Cassellholme expansion.**
- 4.e) Investigate the costs associated with a Roads Needs Study, potentially reducing the costs if other Municipalities are done at the same time.**

### **6. Training for Council**

- 6.a) Establish a training budget for Members of Council especially within the first year on Council. Estimated cost is \$5000 per year.**





# **Strategic Planning Workbook**

## **Municipality of Calvin**

## What is Strategic Planning?

“Strategic planning is essentially the process of determining a municipality’s long-term vision and goals, and developing the action plan for achieving those goals. It is also a good method for council and senior management to communicate strategic priorities to staff and citizens, thereby providing direction for internal operating departments to align their service delivery channels with these priorities” (Strategic Planning for Municipalities, Plant, 2008, p3).

There are many key reasons for going through the strategic planning process and developing a strategic plan. The following are some key reasons:

- to establish a vision of where Council, staff and citizens want to be - collectively;
- to plan for the future;
- to develop a plan on how to achieve priorities;
- to maximize municipal resources;
- to communicate the shared priorities to stakeholders.

Furthermore, there are many benefits of going through the strategic planning process for council and staff. For Council members, they:

- get to hear from their peers what each wants to achieve;
- identify where they have consensus and where they want to focus their energies and funds;
- recognize their collective potential;
- recognize the need to balance their objectives with financial and other limitations; and
- are better able to communicate collectively to the public and staff.

For staff, they get:

- the opportunity to hear what the new council members will want them to achieve over the next few years;
- the opportunity to work with council in an informal setting;
- the opportunity to introduce and explain issues that new council members may not have been aware of;
- a basis on which to consider budgets and new initiatives/priorities.

## Objective of this Workbook

The objective of this workbook is to get Council members thinking in advance about the strategic planning process, their priority initiatives, how the priorities can be achieved, and the future they envision for the municipality. Ideally, this workbook will guide Council in the development of a thoughtful plan that is concise and operational.

## **Our Plan**

There are many different frameworks and methodologies used during strategic planning processes, and there are no absolute rules regarding the right framework or what we name our plan. The following are examples of strategic planning introductions for some municipalities. Read the statements to get an idea of what fits with what you would like to see us accomplish for East Ferris.

### **Township of Tiny**

On behalf of the Council and staff of the Township of Tiny, we are pleased to present our new Strategic Plan. This document represents our compass to the future. As a roadmap for strategic change, this new Strategic Plan reflects Council's collective commitment to action. At the same time, this document will guide the actions of staff and the allocation of both human and fiscal resources to ensure that our objectives, individually as community leaders and as Township staff will be aligned in keeping with the priorities contained herein. This Strategic Plan will guide the actions of Council over the balance of this term of Council. It will however, also offer a platform for future Councils to act on the priorities identified by our community. The development of this document has been led by Township Council but at every stage in its development, it has been informed by our community members – the taxpayers we serve and our community partners. We have a great deal to be proud of and despite the different roles we play – as elected community leaders, as community partners, as taxpayers and community member and as staff – we share a common objective: to value what we have and to make it better.

### **Town of Caledon**

On behalf of the Town of Caledon Council and staff, we are pleased to present the 2015-2018 Council Work Plan. This Work Plan, initiated in 2015, sets out clear and attainable priorities and actions that reflect our community's needs. The priorities and actions have been championed by all members of Council and our staff leadership team. The Work Plan was co-ordinated by staff at two Special Council Meetings and engagement of over 70 staff across the Town, plus your members of Council. Together, just over 80 actions across nine approved priority areas have been identified for completion during this Council term. We've compiled those priorities and actions in this open and transparent format, so you know exactly what we will be working on during this term of Council (2014-2018). The Work Plan guided the Town's 2016 budget process, and will continue to guide Council for the duration of its term. We wish to thank everyone who helped develop this Plan including residents who participated at our various community engagement sessions. Your input was imperative to creating this Work Plan that will guide us now and in the years to come.

## City of Ottawa

The City of Ottawa Strategic Plan articulates the Term of Council Priorities as well as the strategic objectives and strategic initiatives that are associated with them. It is the main communications tool to inform residents of the direction and strategic goals of the City, and how these goals will be attained during the 2015–2018 Term of Council. A new City Strategic Plan is created every four years to coincide with each Term of Council. The City Strategic Plan does not provide a complete list of the services and programs the City provides, but rather captures the significant initiatives that address the priorities for the 2015–2018 Term of Council. While drafting the proposed Term of Council priorities, the City took into account several important stakeholder perspectives and considerations including:

- Constituents: Community priorities that were identified through the 2014 electoral platforms.
- Direction from Previous Council: Received through the Legislative Agenda process.
- Previous City Strategic Plan: Strategic initiatives identified in the 2011-2014 City Strategic Plan that have remaining phases before being fully completed.

## City of Sudbury

The City of Greater Sudbury City Council is pleased to present its 2015 to 2018 Corporate Strategic Plan. Your Council has worked hard to incorporate the themes that are important to our citizens. Citizens have asked us to focus on better roads and to take care of our existing infrastructure. They want economic growth to create more jobs, and the resources to support our community needs and enhance our great lifestyle. They want an open and transparent government. City Council held two full-day Strategic Planning sessions to develop its shared priorities. Four key pillars emerged from this collaboration: Growth and Economic Development, Responsive, Fiscally Prudent, Open Governance, Quality of Life and Place, and Sustainable Infrastructure. While we took a longer term view, the strategic priorities in this Plan coincide with the term of Council. It is important to remember that the Strategic Plan does not capture everything the City does each day for our citizens. We will continue to provide the quality services our citizens depend on every day. This Strategic Plan has a focus on positive change and a dynamic sense of direction. In keeping with our values, we will “act today in the interests of tomorrow.” City Council will ask Administration to present a separate, phased Implementation Plan to provide the details on how this Plan will be executed – administrative leads, timelines, milestones and progress indicators.

After your review of the above noted examples, please respond to the following 3 questions:

1. We will name our Plan the Municipality of Calvin STRATEGIC PLAN/GOALS  
(Work Plan, Strategic Plan or Other)?
2. The Plan will cover the following number of years 5-10 years (Remainder of the Council term, 5 years or other)?

3. Circle the words from the following list that you associate with what we as Council will be setting:

Strategic themes

Strategic goals

Strategic priorities

Strategic directions

Objectives

Actions

Measurements

Budgets

## Steps in Developing Calvin's Strategic Plan

### *Getting Started and Key Dates*

In business, it is often suggested that the best person to lead the planning team is the owner or most senior manager. At a municipal level that represents the citizens via their elected officials and the senior staff retained to deliver on what citizens view as important. Therefore, the success of the development of Calvin's Strategic Plan rests on the active participation of all members of Council and senior management staff to take into consideration the comments received from citizens through public consultation. The following is a suggested 4 remaining steps process:

1. February 2020 - Public consultation – Citizen Survey to identify community priorities.

February 2021 – Public consultation – SWOT Analysis (limited submissions)

2. April 6, 2021 Meeting - Focus on where the Municipality of Calvin is at now and on where we would like to go. Meeting to review council priorities versus input received by citizens. Begin to develop a list of the strategic initiatives.
3. June 1, 2021 Meeting - Develop a list of the strategic initiatives.
4. August 3, 2021 Meeting - Staff input on feasibility, risks, pro-forma costs and other considerations in order to determine whether the suggested initiatives are attainable. Council makes decision on which initiatives to include in Strategic Plan.
5. October 5, 2021 Meeting - Draft of Strategic Plan brought to Council
6. December 7, 2021 Meeting - Approval of Strategic Plan

## **Step One: Where Are We Now and Where Do We Want to Go?**

### **Part One: Mission and Vision Statements**

A mission statement is a short statement of an organization's purpose, what its overall goals are, what kind of product or service it provides, its primary customers or market, and its geographical region of operation. The municipality's current mission statement is as follows:

*“To build a strong rural and safe community dedicated to the preservation of our heritage and culture as well as the development of our natural and human resources. To promote and cultivate our forward thinking community and to grow our partnerships through collaboration with our neighbouring communities.”*

From your point of view, should the current mission statement be amended and if so, please provide comments.

    Add .....through collaboration **and resource sharing** .....

    This will be completed in the draft version of the Strategic Plan

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The vision statement is the dream; the mission statement is the intended reality. The municipality's current vision statement is as follows:

*“Calvin is a rural, family-based community that embraces change while respecting the rich heritage and culture of our area. With the participation of our residents and ongoing partnerships with our neighbouring communities, we will continue to develop the Municipality of Calvin as an affordable, accessible and safe place to live, work and play.”*

From your point of view, should the current vision statement be amended and if so, please provide comments.

    No changes requested.

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### **Part Two: Input to Planning Process**

**Please list the issues and priorities you have been made aware of by citizens since the 2018 electoral campaign process.**

*-Cassellholme*

*-Programs for the Elderly*

*-Roads – Hard Surfacing*

*-Bring back activities and functions for the Community at the Community Centre*

*-Keep Taxes Low*

*-Video Access for Council Meetings*



**The municipality must comply with various pieces of legislations. Accordingly, please identify major issues or obligations in complying with legislation that you believe are currently facing the municipality.**

- Asset Management Plan – Need to put money away for future, challenge for us to pay in advance, Cassellholme is a big ticket, levies are a concern (especially DNSSAB – Why so high?)*
- Police Services are expensive as well but required*
- Need to have Shovel Ready Projects for potential Grants with short turnaround times*
- Cassellholme and the Algonquin Nursing Home*
- Training for Council (put money away for training)*
- Landfill – Saving for closure and reopening of new site*

**While Council members serve for a four-year term, it is important to ensure continuity with the work plan of previous Councils. Accordingly, please list priorities or initiatives that you view as unfinished business stemming from previous Council(s).**

- Cassellholme*
- Solutions for Stewarts Road*
- Transparency – Increased amount of Closed Meetings this term, reluctance to say whats on mind, develop a relationship amongst ourselves, be more open to questions to interpret correctly (E4M helping us move forward)*

### **Part Three: Environmental Scan**

A SWOT analysis is a study undertaken by an organization to identify its internal strengths and weaknesses (attributes of the organization) as well as its external opportunities and threats (attributes of the environment).

#### Strengths

The positive attributes, tangible and intangible that are internal to the municipality and within our control.

- What we do well
- What resources we have
- What advantages we have over our competition (neighboring communities)

#### Weaknesses

Factors that are within our control that we might want to improve to accomplish our objectives.

- Lack of expertise
- Limited resources
- Lack of access to skills or technology

## Opportunities

Factors that may enable Calvin to prosper.

- Community growth
- Resolution of problems associated with current situations
- Positive perceptions about our Municipality
- The ability to offer greater value

## Threats

Factors beyond our control that could place the municipality at risk or cause us problems. By identifying them, we can develop contingency or risk mitigation plans to address them.

- Governmental regulations
- Economic downturns
- New technology that makes equipment or services obsolete
- Negative media or press coverage

The internal strengths and weaknesses, compared to the external opportunities and threats offer additional insight into the condition and potential of Calvin. How can we use the strengths to take advantage of the opportunities ahead and minimize the harm that threats may introduce if they become a reality? How can we minimize or eliminate weaknesses? The true value of the SWOT analysis is to bring this information together, to assess the most promising opportunities, and identify the most crucial issues.

Please see below what has been submitted by the public, staff and Council for the SWOT Analysis:

<b>Internal</b>	<b>External</b>
<b>Strengths:</b> <ul style="list-style-type: none"><li>• Staff – Experience (many with 10 years plus), Knowledgeable, Works well together, dedicated and loyal, willing to help the public to find the information they need, have kept things running smoothly during pandemic</li><li>• Fire Services – Highly Skilled Volunteers and well equipped</li><li>• Shared Services with Neighbouring Communities to help each other out and save costs.</li></ul>	<b>Opportunities:</b> <ul style="list-style-type: none"><li>• Encourage and Promote Development of Broadband Within our Municipality</li><li>• Educate Residents and Research and Expand Landfill Recycling where Possible to Extend Landfill Life</li><li>• Work Towards Blue Box Producer Recycling Responsibilities</li><li>• Explore Possibilities of Group Buying for all Municipal Services and Purchases</li><li>• Follow the Recommendations of Ratepayers who Responded to Surveys</li></ul>

<ul style="list-style-type: none"> <li>• Municipal Roads, Road Care and Maintenance are the best in the area and well equipped</li> <li>• Communication with the public – Website, YouTube, Newsletter, Facebook/Twitter, Citizens Alert App.</li> <li>• Staff are continually involved in Professional Development</li> <li>• Policies &amp; Procedures – Developing all the time.</li> <li>• Large and Well-Maintained Community Hall with playground, ball fields and ice rink – Good for Community Size.</li> <li>• Tourism – Eau Claire Gorge, Smith Lake, Samuel De Champlain Provincial Park and Ecology Center, Lots of Crown Land, Rivers and Natural Beauty</li> <li>• Close to North Bay and Mattawa, and not that far from Toronto or Ottawa</li> <li>• Organized and Efficient Landfill</li> <li>• Snow Machine Trails</li> <li>• Clean Air and Environment</li> <li>• Low taxes and Safe Community</li> <li>• Affordable prices for land and housing</li> <li>• Tolerable land for some farming</li> <li>• Council committed to keep financially responsible</li> <li>• Renewable Resources – Logging-Farming-Recreation</li> <li>• Retirement Community</li> <li>• Easier to get involved in community – Volunteering</li> <li>• Shorter commutes to work</li> <li>• Slower pace and lifestyle</li> <li>• Well managed Landfill Site, Staff is great, Recycling program is exceptionally good for a small community.</li> <li>• Involved in Veterinary Assistance Program for Large Animal Vets for mileage subsidies.</li> <li>• Use the facilities we have even if not organized event</li> <li>• Hiring students - good first job opportunity – working with the public, working in all weather conditions, doing</li> </ul>	<ul style="list-style-type: none"> <li>• Provide Ongoing Training the Staff and Council as Suggested by e4M</li> <li>• Look at Establishment of CAO when Roads Superintendent Retires.</li> <li>• Talon Lake Dock – Improvements badly needed.</li> <li>• Develop a Local Services Page on Website</li> <li>• Sport &amp; Recreation – Need Seniors and Kids programs.</li> <li>• Access to more local lakes – Crooked Lake, Johnson Lake, Bouillon Lake</li> <li>• Animal Control</li> <li>• New People Moving into Region</li> <li>• More people willing to live in Rural areas</li> <li>• People returning to their roots</li> <li>• Unused park space and community centre</li> <li>• Senior Housing as well as other housing</li> <li>• Parking needed for tourists.</li> <li>• Expand Hard Surfacing (Tar &amp; Chip)</li> <li>• Encourage New Business and Tourism</li> <li>• Space available for development</li> <li>• Increase rentals of recreation facilities</li> <li>• Invest in Aging Infrastructure</li> <li>• Marketing and Promotion of Municipality</li> <li>• Bike Route</li> </ul>
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<p>tasks that are not ideal but learning to do so in a safe manner.</p> <ul style="list-style-type: none"> <li>• Increase relationships between vet/client, more information sharing.</li> <li>• Self Sufficient Community</li> <li>• Seasonal residents</li> <li>• Culture</li> <li>• Good Community Minded Individuals</li> </ul>	
<p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• Put funds aside for Department Vehicles and Equipment Purchases</li> <li>• Staff Morale (low)</li> <li>• Put Funds Aside for Infrastructure such as Roads</li> <li>• Put Funds Aside for Municipal Property Upkeep and Improvements to Municipal Grounds, the Cemetery, the Ball and Soccer Fields and the Ice Rink.</li> <li>• Lack of Transportation Services</li> <li>• Animal Control</li> <li>• Occasional petty disagreements among councillors, Council not functioning properly.</li> <li>• Animosity from Council towards municipal employees, does not appreciate that Staff are continuously working to improve our services, publicly humiliates staff</li> <li>• Lack of Professional Development for Staff and Leadership Development for Council</li> <li>• Calvin is one of the least well known municipalities in the Near North and not on most maps</li> <li>• Limited signage from Hwy 17</li> <li>• Lack of volunteers – very difficult to hold volunteers as both parents working, very limited amount and get burn out.</li> <li>• Lack of community programs or involvement – limited number of participants so difficult to maintain programs.</li> </ul>	<p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Increased Costs of Senior Care – Cassellholme &amp; Algonquin Nursing Home</li> <li>• Seniors Alone at Home – Continue Working Towards the Community Safety and Well Being Plan</li> <li>• Limited Employment Opportunities/High Unemployment Rate</li> <li>• Lack of Recreational Activities</li> <li>• Loss of Revenue &amp; Downloading from Province</li> <li>• Increased Municipal Levies</li> <li>• Upkeep and Maintenance of Municipal Buildings</li> <li>• Landfill Closure Planning and Management – Need to build reserves and plan for this.</li> <li>• Shrinking Population (approximately 10% per census since 2001)</li> <li>• Lack of new businesses in region, no stores selling staples.</li> <li>• Lower Income Area</li> <li>• No eating establishments</li> <li>• Lots of black flies, mosquitos and deer flies</li> <li>• Changes in Government Grants</li> <li>• Aging Population – loss of growth</li> <li>• Aging infrastructure</li> <li>• Cost of Emergency Services (Fire and Police)</li> <li>• Loss of volunteers</li> <li>• Lack of good jobs/High Unemployment/Lack of Skilled Workers</li> </ul>

<ul style="list-style-type: none"> <li>• Attraction for Tourism</li> <li>• Limited land base for expansion</li> <li>• Very little support for existing or new businesses</li> <li>• No High Speed Internet and Poor Cell Phone Coverage</li> <li>• Lack of Local Doctors</li> <li>• One forest industry plant that has suffered for years</li> <li>• Road Superintendent Retiring soon</li> <li>• Current Recreation Facilities are not used but residents want more things to do, Difficult to promote the community hall as there is limited facilities to support having weddings, etc.... i.e. No hotels close by, Council often allows the free use of the facility.</li> <li>• Landfill Attendant is retiring age</li> <li>• Due to the pandemic, some residents have stopped recycling, hopefully that will change after pandemic over.</li> <li>• Difficult to entice a large animal vet to practice in the north. Current vets are aging.</li> <li>• Disadvantaged for contract negotiation because of small size (i.e. Supply purchasing, water diversion contract, board levies)</li> <li>• Not taking advantage of new technology (Debit at landfill and office, hand digging graves vs. with appropriate machinery, EDraulic equipment for fire dept.)</li> <li>• Low number of staff</li> <li>• Aging Infrastructure</li> <li>• Rising Operating Costs</li> <li>• Limited Funding for Projects.</li> <li>• Economic development</li> <li>• Human Resources</li> <li>• Police Services</li> <li>• Continuity</li> <li>• Community Support</li> <li>• Too many projects on the go at the same time and not enough resources</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of Entertainment facilities</li> <li>• Drug and Alcohol Abuse</li> <li>• Lack of Municipal Funding</li> <li>• Negativity spread throughout community through Social Media/Word of Mouth</li> <li>• Pandemic</li> <li>• Over Regulated – Severance, Permits, Red Tape</li> <li>• Eau Claire Gorge in need of repairs, concerns that the Municipality will need to help the NBMCA with this?</li> <li>• Lack of organized events make people think facilities are not necessary</li> <li>• Council/Staff Relationship is poor</li> <li>• Low number of staff</li> <li>• Aging front line vehicle for Fire Dept</li> <li>• Focussing on the problems of some and neglecting the responsibility to look out for the community as a whole.</li> <li>• High Taxes</li> <li>• Amalgamation</li> <li>• Morale, Commitment, Leadership</li> <li>• Staff Burn-Out, may lose staff if the working relationship with Council is not remediated</li> <li>• Lose trust with the public</li> </ul>
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## **Consolidation of Strengths and Weaknesses of Council/Survey:**

### **Strengths:**

- Staff in General: Clerk-Treasurer, Roads (well managed), Fire Department, Landfill*
- Seasonal Residences*
- Culture, Economic and Housing Development, Tourism and Travel (Need to let people know where we are)*
- Hall, Playground and Ball Fields (However liability is a concern for certain events)*
- Low Taxes*
- Safe Community and Rural Environment (lots of Green Space)*
- Policies and Procedures – Developing all the time*
- Council committed to keep financially responsible*
- Vet Assistance*
- Recycling Program (Staff very helpful and further expansion would be encouraged)*
- Hiring students from within our community*
- Our Agricultural Sector*
- Our Natural Surroundings – not heavily populated, lots of water*
- Working with providers for Broadband internet*
- Increased Access to Lakes*

### **Weaknesses:**

- Animal Control*
- Sports and Recreation, Senior Development, Programs for Children*
- Lack of Money for programs, projects, services, events, etc... Need to think outside the box to generate more revenue to fund some of the programs for seniors and children*
- Low morale of Staff*
- Need to protect Agricultural Land from Development*
- Need High Speed Internet*
- Rising Operating Costs (more funding required by upper levels of Government (Provincial and Federal))*
- Integrity Commissioner creates a lot of negativity and requires a lot of energy*
- Training of Council*
- Support for Businesses*
- Retiring Employees*
- Fire Truck Vehicles*



### **Additional Comments of Council:**

-Business Support – Monthly information provided, directory of businesses (already on our website but where else), more use of our website, promote people who live here and their businesses

-Further support should be coming upper levels of government as property taxes is the only way the Municipality can help businesses

### **Part Four: Where Are We Going?**

When we look ahead four to five years from now, what will we want the Municipality of Calvin to have achieved?

-CAO Managing Municipality – No staff reports to Council except CAO, Chain of Command would be stronger

### ***Step Two: Summary of Strategic Initiatives and Consensus***

Council and staff meet to review council member's priorities and input received by citizens through public consultation (survey and SWOT). The goal of this meeting would be to develop a list of the strategic initiatives and gain consensus on what potential priorities should be included in the final strategic plan. The final initiatives will be dependent on the findings of Step Four. Although it would be nice to include all of initiatives put forth by Council members and citizens, there are limitations on staff, time and financial resources.

### ***Step Three: Staff Input***

Staff to provide input to Council on feasibility, risks, pro-forma costs and other considerations in order to determine whether the suggested initiatives are attainable. Based on the information, Council will decide on which initiatives to include in the Strategic Plan.

### ***Step Four: Finalization of Strategic Plan Document and Approval by Council***

Once Step Four is completed, staff will finalize the Strategic Plan document for presentation and approval by Council.

#### **Suggested Components of the Strategic Plan:**

- Introduction and background
  - Description of strategic planning process
  - New vision and mission statement
- Public Consultation
  - Survey template and survey results

- SWOT Analysis
- Summary of Strategic Initiatives
- Implementation Timeline
- Measuring performance
- Communicating Results

### **Future Steps:**

Implementation Timeline – *To be developed at a later date once plan has been approved.*

Measuring Performance – Key Performance Indicators - *To be developed at a later date once plan has been approved.*

Develop plan to communicate results to citizens – *To be developed at a later date once plan has been approved.*

CORPORATION OF THE MUNICIPALITY OF CALVIN

**Resolution**

DATE December 7th, 2021

NO. \_\_\_\_\_

MOVED BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

“That the next meeting for the development of the Municipality of Calvin’s Strategic Plan will be held February 1, 2022, if required, as a Special Meeting of Council.

Directives to Clerk-Treasurer – To make the suggested changes to DRAFT Strategic Plan as indicated by Council and bring the revised DRAFT to the Special Meeting of Council on February 1, 2022. If no, changes are required then the Strategic Plan can be brought forth at the next regular Council Meeting for approval.

CARRIED \_\_\_\_\_

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
<u>Coun Cross</u>	_____	_____
<u>Coun</u>	_____	_____
<u>Coun</u>	_____	_____
<u>Coun Shippam</u>	_____	_____
<u>Mayor Pennell</u>	_____	_____

**BY-LAW 2006-01**

**PROPERTY STANDARDS**

**THE CORPORATION OF THE TOWNSHIP OF**

**PAPINEAU-CAMERON**

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

BY-LAW NO. 2006-01

Being a by-law to provide standards for  
the Maintenance and Occupancy of Property  
in the Township of Papineau-Cameron

WHEREAS Section 15.1 (3) of the *Building Code Act, S.O. 1992, c 23*, and amendments thereto, provides that a Council may pass By-laws for:

- (1) Prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform to the standards;
- (2) Requiring property that does not conform to the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.

AND WHEREAS the Official Plan Amendment # 1 of the East Nipissing Planning Board, Section 2.7, includes provisions relating to property conditions, and such Official Plan applies to the Township of Papineau-Cameron;

NOW THEREFORE the municipal council of the Corporation of the Township of Papineau-Cameron hereby enacts as follows.

# Township of Papineau-Cameron

## PROPERTY STANDARDS BY-LAW

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## SECTION 1 - GENERAL

### 1.1 Short Title

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

## SECTION 2 - DEFINITIONS

### 2.A

#### **Accessory Building**

Shall mean a building naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.

### 2.B

#### **Balustrade**

Shall mean 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; such barrier may or may not have openings through it.

#### **Basement**

Shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of ground adjacent to the exterior walls of the building.

#### **Bathroom**

Shall mean a room containing at least a washbasin and toilet and bathtub or shower, or two rooms which contain in total at least one washbasin and one toilet and one bathtub or shower.

#### **Boarding or Lodging House**

Shall mean a building in which the owner or lessee provides not more than four (4) guest rooms for accommodation, with or without meals, for monetary gain.

#### **Building**

Shall mean any structure used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code*.

## 2.C

### **Cellar**

Shall mean that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the average level of ground adjacent to the exterior walls of the building.

**Chief of Fire Department** - means the Chief of the Volunteer Fire Department of the Corporation of the Township of Papineau-Cameron

### **Commercial Property**

Shall mean a property used for the sale of goods and/or services for the purposes of this By-law shall include office buildings, public halls, licensed premises and private clubs, and any building that is used in conjunction with these.

### **Committee**

Shall mean the Property Standards Committee as established under this By-law.

### **Corporation**

Shall mean the Corporation of the Township of Papineau-Cameron.

## 2.D

### **Dwelling**

Shall mean a building occupied or capable of being occupied as the home or residence of one or more persons, which shall not include a boarding house, hotel, motel or similar commercial use of a private or semi-private institution.

### **Dwelling Unit**

Shall mean one room or a group of rooms in one (1) building, used for residential occupancy, housing food preparation and sanitary facilities and a private entrance from the outside of the building or from a common hallway or stairway inside the building.

**Discarded Motor Vehicle** means a vehicle which is unlicensed and/or a vehicle which is in disrepair, having missing parts, including tires or damaged or missing glass or deteriorated or removed metal adjunctions which make its normal use impossible, save and except for any vehicles actively being restored.

## 2.F

### **Fire Resistance Rating**

Shall mean the time in hours that a material construction or assembly will withstand the passage of flame and transmission of heat when exposed to fire under specified conditions of test and performance criteria as stated in the *Ontario*

*Building Code.*

2.G

**Graffiti**

Shall mean one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include an authorized sign.

2.H

**Habitable Room**

Shall mean a room commonly used for living purposes, including a bedroom and a kitchen but not including any space in a dwelling used as a lobby, hallway, closed, or bathroom or any room having floor space of less than 4.6 m<sup>2</sup> [49.5 ft.<sup>2</sup>].

2.I

**Industrial Property**

Shall mean a property used for the manufacturing and/or processing of goods or used for the storage of goods or raw materials and any property that is used in conjunction with these uses.

2L **Land** shall mean the land around or appurtenant to the whole or any part of a premises and used or intended to be used, or capable of being used in connection with the building.

2.M

**Maintenance**

Shall mean the preservation and keeping in repair of a property.

**Means of Egress**

Shall mean a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp, window, or other egress facility for the escape of persons from any point within a building, floor area, room or contained open space to a public thoroughfare or approved open space and includes exits or access to exists.

**Multiple Dwelling**

Shall mean a building containing two or more dwelling units, other than a semi-detached dwelling.

**Multiple Use Building**

Shall mean a building containing both a dwelling unit and a non-residential use.

2.N

**Non-Habitable Space**

Shall mean any space in a dwelling or dwelling unit other than a habitable room, and includes any bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, boiler room or other space for service and maintenance or common use, and for access to and vertical travel between storeys; and any unfinished basement.

**Non-Residential Property** - a building or structure not occupied or capable of being occupied in whole or in part for the purposed of human habitation and includes those lands and premises appurtenant thereto.

2.O

**Occupant**

Shall mean any person or persons over the age of eighteen years in possession of the property.

**Occupancy**

Shall mean the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

**Officer**

Shall mean a property standards officer as may from time to time by Council be assigned the responsibility of administering and enforcing this By-law.

**Outdoor Storage** shall mean the land used for the purposes of storing builder's supplies or materials salvaged from any demolition of a building either for storage or salvage for reuse or sale or the storing of any other industrial commercial goods, wares or merchandise.

**Owner**

Shall mean the person for the time being paying the municipal taxes or managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, and shall also include 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 the property.

## 2.P

### **Property**

Shall mean 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 vacant property.

### **Public Building**

Shall mean a building which is staffed by government personnel for the purpose of servicing the public.

## 2.R

### **Repair**

Shall mean the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall conform to the standards established in this By-law. All repairs shall be made in conformity to the *Ontario Building Code*, the *Ontario Water Resources Act*, the Electrical Safety Code, the Fire Code the *Environmental Protection Act*, the *Elevating Devices Act* and similar legislation.

### **Residential Property**

Shall mean any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such an establishment.

### **Roomer or Lodger**

Shall mean a person harboured, received or lodged, in a lodging house or boarding house in return for compensation.

## 2.S

### **Sewage**

Shall mean any liquid waste containing animal, vegetable or mineral matter in suspension or solution, but does not include roof water or other storm runoff.

### **Sewage System**

Shall mean the Township's sanitary sewerage disposal system approved by the Medical Officer's of Health and/or the Ministry of the Environment or an individual on-site sewage system approved under the *Building Code Act* or the *Environmental Protection Act*.

**Standards**

Shall mean the standards of physical conditions and occupancy set out in this By-law.

**2.T**

**Toilet Room**

Shall mean a room containing a water closet and washbasin.

- 2U Unlicensed** means the lack of a currently validated permit for the vehicle affixed to a number plate displayed on a motor vehicle within the meaning of the Highway Traffic Act, as amended.

**2.W**

**Wall**

Shall mean the solid vertical structure forming any one of the sides of a building and/or a partition forming the side of a room.

**Waste Material** means any garbage, refuse, debris, litter, domestic waste and, for greater certainty but not so as to restrict the generality of the forgoing, includes, whether of any value or not, the following:

- a) weighty or bulky materials such as stoves, refrigerators and other such appliances, furniture, furnace parts, pipes, water or fuel tanks;
- b) discarded motor vehicles, automotive parts, vehicle parts and accessories, mechanical equipment, mechanical parts, unmounted tires, tires mounted on rims and mechanical equipment.
- c) broken concrete, broken asphalt, patio/sidewalk slabs, bricks, interlocking bricks, unused building materials, pallets, rail road ties;

**2.Y**

**Yard**

Shall mean an open, uncovered space appurtenant to any property or any part of a building or structure and used or intended to be used or capable of being used in connection with said property.



## SECTION 3 - MAINTENANCE OF ACCESSORY BUILDINGS AND YARDS

### 3.1 Accessory Buildings, Fences and Other Structures

- 3.1.1 Accessory buildings, fences and other structures, including retaining walls appurtenant to the property shall be maintained in a structurally sound condition and in good repair and free from health, fire and accident hazards.
- 3.1.2 Accessory buildings, fences and other structures shall be protected from deterioration by the application and maintenance of weather resistant materials (i.e. paint or other suitable preservative) or through the use of maintenance free construction materials.
- 3.1.3 Despite **Section 3.1.2**, preservatives may be exempted where the aesthetic characteristics of the building are specifically designed to be enhanced by the lack of such materials and the standards in **Section 3.1.1** are upheld.
- 3.1.4 Fences, approved enclosures and retaining walls around or on a property shall be kept free from posters, signs, notices, advertising materials or defacement or disfigurement. Fences and gates around swimming pools shall also be maintained in accordance with Zoning By-law 2000-11. The height and materials used in the construction or installation of fences shall be in accordance with Zoning By-law 2000-11.
- 3.1.5 Accessory buildings, fences or structures shall be repaired or removed or demolished in part or in whole where the offending part of the building is not in accordance with the prescribed standards.

### 3.2 Drainage

- 3.2.1 No person shall maintain or change the grade, swales, open ditches or other drainage features on a property so as to cause recurrent or excessive ponding or the entrance of water into a basement or cellar.
- 3.2.2 All stormwater facilities on a property or serving a property shall be maintained in working order and free of blockages that might impede drainage.
- 3.2.3 No natural soil, topsoil, road gravel, salt or other fill material shall be permitted to erode by the action of wind or stormwater runoff if such material is being carried onto adjacent property or into a lake, stream, ditch or water course.



3.2.4 No roof drainage or sump pump shall be discharged on sidewalks, stairs of the premises or onto neighbouring property.

### **3.3 Garbage Disposal**

3.3.1 Garbage, rubbish and other debris from a property shall be promptly stored in receptacles and made available for removal.

3.3.2 Every garbage and refuse receptacle shall be constructed of watertight material, provided with a tight fitting cover and shall be maintained in a clean and odour free condition at all times. Where an exterior bulk or roll-off container refuse system is used, it shall be equipped with covers or similar devices which shall be readily openable, but not left open when actively being loaded or emptied, shall be large enough for the containment of all refuse generated between collections by the occupants served and shall not be loaded beyond the top of the container. Despite this provision, the temporary storage of waste materials from the demolition, repair or alteration of a building or part thereof may be placed on the property or in a designated dumpster, provided it is removed frequently and in its entirety from the property and provided it does not cause a risk to public health or safety.

3.3.3 Where private containerized garbage pickup is provided, such containers shall be placed behind the building line and kept in a neat and tidy condition.

3.3.4 Garbage of an inflammable, toxic or hazardous nature shall be stored safely or removed immediately from the property unless otherwise authorized under a valid Certificate of Approval issued by the Ministry of the Environment.

3.3.5 Every residential property shall be maintained in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis.

3.3.6 The occupant of a residential property may provide for a compost pile, provided that the compost pile is no larger than 1 m<sup>2</sup> [10.76 ft.<sup>2</sup>] in area and no higher than 1.8 m [5.9 ft.] in height and is enclosed on all sides by concrete block or lumber or other suitable materials or stored within a commercially manufactured plastic container designed for composting, either of which is maintained in a condition to prevent undue odours or vermin.

### **3.4 Safe Passage for Parking Areas, Walks and Driveways**

- 3.4.1 Steps, walks, walkways and driveways shall be maintained so as to afford safe passage under normal use and weather conditions be it in any season or during the day or night
- 3.4.2 All areas used for vehicular traffic and parking shall have a surface of asphalt, concrete, interlocking stone or compacted stone or gravel and shall be kept in a safe condition for vehicular or pedestrian traffic.

### **3.5 Sewage**

- 3.5.1 Sewage or organic waste shall only be discharged into a sewage system approved under the *Building Code Act* or the *Environmental Protection Act*.
- 3.5.2 Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.
- 3.5.3 All septic tanks shall be maintained in proper working order and shall be pumped out on a regular basis in accordance with the occupancy of the building or dwelling.

### **3.6 Yards and Vegetation**

- 3.6.1 All yards, including vacant lots, shall be kept clean and free from:
  - 1. Garbage, rubble, litter, waste, construction materials or other debris that constitutes an unsafe condition or public health concern.
  - 2. Noxious plants as defined in the *Weed Control Act* such as ragweed, poison ivy, poison oak, poison sumac or similar noxious vegetation.
  - 3. Heavy growth or undergrowth and excessive growth of grass or weeds. Within the Township of Papineau-Cameron, grass on lawns or boulevards or landscaped areas on any lot including a vacant lot shall be maintained in a trimmed, mowed or cut condition with a height not to exceed of 20.2 cm [8 inches] and shall be kept free of weeds and noxious plants. Hedges and bushes shall be kept trimmed to a suitable height and shall not be overgrown or unsightly. A yard which is cultivated to permit natural uncut grasses (i.e. vetch) and alternative gardening or landscaping methods may be permitted at the discretion of the Chief Property Standards Officer.

4. Dead, decaying or damaged trees or other natural growth which create an unsafe condition, fire hazard or public health concern.
5. Holes, pits or trenches, ditches which create an unsafe condition. Holes and excavations which are necessary for or part of a use lawfully situated on private property shall be kept in a safe condition and where necessary for safety reasons, shall be barricaded or fenced.
6. Any vehicle, including a trailer, boat, snowmobile, recreational vehicle, machinery or part thereof or junk which is in a wrecked, discarded, dismantled, inoperative or abandoned condition, except:
  - A. in an establishment licensed or authorized to conduct and operate such a repair or restoration or resale business;
  - B. for an occupant of any premises who is repairing or restoring a vehicle or equipment for personal use provided such repair or restoration is actively carried on;
  - C. for a farmer who is actively trying to sell or dispose of farm vehicles or equipment; or
  - D. for historic vehicles or other vehicles or equipment which are stored inside an enclosed building and are being repaired, restored or conserved for personal use.
7. Dilapidated, collapsed or partially constructed structures where not covered by a currently valid building or demolition permit.

**3.6.2** Section 3.6.1.3 shall not apply to any property in the Agricultural (A) Zone, Rural (R) Zone, Open Space (OS) Zone or Environmental Protection (EP) Zone as provided for in By-law ~~2000-11~~, the Zoning By-law, unless the property is used exclusively for residential purposes.

#### **SECTION 4 Fire Damage and Demolition**

**4.1.1** In the event of a fire, measures shall be taken as soon as possible to make the damaged building safe and compatible with the surrounding environment through such measures as:

1. Cleaning any smoke or water damaged surfaces exposed to view
2. Refinishing such exposed surfaces so that they are in harmony with adjoining undamaged surfaces and the general environment.
3. Repairing of fire damaged surfaces.

In the event a building is destroyed beyond the point of repair or restoration, as a measure of public safety, the building shall be demolished and removed forthwith from the site and the site shall be graded and leveled. In the interim of any authorized repair or, restoration of a fire

damage building or in the interim of the demolition and/or removal, the site and/or building shall be secured to prevent access by the general public.

- 4.2.2 Where a building or structure is being demolished, every precaution shall be taken to protect any adjoining property and members of the public from accident hazards. Such precautions shall include the erection of fences or barricades and all other means of protection necessary in respect thereto.
- 4.3.3 No building shall be reoccupied which is deemed to be unsafe for human occupancy.

## SECTION 5 - OCCUPANCY STANDARDS FOR DWELLINGS

- 5.1 No person shall use or permit the use of a non-habitable room in a dwelling for a habitable room purpose.
- 5.2 The maximum number of occupants in a dwelling or dwelling unit shall not exceed one person per 9.4 m<sup>2</sup> [101.1 ft.<sup>2</sup>] of habitable room floor area.
- 5.3 For the purpose of computing the maximum number of occupants in subsection 6.2 any child under twelve years of age shall be deemed one-half person.
- 5.4 For the purpose of computing the habitable room floor area in subsection 6.2 the floor area under a ceiling which is less than 2.1 m [6.88 ft.] high shall not be counted. If a finished ceiling is not applied to the underside of the joists, then the area shall not be deemed as habitable room space.
- 5.5 No room in any dwelling shall be used for sleeping purposes unless there is a minimum width of 2 m [6.56 ft.] and a minimum floor area of 7 m<sup>2</sup> [75.3 ft.<sup>2</sup>]. At least one-half of the required minimum floor area shall have a ceiling height of 2.1 m [6.88 ft.] and no floor area with a ceiling height of less than 1.37 m [4.49 ft.] shall be counted.
- 5.6 Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:
1. Each habitable room shall comply with all the requirements set out in this By-law.
  2. Floors and walls shall be constructed so as to be damp-proofed and impervious to water leakage.
  3. Each habitable room shall be separated from the fuel fired heating unit or other similarly hazardous equipment by a suitable fire separation and

- approved under the *Ontario Building Code*.
4. Access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room.

## **SECTION 6 - VACANT LANDS AND BUILDINGS**

### **6.1 Vacant Lands**

- 6.1.1 Vacant land shall be maintained to the standards as described in **Section 3.6** of this By-law.
- 6.1.2 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent or excessive ponding of water.

### **6.2 Vacant Buildings**

- 6.2.1 Vacant buildings shall be kept cleared of garbage, rubble and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the building.
- 6.2.2 Every vacant building shall be boarded up to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm [0.5 inch] weatherproof sheet plywood in a color compatible with the surrounding walls and which is securely fastened.

## **SECTION 7 SIGNS**

- 7.1.1 All signs and billboards shall be maintained in good repair and any signs which are excessively weathered or faded, or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed or put into a good state of repair.

## **SECTION 8 - ADMINISTRATION**

### **8.1 Application of By-law**

- 8.1.1 This By-law shall apply to all property within the Township of Papineau-Cameron and shall be enforced upon written and signed complaints, only.
- 8.1.2 Where a provision of this By-law conflicts with a provision of another By-law in force in the Township, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall



prevail.

- 8.1.3 If any section of this By-law is for any reason held to be invalid, the remaining sections shall remain in effect until repealed.

## 8.2 Property Standards Officer and Property Standards Committee

8.2.1 This By-law shall be administered by a Property Standards Officer and a Property Standards Committee of three ratepayers of the Township of Papineau-Cameron appointed by Council who shall hold office for three years provided that on the first appointment the members shall hold office concurrent to the term of Council. .

8.2.2 The Committee shall appoint one of its members as Chairman and shall appoint a secretary.

## 8.3 Inspection

8.3.1 The Property Standards Officer or any person acting under his instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property to determine whether the property conforms with the standards prescribed in this By-law, or whether an order has been complied with.

8.3.2 The Property Standards Officer or any person acting under his instructions shall not enter any room or place actually used as a dwelling unless:

1. The consent of the occupier is obtained, the occupier first having been informed that he right of entry may be refused and entry made only under the authority of a warrant issued under the *Building Code Act*; a warrant issued under the *Act* is obtained;
2. 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;
3. The entry is necessary to terminate a danger as determined under the *Building Code Act* (Section 15.7(3));
4. The requirements for giving notice under Section 16.(1) of the *Building Code Act* are met and the entry is necessary to remove a building or restore a site or to remove an unsafe condition or to repair or demolish.

8.3.3 For the purposes of an inspection under the *Building Code Act*; an inspector may:

1. Require the production for inspection of documents or things, including drawings or specifications that may be relevant to the building or part thereof;
2. Inspect and remove documents or things relevant to the building or part thereof for the purpose of making copies or extracts;
3. Require information from any person concerning a matter related to a building or part thereof;
4. Be accompanied by a person who has special or expert knowledge in relation to building or part thereof;
5. Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs for the purposes of the inspection; and
6. Order any person to take and supply at that person's expense such tests and samples as are specified in the order.

#### 8.3.4 Inspection of Unsafe Buildings

1. An inspector may enter upon land and into buildings at any reasonable time without a warrant for the purpose of inspecting a building to determine whether the building is unsafe or whether an order has been complied with.
2. A building is unsafe if the building is structurally inadequate or faulty for the purpose for which it is used or in a condition that could be hazardous to the health or safety of persons in the normal use of the building, persons outside of the building or persons whose access to the building has not been reasonably prevented.
3. In addition to the criteria set out in Section 8.3.4.2, a sewage system is unsafe if it is not maintained or operated in accordance with the *Building Code Act* and the *Ontario Building Code*.
4. An inspector who finds that a building is unsafe may make an order setting out the reasons why the building is unsafe and the remedial steps necessary to render the building safe and may require the order to be carried out within the time specified in the order. The order shall be served on the owner and each person apparently in possession of the building and such other person affected thereby as the officer determines and a copy of the order may be posted on the site of the building. If an order is not complied with within the time

specified, or where no time is specified, within a reasonable time, the officer may by order prohibit the use or occupancy of the building and may cause the building to be renovated, repaired or demolished to remove the unsafe condition or take such other action as is considered necessary for the protection of the public.

5. **Power of Entry:** For the purposes of Section 8.3.4.4, an officer may enter upon the land and into buildings at any reasonable time without a warrant.
6. **Municipal Lien:** If the building is in a municipality, the municipality shall have a lien on the land for the amount spent of the renovation, repair, demolition or other action taken under Section 8.3.4.4 and an amount shall be deemed to be municipal real property taxes and may be added by the clerk of the municipality to the collector's roll in the same manner and with the same priorities as municipal real property taxes.
7. **Emergency Order:** If upon inspection of a building an inspector is satisfied that the building poses an immediate danger to the health or safety of any person, the officer may make an order containing particulars of the dangerous conditions and requiring remedial repairs or other work to be carried out immediately to terminate the danger. The order shall be served on the owner and each person apparently in possess of the building and such other persons affected thereby as the officer determines and a copy shall be posted on the site of the building. After making the order, the officer may, either before or after the order is served, take any measures necessary to terminate the danger and for this purpose, the officer, an inspector and their agents may at any time enter upon the land and into the building in respect of which the order was made without a warrant. If the order was not served before the measures were taken to terminate the danger, the officer shall serve copies of the order 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 and providing details of the amount spent in taking the measures.

#### 8.4 Order of Non-Conformity

- 8.4.1 When inspection by the Property Standards Officer reveals that a property does not conform with the standards prescribed by this By-law, the Property Standards Officer may make an order.



## **8.5 Contents and Procedures for an Order of Non-Conformity**

### **8.5.1 The order shall:**

1. contain the municipal address or a legal description of the property;
2. give 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 leveled condition.
3. indicate the time for complying with the terms and conditions of the order and giving notice that, if the repair or clearance is not carried out within that time, the municipality may carry out the repair or clearance at the owner's expense.
4. indicate the final date for giving notice of appeal from the order.

**8.5.2** 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.

**8.5.3** The 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, and where the requirements of the order have been satisfied, the clerk of the municipality 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.

## **8.6 Appeal of an Order**

**8.6.1** An owner or occupant who has been served with an order and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served the order.

**8.6.2** An order that is not appealed within the 14 day period specified shall be deemed to be confirmed.

**8.6.3** The committee shall hear an appeal. On appeal, the 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 the by-law and official plan:

1. Confirm, modify or rescind the order to demolish or repair.
2. Extend the time for complying with the order.

#### 8.6.4 Appeal to Court

The municipality in which the property is situate or the owner or person affected by a decision of the committee may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent.

### SECTION 9 - AUTHORITY

- 9.1 This By-law shall be read subject to the *Building Code Act*; as amended from time to time, and whenever the provisions of this By-law conflict or are otherwise inconsistent with the provisions of the *Building Code Act*, the provisions of the *Building Code Act* shall be deemed to be incorporated into this By-law.
- 9.2 This By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Papineau-Cameron.

**Read a first time this 10th day of January, 2006.**

**Read a Second and Third time and finally passed this 10<sup>th</sup> day of January, 2006.**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

# MUNICIPALITY OF CALVIN

## 2021CT53 - REPORT TO COUNCIL

REPORT DATE: October 12, 2021

ORIGINATOR: Cindy Pigeau; Clerk-Treasurer

SUBJECT: Consolidation of Council Ideas for Property Standards By-Law

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### BACKGROUND

The following is the consolidation of the thoughts and ideas of Members of Council:

#### **Chisholm By-Law;**

- 3.1.2 Is 20 tires enough for them to have for the covering of the hay?
- 3.1.3 Believe this is only landscaped yard around the house garage and out buildings.
- 3.5.1 Could be removed as it is covered in 3.6.1 under structural Soundness
- 4.4 & 4.5 Could be removed as that should be covered in the building permits and zoning by laws?
- 5.1.2 The sentence "The warehousing or storage...of the industrial or commercial aspect...should have farming in there. Remove the last sentence "Where conditions..."
- 5.4 If we do not use item 3.5 should be removed from this sentence
- 5.5 I do not think we need to have it enclosed in a dumpster or hidden by trees etc.
- 6.2.2 How long is the time for a building considered to be considered vacant? The camp people and cottage people should not have to board up house nor should it have to be painted. Whether it is a cottage, camp or not
- The administration and enforcement on both looks good but in the Chisholm version spelled out what is going to happen in an appeal.

#### **Papineau-Cameron;**

- 2.0 Outdoor storage should have something in there regarding farming equipment/tires
- 2.5 Sewage System should have Septic approved by somewhere in there as we have not township system
- 3.1 3.1.1 & 3.1.5 are the only ones we should use
- 3.3 Remove 3.3.2 & 3.3.3
- 3.3.6 Should incorporate into ours for our farmers
- 3.6.1 Remove 2. Remove the second sentence up to "shall be maintained" and keep up to "noxious plants." And remove the rest of the paragraph.
- Section 5 should be covered in the building code and zoning by-law.
- 6.2.2 Again how long a time frame before a building is considered vacant?
- 7.1.1 Remove
- The by law officer can do this enforcement and that we do not need to have a different person for this job. Unless it is just a title adjustment not a person.
- 2.C Committee – Assuming we will need to form this committee of three ratepayers?
- 2.D Discard Motor Vehicle. Would like to see an addition at the very end saying "or being used for parts"
- 2.O Assuming we will need to appoint the officer. This could be a difficult position and not sure if we should even think of assigning it to By-Law Officer.
- 2.P Public Building – Would this include a church or other place of worship?

- 2.S Sewage System - Remove everything except “Individual on-site sewage system approved under the Building Code Act or the Environmental Protection Act
  - 2.W Waste Material
  - c) Add broken to patio/sidewalk slabs, bricks, interlocking bricks and damaged prior to unused building materials, pallets and railroad ties.
  - 3.1.3 – As long as it is the owner who determines the aesthetic qualities or desired outcome
  - 3.4.2 – Remove complete item
  - 3.6.1 – 3 – Remove in a trimmed, mowed or cut condition with a height not to exceed 20.2 cm (8 inches). For hedges and bushes remove everything after a suitable height
  - 5.1 Change twelve to eighteen
  - 6.1.2 Needs clarification. Vacant land could have been vacant for years and years
  - 8.3.1 Remove “any person acting under his instructions may”
  - 8.3.4.4 Does this mean the building inspector?
  - Feel that this maybe more than needed considering our rural area.
  - If all the Ontario Building codes, Ontario Water Resources Act, Electrical Safety codes, Fire codes and environmental Protection Act is followed, believe these cover most of what is in this By-law
  - Will a committee need to be formed? Any By-law we create needs to be enforced and we will need to make sure we do it.
  - I would omit : 3.3.2 , 3.3.3 and 3.3.6
  - 3.5.2 Need more clarification. Is this human sewage or animal? I believe we have farmers who fertilize there fields
  - 3.5.3 should maybe say as needed (what does regular basis mean)
  - 3.6.1 8 inches should be residential areas for grass cutting; maybe it should say trees and shrubs and grass kept cut close to road and driveways so that it does not impair driving
  - 3.6.2 What does this mean?
  - Section 4 Is there a time expectancy on this section? Need to consider insurance claims take time and what if they have no insurance?
  - Should we proceed with a property standards bylaw at this time? Is our time and energy better spent on other issues?
  - Discussion on 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.6, 3.4.2, 3.6.1, paragraphs 3&6, 5.1, 5.3, 5.4, 6.1.2, 7.1.1
- 

Respectfully submitted;  
 Cindy Pigeau  
 Clerk Treasurer

# THE CORPORATION OF THE TOWNSHIP OF CHISHOLM

## BY-LAW 2017-29

### PROPERTY STANDARDS BY-LAW

#### Being a By-Law to prescribe standards for the maintenance and occupancy of buildings and property.

**WHEREAS** the Council of the Corporation of the Township of Chisholm is empowered under Section 15 of the *Ontario Building Code Act S.O. 1992, c. 23 as amended*, to pass a by-law;

- (a) Prescribing standards for the maintenance and occupancy of property within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards,
- (b) Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded and neat condition.

**NOW THEREFORE** the Council of the Corporation of the Township of Chisholm enacts as follows:

#### SECTION 1: GENERAL

##### 1.1 Short Title

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

##### 1.2 Defined Area

This By-law applies to all property within the boundaries of the Township of Chisholm.

##### 1.3 Scope

No property shall be used and no building or structure or part thereof, shall be erected, altered, enlarged, maintained, used, or occupied for any purpose within the Township of Chisholm except in conformity with the provisions of this By-law.

##### 1.4 General Obligations

- 1.4.1 No person shall use, permit the use of, rent or offer to rent any property that does not conform to the standards of this By-Law.
- 1.4.2 Where a notice or order has been issued by the Property Standards Officer pursuant to this By-Law, the owner or occupant thereof shall:
  - (a) repair and maintain the property in accordance with the standards, or
  - (b) remove or demolish and remove, the whole or the offending part of the property that is not in accordance with the standards;
- 1.4.3 Where an Officer has placed or caused the placing of a placard containing the terms of a notice or order upon the premises under the authority of Section 15.2(3) of the *Ontario Building Code Act, S.O. 1992, as amended*, no one shall remove the said placard except with the consent of an Officer.

#### SECTION 2: DEFINITIONS

##### 2.1 “Accessory Building” means

- (a) a detached building or structure that is not used for human habitation, but the use of which is naturally and normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot therewith, and
- (b) includes a detached private garage, detached carport, boathouse or detached deck.

- 2.2 “Agricultural Use”** means any agricultural use or uses, structures or buildings accessory thereto, including field crops, animal husbandry, tree nurseries and any other use customarily carried on in the field of general agriculture, including the sale on the premises, or produce grown or raised on the premises.
- 2.3 “Approved”** means as applied to grade, material device or method of construction, approved by the Municipal Law Enforcement Officer under the provisions of this By-Law; approved by the Building Inspector under the provisions of the Building Code; approved by the Fire Chief under the provisions of the Fire Code, or approved by other authority designated by law to give approval to the matter at question.
- 2.4 “Basement”** means
- (a) that portion of a building or structure within which 50% or more of the interior wall height from finished floor to finished ceiling is below the average finished grade level adjacent to one or more of the exterior walls of the building or structure, but
  - (b) does not mean or include a storey or part of a storey.
- 2.5 “Bathroom”** means a room consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit. Every washbasin, bathtub and shower shall have an adequate supply of hot and cold running water and every water closet shall have a suitable supply of running water.
- 2.6 “Building”** means any structure consisting of walls and a roof, which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels, and includes any structure defined as a building in the *Ontario Building Code Act S.O. 1992, as amended*, but does not include any vehicle as defined herein.
- 2.7 “Cabin”** means a ‘cottage’ as defined in this By-law.
- 2.8 “C.B.O.”** means Chief Building Official appointed by The Council and charged with the duty of enforcing the provisions of the *Ontario Building Code Act S.O. 1992, as amended* or any successors thereto, together with any Regulations made thereunder.
- 2.9 “Committee”** means the Property Standards Committee, as established in accordance with Section 15 of the *Ontario Building Code Act S.O. 1992, as amended*.
- 2.10 “Complainant”** means the party being a resident and/or ratepayer of the Township of Chisholm who submits a confidential complaint in writing to the Municipal Office on the prescribed form, or has a complaint recorded by the office staff.
- 2.11 “Corporation”** means the Corporation of the Township of Chisholm.
- 2.12 “Cottage”** means a detached building used as an occasional and seasonal residential dwelling for recreation, rest or relaxation by one household, but not occupied continuously or as a principal residence or as a year-round permanent dwelling.
- 2.13 “Derelict Vehicle”** means a motorized vehicle that by reason of its age, appearance, mechanical condition or lack of current license plates is inoperative.
- 2.14 “Dwelling”** means a building or structure or part of a building or structure occupied or capable of being occupied for human habitation, and includes a building that would or could be intended to be used for such purposes except for its state of disrepair, but shall not include a mobile home having less than eighty (80) square metres in area.
- 2.15 “Dwelling Unit”** means
- (a) one room or a group of rooms in a building used or designed or intended to be used by only one household as a single, independent and separate housekeeping establishment,
    - (i) in which food preparation and sanitary facilities are provided for the exclusive use of such and household, and

- (ii) which has a private entrance from outside the building or from a common hallway or stairway inside the building, but
  - (b) does not mean or include a tent, trailer, or a room or suite of rooms in a hotel, motel, motor hotel or bed and breakfast business.
- 2.16 “Exit”** means that part of a means of egress including doorways, that leads from the floor area it serves to a separate building, an open public thoroughfare, or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
- 2.17 “Exterior Property Area”** means the property excluding the buildings.
- 2.18 “First Storey”** means the floor area of the lowest story of a building approximately at or just above the finished grade level excluding any basement, which area is measured between the exterior faces of the exterior walls at the floor level of such storey.
- 2.19 “Foundation”** means a structure of a building through which the loads from the building are transferred to supporting soil or rock such as a footing, pile or pier, as per the Ontario Building Code.
- 2.20 “Garbage”** means (1) the animal or vegetable waste and related waste products resulting from the handling, preparation, cooking and consumption of food and drink, as well as other solid waste materials and goods resulting from residential, commercial, institutional and industrial operations, and (2) does not include hazardous waste.
- 2.21 “Good Repair”** means that a building, structure or appurtenance thereof including mechanical equipment shall be maintained in such a condition as to be free from accident or fire hazards, not unsightly by reason of deterioration, damage or defacement.
- 2.22 “Grade”** means
- (a) when used in reference to a building, the average elevation of the finished surface of the ground adjoining the base of the longest exterior wall of such building or, where there are two or more such walls, the exterior wall having the lowest average elevation, or
  - (b) when used in reference to any other structure, the average elevation of the finished surface of the ground at the base of such structure, exclusive of any artificial embankment at the base of such building or structure.
- 2.23 “Guest Sleeping Cabin”** means a separate building of not more than 23 square metres (250 square feet) in floor area and not more than 4.5 metres (15 feet) in height which contains no kitchen facilities or bathrooms or any water or sewage treatment system and is not to be used for year-round human habitation.
- 2.24 “Habitable Room”** means a room which
- (a) is located within a dwelling unit;
  - (b) is designed for living, sleeping or eating, and contains sanitary or food preparation facilities, and
  - (c) can be used at all times throughout the year but does not include any room specifically defined herein as a non-habitable room.
- 2.25 “Hazardous Waste”** mean any toxic material as defined by Reg. 347.
- 2.26 “Insect”** means any of numerous invertebrate animals (as spiders, centipedes, cockroaches, termites, ticks, etc.
- 2.27 “Landscaped Open Space”** means
- (a) an area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and paths, walks, patios, fences and similar appurtenances, but
  - (b) does not include parking areas, parking lots, driveways or ramps.

- 2.28 “Maintenance” or “Maintained”** means the preservation and keeping in good repair of a property and building.
- 2.29 “Means of Egress”** means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp, or other exit facility used for the escape of persons from any point within a building, a floor area, a room, or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building.
- 2.30 “Motor Vehicle”** means automobile, including a motorcycle and including any other vehicle propelled or driven otherwise than by muscular power such as a snow vehicle and each motor vehicle must be in running order and carry a valid license sticker.
- 2.31 “Multiple Dwelling”** means a building containing two or more dwelling units.
- 2.32 “Municipal Law Enforcement Officer”** means an Officer appointed by Council and charged with the duty of enforcing the provisions of this By-law, other related By-laws and any amendments thereto.
- 2.33 “Municipality”** means the Corporation of the Township of Chisholm .
- 2.34 “Non-residential Property”** means a building or structure or part thereof, not occupied nor capable of being occupied in whole or in part, for the purpose of human habitation and without limiting the generality of the foregoing, includes the land and premises appurtenant thereto and all accessory buildings, out-buildings, fences, structures or erections on or in such land and premises.
- 2.35 “Noxious Weeds”** means any weeds classed as noxious by the *Weed Control Act, R.S.O. 1990* or the latest amendment(s).
- 2.36 “Occupant”** means any person or persons over the age of eighteen years in ownership or possession of the property.
- 2.37 “Occupancy”** means the use or intended use of a building or part thereof for the shelter or support of persons, animals and property.
- 2.38 “Owner”** means:
- (a) the person who, for the time being, managing or receiving the rent of or paying the municipal taxes on the land or premises, whether on their own account or as an agent or trustee of any other person, who would so receive the rent if such land or premises were let.
  - (b) the person for the time being receiving installments of the purchase price of the land or premises in connection with which the word “owner” is used, sold under an agreement for sale whether on his own account or as an agent or trustee for any other person or who would so receive the installments of the purchase price if such land premises were sold under agreement for sale; 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.
- 2.39 “Person”** means any human being, association, firm, partnership, incorporated company, corporation, agent, trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 2.40 “Property”** means a building or structure or part thereof, including the lands and premises appurtenant thereto and all accessory buildings, mobile homes, mobile structures, trailers, out-buildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant land.



- 2.41 Property Standards Officer**” means an inspector/officer appointed under Section 3(1) of the *Ontario Building Code Act S.O. 1992, c. 23, as amended* by the Council of the Township of Chisholm for the purpose of enforcing the Property Standards By-Law.
- 2.42 “Repair”** means the making of additions or alterations or the taking of such action as maybe required so that the property shall conform to the standards established in the By-law, and in conformity with all other legislation.
- 2.43 “Residential Property”** means any land, buildings or structures used for human habitation, and includes all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.
- 2.44 “Rodents”** means any of an order (Rodentia) of relatively small gnawing mammals as a mouse, a squirrel or a rat, etc.
- 2.45 “Rubbish”** means any combustible or noncombustible, discarded or waste material, except garbage and hazardous waste.
- 2.46 “Service Room”** means any area within a dwelling that is not a habitable room ie. washroom, laundry.
- 2.47 “Sewage”** means sanitary sewage or storm sewage.
- (a) Sanitary sewage means liquid or water borne waste of industrial or commercial origin, or of domestic origin, including human body waste, toilet or other bathroom waste, and shower, tub, culinary, sink and laundry waste.
- (b) Storm sewage means water that is discharged from a surface as a result of rainfall, snow melt or snowfall.
- 2.48 “Sewage System”** means a properly maintained and functioning private sewage system.
- 2.49 “Standards”** means the standards of physical condition and of occupancy prescribed for the property in this By-law.
- 2.50 “Store or Stored”** means to accumulate or put away for future use.
- 2.51 “Structurally Sound”** means construction capable of withstanding the forces placed upon the structure under normal use.
- 2.52 “Structure”** means anything constructed or erected, the use of which requires location on or in the ground, or attached to something located on or in the ground.
- 2.53 “Trailer”** means any vehicle, excluding a mobile home or park model home, so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked-up or that its running gear is removed, but not including any vehicles unless it is used or intended for the living, sleeping or eating accommodation of persons therein; and shall be deemed to include a tent.
- 2.54 “Unsafe Condition”** means any condition that could be hazardous to the health or safety of persons in the normal use of the premises or, persons whose access to the premises has not been reasonably prevented.
- 2.55 “Unsightly Condition”** means clutter, a disordered state or collection, litter, heap or pile in a confused manner.
- 2.56 “Vacated”** means a structure or property no longer occupied.
- 2.57 “Vehicle”** includes a motor vehicle, trailer, utility trailer, farm tractor, motorcycle, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

**2.58** “**Vermin**” means small common harmful or objectionable animals that are difficult to control.

**2.59** “**Waste or Waste Material**” means any article or thing that appears to have been cast aside, discarded, or abandoned, or appears to be worthless, useless, or of no particular value, or appears to be used up in whole or in part or expended or worn out and shall include but is not limited to:

- (a) accumulations or deposits of litter, rubbish, garbage, trash;
- (b) refrigerators, freezers or other appliances or parts thereof;
- (c) furnaces, furnace parts, pipes, fittings to pipes, water, fuel or propane tanks;
- (d) inoperative or derelict motor vehicles;
- (e) paper, cartons, fabrics or carpets;
- (f) furniture;
- (g) piping, tubing, conduits, cable and fittings or other accessories, or adjuncts to the piping, tubing, conduits or cable;
- (h) containers or pallets of any size, type or construction;
- (i) material resulting from, or as part of, construction or demolition of projects; and
- (j) rubble, inert fill except loose soil, sand, or gravel.

**2.60** “**Yard**” means an open, uncovered space on a lot appurtenant to a building or structure and used or intended to be used or capable of being used in connection therewith.

### **SECTION 3: GENERAL STANDARDS FOR ALL PROPERTY**

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the *Ontario Building Code Act S.O. 1992, c. 23 as amended, the Ontario Fire Code and the Fire Prevention and Protection Act, S.O. 1997, c. 4* where applicable.

#### **3.1 Yards**

3.1.1 Every person shall keep all yards visible to the public, including vacant lots, clean and free from:

- (a) garbage, rubble, waste, construction material, brush or other debris arranged or stored in an unsafe condition, that constitutes an unsightly or unsafe condition as per definitions outlined in Sections 2.54 and 2.55;
- (b) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
- (c) holes, pits, excavations, or trenches constituting an unsafe condition;
- (d) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers, snowmobiles or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property;
- (e) conditions which would attract rodents or injurious insects;
- (f) dilapidated, collapsed or partially constructed structures which are not currently under construction.

3.1.2 No person shall store tires on any lot, other than four seasonal tires per vehicle permitted on the property, as per Section 3.1.5 of this By-law. Those actively engaged in farming may store a maximum of twenty (20) tires for their use.

3.1.3 Every landscaped open space shall be kept clean and free from all items in Section 3.1.1 and excessive growth of grass, brush, undergrowth and noxious weeds, and dead, decayed or damaged trees or other natural growth.

3.1.4 All vehicles or trailers parked on a residential lot must be in running order and carry a valid license sticker. This shall not prevent the occupant from storing operable unlicensed vehicles or trailers strictly for the use of off road operation for his/her own personal use and not for commercial purposes on any lot. This also shall not prevent an occupant of any premises from repairing a vehicle or trailer for his or her own use and not for commercial purposes while such a repair is carried on.

3.1.5 All permitted vehicles, trailers, machinery, implements strictly intended for agricultural use, and material stored on a property shall be stored in a neat, orderly manner preferably in an enclosed structure and in such a way that it does not create a negative impact on adjacent properties.

3.1.6 Every person shall cap all wells with a structurally secure material and such caps shall be maintained in good repair.

### **3.2 Surface Conditions**

Surface conditions of yards shall be maintained so as to:

- (a) prevent ponding of storm water;
- (b) not exhibit an unsightly appearance;
- (c) be kept free of garbage and refuse;
- (d) provide for safe passage under normal use and weather conditions, day or night; and
- (e) not to create a nuisance to other property.

### **3.3 Drainage and Sewage**

3.3.1 Sewage or organic waste, excluding floor drains, shall be discharged into a sewage system as per the Ontario Building Code. Where a sewage system does not exist, sewage or organic waste shall be disposed of in accordance with the *Environmental Protection Act*.

3.3.2 Storm water shall be drained from the property in a manner designed to prevent excessive ponding, prevent the entrance of water into a building, and in such manner as to not affect adjacent properties.

3.3.3 Exterior property areas where new work has been undertaken shall be graded and maintained to prevent ponding of water creating an unsafe condition, or encouraging mosquito breeding grounds. Catch basins and swales shall be installed and maintained where necessary to facilitate drainage and so as not to impede natural flow of water. Natural ponds or swamps exclusive, as they are protected by various environmental legislation.

### **3.4 Parking Areas, Walks and Driveways**

3.4.1 Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions day or night.

### **3.5 Exterior Walls**

3.5.1 Exterior walls of a building or structure and their components, including soffits and fascia, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

3.5.2 Exterior walls of a building or structure and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

### **3.6 Structural Soundness**

3.6.1 Every building and every structural member of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use, having a factor of the safety required by the Ontario Building Code. Structural members or materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

3.6.2 Every exterior wall, roof, porch, chimney or exterior portion of a building shall be maintained in a manner so as to prevent the collapse of same or injury to the occupants of the dwelling or to the public in general.

3.6.3 Wall, roofs, and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

### **3.7 Fire Damage**

3.7.1 In the event of fire, measures shall be taken as soon as possible, to make the damaged building safe, and/or to prevent entry into unsafe conditions.

### **3.8 Guardrails**

3.8.1 A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24 inches) between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches and balconies. Guardrails, balustrades and handrails shall be constructed and maintained in a rigid nature, as defined in the *Ontario Building Code S.O. 1992, c. 23 as amended*.

### **3.9 Accessory Buildings, Fences, and Other Structures**

3.9.1 Accessory Buildings, fences and other structures appurtenant to the property shall be maintained in structurally sound condition, in good repair, and free from fire, health or safety hazards.

### **3.10 Garbage Disposal**

3.10.1 Every building, dwelling, and dwelling unit shall be provided by the owner of the property with suitable receptacles to contain all recyclable materials, garbage, refuse in a sanitary manner.

3.10.2 Notwithstanding Section 3.10.1, no person shall allow domestic or household garbage, refuse, appliances or furniture to accumulate or be stored on a property.

3.10.3 Garbage storage areas shall be screened from public view and the garbage stored in such a fashion that access by predators is controlled.

## **SECTION 4: RESIDENTIAL STANDARDS**

### **4.1 General Conditions**

4.1.1 Every owner, tenant, occupant or lessee of a residential property shall maintain the property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with municipal by-laws.

4.1.2 No person shall use or occupy, or permit the use or occupancy of any property that does not conform to the standards set out in Sections 3.6 and 3.7 of this By-law.

4.1.3 The owner of any property which does not conform to the standards in this by-law shall repair and maintain the property to conform to such standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a graded, leveled condition.

## **4.2 Pest Prevention**

4.2.1 Dwellings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the *Pesticide Act R.S.O. 1990, c. P.11*.

## **4.3 Roofs**

4.3.1 Every person shall maintain roofs of dwellings and their components in a weather tight condition, free from loose or unsecured objects or materials.

## **4.4 Kitchens**

4.4.1 Every owner of a dwelling unit shall ensure that it contains a kitchen area equipped with a sink, serviced with hot and cold water, and include storage facilities, a counter top work area, and space for a stove and refrigerator.

## **4.5 Toilet and Bathroom Facilities**

4.5.1 Every owner of a dwelling unit shall ensure that it contains a bathroom consisting of at least one fully operational water closet, wash basin and a bathtub or suitable shower unit.

4.5.2 Every bathroom shall be equipped with running water, and all plumbing fixtures shall be connected to the sewage system.

## **4.6 Electrical Service**

4.6.1 Every owner of a dwelling unit shall ensure that the electrical wiring, fixtures, switches, receptacles and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the *Ontario Electrical Safety Authority*.

4.6.2 Such dwellings shall have electrical outlets as provided for in the *Ontario Building Code Act R.S.O. 1992, c. 23*, as amended and shall conform to the regulations established by the *Ontario Electrical Safety Authority*. Extension cords shall not be used on a permanent basis.

## **4.7 Heating, Heating Systems, Chimneys and Vents**

4.7.1 Every owner of a dwelling unit shall ensure that every dwelling and building containing a residential dwelling unit or units shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70 degrees Fahrenheit) in the occupied dwelling unit. The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling unit to the required standard.

4.7.2 All fuel burning appliances, equipment and accessories in a dwelling shall be installed and maintained to CSA standards.

## **4.8 Exception**

Exceptions to Sections 4.4; 4.5 and 4.7 are cabins and hunting lodges. These dwellings will be evaluated on a case by case basis.

## **4.9 Fire Escapes, Alarms and Detectors**

4.9.1 In every dwelling unit in a building, a listed smoke alarm approved by the Canadian Standards Assoc. or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed on each level and maintained in working condition

by the owner between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred to shall be:

- (a) equipped with visual or audio indications that they are in operating condition; and
- (b) mounted on the ceiling a minimum of 100 mm (4 inches) from the wall or on a wall between 100 and 300 mm (4 to 12 inches) below the ceiling.

4.9.2 Every owner shall install or cause to be installed a minimum of one (1) Carbon Monoxide Alarm in each dwelling unit which contains a fuel burning appliance; and in the case of a two family dwelling, in each dwelling unit located on the same floor level as a fuel burning appliance as well as in each dwelling unit or two family dwelling which contains an attached garage. This carbon monoxide alarm shall be installed in accordance with the manufacturer's instructions and shall be maintained in good operating condition at all times and in accordance with the manufacturer's maintenance instructions.

4.9.3 Buildings using a fire escape as a secondary means of egress shall have and maintain the escape in good condition, free from obstructions and easily be reached through an openable window or door.

#### **4.10 Egress**

4.10.1 Every owner of a dwelling shall ensure that every dwelling contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.

4.10.2 Every owner of a dwelling containing more than one dwelling unit shall ensure that there are at least two (2) exits, both of which may be common of the one of which may be the stairs or fire escape shall be provided to *Ontario Building Code* standards. A single exit is permitted from a dwelling unit where the path of egress is through an exterior door located at or near ground level and access to such exit is not through a room not under the immediate control of the occupants of the dwelling unit.

#### **4.11 Ventilation**

4.11.1 Every habitable room in a dwelling unit, including kitchens, bathrooms or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air at least 0.3 square metres (3 square feet), or an approved system of mechanical ventilation that provides adequate air exchanges.

4.11.2 All systems of mechanical ventilation shall be maintained in good working order.

4.11.3 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately vented.

#### **4.12 Disconnected Utilities**

Owners of residential buildings or any person or persons acting on behalf of such owner shall not disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas, refrigeration or water to any residential unit or building occupied by a tenant or lessee, except for such reasonable period of time as may be necessary for the purpose of repairing, replacing, or otherwise altering said service or utility and only by an agent of the appropriate utility.

#### **4.13 Occupancy Standards**

4.13.1 No person shall use or permit the use of a non-habitable room in a building for a habitable purpose.

4.13.2 Any basement or portion thereof, used as a dwelling unit shall conform to the

following requirements:

- (a) each habitable room shall comply with all the requirements set out in this By-law;
- (b) floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
- (c) each habitable room shall be separated from service rooms by a suitable fire separation and approved under the Ontario Building Code;
- (d) access to each habitable room shall be gained without passage through a service room; and
- (e) every basement and crawlspace shall be adequately drained and adequately ventilated to the outside air.

## **SECTION 5: NON-RESIDENTIAL STANDARDS**

### **5.1 Yards**

5.1.1 The yards of non-residential property shall be maintained to the standards as described in Sections 3.1, 3.2 and 3.3 of this By-law.

5.1.2 The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property or continuing non-residential use of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles. Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, as determined by the Property Standards Officer, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence not less than 1.8 meters (6 feet) in height and maintained in good repair.

### **5.2 Parking Areas and Driveways**

The parking areas and driveways of non-residential property shall be maintained to the standards as described in Section 3.4 of this By-law.

### **5.3 Lighting**

All non-residential establishments shall install and maintain sufficient windows, skylights, and/or lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the *Occupational Health and Safety Act* for industrial and commercial properties. Lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighboring properties.

### **5.4 Structures**

All structures shall be maintained to the standards as described in Sections 3.5; 3.6; 3.8 and 3.9 of this By-law.

### **5.5 Garbage Disposal**

A central refuse storage collection area must be provided for any garbage generated by the non-residential use and maintained with all refuse enclosed in a dumpster or in a location screened with growing trees, hedges, fences, walls or a combination thereof in such manner as may be approved by the Municipality.

## **SECTION 6: STANDARDS FOR VACATED LANDS AND BUILDINGS**

### **6.1 Vacated Lands**

Vacated land shall be maintained to the standards described in Section 3.1; 3.2; 3.3 and 3.4 of this By-law.

## **6.2 Vacated Buildings**

- 6.2.1 Every owner of a vacant building shall keep it cleared of all garbage, rubbish and debris and shall have water, electrical, heating services turned off except for those services that are required for the security and maintenance of the property.
- 6.2.2 The owner or agent of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) weatherproof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.
- 6.2.3 Vacated buildings shall be maintained to the standards described in Sections 3.5; 3.6; 3.7; 3.8; and 3.9 of this By-law.

## **SECTION 7: ADMINISTRATION AND ENFORCEMENT**

This section prescribes the procedure for the enforcement of the standards and shall be carried out according to the *Ontario Building Code Act R.S.O. 1992, c. 23, as amended*.

### **7.1 Application**

This By-law shall apply to all property within the boundaries of the Corporation of the Township of Chisholm.

### **7.2 Property Standards Committee**

A Property Standards Committee shall be established as set out in the Reference, attached as Schedule "F" to this By-law.

### **7.3 By-law Enforcement Officer**

The Council shall, by By-law, appoint a Property Standards Officer who shall be responsible for the administration and enforcement of this By-law.

### **7.4 Non-Conformance**

- 7.4.1 If, after an initial inspection, the officer is satisfied that in some respect the property does not conform to the standards prescribed in the By-law, he or she shall serve or cause to be served by personal service upon or sent by prepaid registered mail to the owner of the property and all who have interest therein, a Notice of Non-Conformance, attached as Schedule B to this By-law, containing particulars of the non-conformity.
- 7.4.2 The notice shall be sent to the last known address of the owner and shall state:
- (a) That the property does not comply with the standards prescribed by this By-law and shall specify the standards with which the property does not comply.
  - (b) That after a certain date to be specified in the notice of non-conformance by the Officer, the property will be subject to re-inspection at which time the Officer may issue an Order to Remedy under Section 7.5 of this By-law.
- 7.4.3 The owner of any property which does not conform to the standards as set out in this By-law shall repair and/or maintain said property to comply with the standards or the owners of the property shall clear all buildings, structures, debris or refuse and leave the property in good condition, to be determined at the discretion of the Property Standards Officer

### **7.5 Order to Remedy Violation**



7.5.1 At any reasonable time, on or after the date specified in the Notice of Non-Conformance given under section 7.4 where an Officer finds that the property does not conform with any of the standards prescribed in this By-law, the Officer may issue an Order to Remedy Violation, attached as Schedule C to this By-law:

- (1) stating the municipal address or the legal description of such 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 leveled condition;
- (3) indicating the time for complying with the terms and conditions of the order and giving notice, that if the repair or clearance is not carried out within that time, the municipality 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.

7.5.2 An order issued in accordance with article 7.5.1 shall be served on the owner of the property and such other persons affected by it as the officer determines and it shall be served personally or by registered mail, sent to the last known address of the person to whom the order is being given.

7.5.3 If the Officer is unable to effect service under article 7.5.2, he/she shall place a placard containing the terms of the Order, attached as Schedule D to this By-law, in a conspicuous place on the property and the placing of the placard shall be deemed as sufficient service of the notice or order on the owner or other persons.

## **7.6 Registration of Order**

7.6.1 An order made under article 7.5.1 may be registered in the proper Land Registry Office and, upon such registration, any person acquiring an interest in the land subsequent to the registration of the Order shall be deemed to have been served under article 7.5.1 and, when the requirements of the Order have been satisfied, the Clerk of the Municipality 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.

## **7.7 Appeal of Order**

7.7.1 When the owner or occupant upon whom an Order has been served in accordance with article 7.5.1 is not satisfied with the terms or conditions of the Order, he/she may appeal to the Committee by sending a Notice of Appeal by registered mail to the Secretary of the Committee, within fourteen (14) days after service of the Order and in the event that no appeal is taken, the Order shall be deemed to have been confirmed.

7.7.2 Where an appeal has been taken, the Committee shall hear the appeal and shall have all the authority functions of the officer and may confirm, modify or quash the Order or may extend the time period for compliance provided that, in the opinion of the Committee, the general intent of the by-law and of the Official Plan or policy statement are maintained.

7.7.3 If any party is dissatisfied with the decision of the Property Standards Committee, an appeal can be made to the Court of Appeal for Ontario, as per section 15.3, (4), (5), (6) and (7) of the Building Code Act.

## **SECTION 8: ENFORCEMENT**

### **8.1 Enforced on a Complaint Basis:**

This By-law shall be enforced on a complaint basis and pursuant to the provisions of Section 15 of the *Ontario Building Code Act S.O. 1992, c. 23*, as amended.

8.1.1 Each complaint must be in writing and shall be on the complaint form which is set out in "Schedule A" and shall provide:

- (a) the address of the non-compliant property
- (b) the nature of the non-compliance and
- (c) the name, address and phone number of the complainant.

8.1.2 Complainants shall be kept confidential:  
The Complainant's name, address and phone number shall be kept confidential.

8.1.3 Exception to confidentiality of Complainant:  
Should the complainant be required as a witness in court it shall be necessary to reveal the complainant's name for the purpose of giving the defendant disclosure.

## **8.2 Power of Corporation to repair or demolish**

If the owner or occupant of the property fails to repair, clean-up or demolish the property in accordance with an Order as confirmed or modified, the Municipality in addition to all other remedies:

- (a) shall have the right to repair, clean up or demolish the property accordingly and for this purpose with its servants and agents from time to time to enter in and upon the property;
- (b) shall not be liable to compensate such owner, occupant or any other person having an interest in the property by reason of anything done by or on behalf of the Municipality under the provisions of the Section: and
- (c) shall have a lien for any amount expended by or on behalf of the municipality under the authority of this Section together with interest thereon, upon the property in respect of which such amount was expended and the certificate of the Clerk of the Municipality as to such amount shall be final and such amount shall be deemed to be taxes and may be added to the Collector's Roll to be collected in the same manner as Municipal Realty Taxes. There shall be an administration fee.

## **SECTION 9: PENALTIES**

Any person who contravenes any provisions of this By-law or any part thereof shall be guilty of an offence and, upon conviction, be liable to a penalty recoverable under the *Provincial Offences Act*.

## **SECTION 10: RECOVERY OF EXPENSE**

In addition to any other remedy and to any other penalty imposed under this by By-law or under the *Ontario Building Code Act R.S.O. 1992, c. 23, as amended*, where any person is in default in doing any matter or thing directed or ordered to be done pursuant to this By-law, such matter or thing may be done by the Corporation at the expense of such person and the Corporation may recover the expense incurred in doing it by action, or the same may be recovered in like manner as municipal taxes.

## **SECTION 11: CERTIFICATE OF COMPLIANCE**

### **11.1 Issuance**

Following the inspection of a property, the Officer may, or on the request of an owner, shall, issue to the owner a certificate of compliance if, in his opinion, the property is in compliance with the standards of this By-law.

### **11.2 Fees**

Where a certificate of compliance referred to in Section 15 of the *Ontario Building Code Act.S.O. 1992, c. 23, as amended*, is issued at the request of the owner, the owner shall be required to pay a fee to the Corporation of the Township of Chisholm as set out in the fees by-law of the municipality.

**SECTION 12: OTHER REMEDIES PROTECTED**

The imposition of a penalty under this By-law shall not be a bar to further prosecution under this By-law and shall not preclude any other proceeding or remedy against a person or a building, which does not conform to the standards of this By-law.

**SECTION 13: VALIDITY**

- 13.1** If an article of this By-law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.
- 13.2** If a provision of this By-law conflicts with a provision of another By-law of the Corporation the provision that established the higher standard to protect the health, safety and welfare of the occupants and of the general public shall prevail.

**SECTION 14: ENACTMENT**

This by-law shall come into full force and effect upon the final passing thereof.

**SECTION 15: REPEAL**

By-law 2013-01 is hereby repealed in its entirety.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 10<sup>TH</sup> DAY OF OCTOBER, 2017.

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Mayor, Leo Jobin

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Clerk-Treasurer, Linda Ringler

CORPORATION OF THE TOWNSHIP OF CHISHOLM

SCHEDULE "A" TO BY-LAW 2017-29



Rank \_\_\_\_\_

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM

OCCURRENCE NO.: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

Taken by: \_\_\_\_\_

Informant Name: \_\_\_\_\_ Update requested: Yes/No

Contact Telephone Number: \_\_\_\_\_

TYPE OF OCCURRENCE (circle)

Property Standards

Fire

Landfill

Municipal By-laws

Building Code

Recycling

Animal Control

Roads

Other: \_\_\_\_\_

DETAILS OF OCCURRENCE

Property Owner: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

DETAILS OF THE OCCURRENCE

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CORPORATION OF THE TOWNSHIP OF CHISHOLM**

**SCHEDULE "B" TO BY-LAW 2017-29**



Corporation of the Township of Chisholm  
2847 Chiswick Line  
Powassan, ON P0H 1Z0  
Tel: (705) 724-3526

**REGISTERED & ORDINARY MAIL**

**THE CORPORATION OF THE TOWNSHIP OF CHISHOLM  
NOTICE OF NON-CONFORMANCE**

Please be informed that the following items at

\_\_\_\_\_ are deemed to be a violation of Property Standards By-Law \_\_\_\_\_ as amended:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please be advised that failure to comply with this notice within \_\_\_\_\_ days will result in the issuance of an Order to Remedy Violation made under the Building Code Act.

**Upon issuance of the Order to Remedy Violation, a \$100.00 administrative charge is payable by the Owner to the Township of Chisholm.**

In the event that you do not comply, then the Property Standards Officer is also authorized to have the items corrected at your expense and collect the cost in like manner as municipal taxes from you. A copy of the By-law is available from the Property Standards Officer.

Please conduct yourself accordingly.

Dated at Chisholm Township this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.

\_\_\_\_\_  
Property Standards Officer  
Telephone: (705) 724-3526

**CORPORATION OF THE TOWNSHIP OF CHISHOLM**

**SCHEDULE "C" TO BY-LAW 2017-29**



Corporation of the Township of Chisholm  
2847 Chiswick Line  
Powassan, ON P0H 1Z0  
Tel: (705) 724-3526

**ORDER TO REMEDY VIOLATION  
OF STANDARDS OF MAINTENANCE AND OCCUPANCY**

Pursuant to Section 15.2 (2) of the Ontario Building Code Act

**REGISTERED & ORDINARY MAIL**

Owner(s) Name & Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sir/Madam:

RE: \_\_\_\_\_

WHEREAS on \_\_\_\_\_ you were served with a Notice of Non-Conformance that required you to remedy certain violations of standards of maintenance and occupancy of your property, described above.

AND WHEREAS you have failed to remedy the noted violation(s) as set out in the Notice of Non-Conformance attached hereto and which forms part of this Order.

THEREFORE, IT IS HEREBY CHARGED THAT the violation(s) as set out in said Notice be remedied and the property brought into a condition of conformance with the prescribed standards set out in the Property Standards By-law No. 2006-16, as amended, on or before \_\_\_\_\_.

**TAKE NOTICE that pursuant to By-Law \_\_\_\_\_, an administrative charge of \$100.00 is payable by the property owner to the Township of Chisholm upon the issuance of this Order to Remedy Violation. In the event the property owner refuses to pay the administrative charge, the fee will be added to the tax roll and collected in like manner as taxes.**

TAKE NOTICE that if such violation(s) are not remedied within the time specified in this Order, the municipality may correct such violations at the expense of the owner and/or charges may be laid under the Provincial Offences Act.

**APPEAL TO PROPERTY STANDARDS COMMITTEE**

An owner or occupant who has been served with an Order who is not satisfied with the terms or conditions of the Order may appeal to the committee by sending a Notice of Appeal by registered mail to the secretary of the committee within 14 days after being served the Order.

FINAL DATE FOR APPEAL: \_\_\_\_\_

DATE: \_\_\_\_\_

ISSUED BY: \_\_\_\_\_  
Property Standards Officer

CORPORATION OF THE TOWNSHIP OF CHISHOLM

SCHEDULE "D" TO BY-LAW 2017-29

CORPORATION OF THE TOWNSHIP OF CHISHOLM

**SUBSTANDARD PROPERTY**

*Section 15 of the Ontario Building Code Act S.O. 1992, c.23 as amended*

**NOTICE OF VIOLATION**

**ORDER TO COMPLY**

**Re:** *Description and Location of Property in Violation*

**Township of Chisholm**

**THIS PROPERTY has been found NOT** to be in conformity with the Standards of Maintenance and Occupancy established by this Municipality and as set out in the Property Standards By-Law .

SCHEDULE "A", attached hereto, sets out the work required to remedy such violation(s) and to bring the property into compliance with the By-Law.

**BE ADVISED THAT THIS PROPERTY MUST BE MADE TO CONFORM WITH THE BY-LAW ON OR BEFORE THE DAY OF , .**

Further information may be obtained at the Property Standards Office located at 2847 Chiswick Line.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**NOTE:** Any person who removes or defaces this Placard is liable to a penalty not to exceed \$500.00.

\_\_\_\_\_  
Property Standards Officer

(705 724-3526)





4. Address of the Corporation of the Township of Chisholm (Respondent):

2847 Chiswick Line, Powassan, ON P0H 1Z0  
Telephone Number: (705) 724-3526  
Fax Number: (705) 724-5099

5. Counsel for Respondent: Jack Wallace

6. Order of the Property Standards Officer being appealed:

a) \_\_\_\_\_  
\_\_\_\_\_

b) \_\_\_\_\_  
\_\_\_\_\_

c) \_\_\_\_\_  
\_\_\_\_\_

7. Date of Order: \_\_\_\_\_

8. The grounds of appeal are:

a) \_\_\_\_\_  
\_\_\_\_\_

b) \_\_\_\_\_  
\_\_\_\_\_

c) \_\_\_\_\_  
\_\_\_\_\_

9. Date: \_\_\_\_\_

10. SIGNATURE OF APPELLANT OR COUNSEL OR AGENT:

\_\_\_\_\_

- Note:
- a) This Notice of Appeal or any other appeal document you choose to use should be filed with \_\_\_\_\_, Secretary of the Property Standards Committee at 2847 Chiswick Line, Powassan, ON P0H 1Z0.
  - b) Note: Pursuant to Section \_\_\_\_\_ of By-law \_\_\_\_\_, a Notice of Appeal should be sent “by registered mail” to the Secretary of the Committee within fourteen (14) days after service of the Order and in the event that no appeal is taken, the Order shall be deemed to have been confirmed.

**CORPORATION OF THE TOWNSHIP OF CHISHOLM**

**SCHEDULE "F" TO BY-LAW 2017-29**

**TERMS OF REFERENCES**

**PROPERTY STANDARDS COMMITTEE**

**Established:**

This Committee shall be established pursuant to section 15.6 of *the Ontario Building Code Act S.O. 1992, c. 23 as amended*.

The Property Standards Committee shall hear the Appeal of a Property Standards ORDER, given under the Township of Chisholm Property Standards By-law, and have all the powers and functions of the Officer who made the ORDER.

**Membership:**

1. The Committee shall be composed of a minimum of at least three (3) persons and not more than five (5) members, as the Council deems advisable.
2. The Property Standards Committee shall hold Office during the term of Council of the Corporation of the Township of Chisholm and shall have the powers and perform the duties of The Property Standards Committee for the Municipality as prescribed in Section 15.3 (3.1) *The Ontario Building Code Act, S.O. 1992, c. 23*.
3. The committee, from its members, shall elect a chairperson, at a meeting, arranged by the secretary, shortly thereafter their appointment to said committee by council.
4. When the chairperson is absent through illness or otherwise, the committee may appoint another member to act as chairperson.
5. Two (2) members of the committee shall constitute a quorum if the committee consists of three persons and three (3) members of the committee shall constitute a quorum if the committee consists of four to five persons.
6. The Council of the Township of Chisholm will appoint the staff member who will serve as the Secretary for the Committee. The Secretary shall not have voting powers. The Secretary shall be paid the meeting fee as set out in the current Collective Agreement for the municipality.
7. The Committee members will receive \$60.00 for each Appeal heard.

## **Responsibility of the Committee Members:**

### **Chairperson**

1. The Chairperson shall insure oaths are administered.
2. The Chairperson is responsible to ensure that the corporation and the appellant are provided equal opportunity to give evidence in said Appeal.
3. The Chairperson shall ensure that the evidence is presented in accordance to procedures outlined in this document.
4. The Chairperson is responsible for the conduct of the meeting/appeals.

### **Secretary**

1. The secretary of the Committee, upon receipt of the Notice of Appeal shall:
  - (a) determine the date, place and time of the hearing of the appeal which shall take place not less than seven (7) days and not more than thirty (30) days from the date of receipt of the aforesaid notice; and
  - (b) give notice in writing of the date, place and time of the hearing to:
    - (i) the appellant;
    - (ii) the officer who issued the order, and
    - (iii) any others as the Committee may consider advisable
2. The secretary of the Committee shall notify:
  - (a) the appellant;
  - (b) the officer who issued the order; and
  - (c) any other person who appeared at the hearing of the appeal, of the decision, by causing a copy to be served personally or by registered mail.

### **Duties of the Committee:**

1. A duty arises when an Officer issues an ORDER pursuant to section 15.2.2 or 15.7 of the *Ontario Building Code Act, 1992, c. 23*, and
2. When the owner or occupant upon whom an ORDER has been issued is not satisfied with the ORDER or the terms or conditions thereof, the owner or occupant may appeal to the Committee by sending a Notice of Appeal, by registered mail, to the Secretary of the Committee, within fourteen (14) days after service of the ORDER and, in the event that no appeal is taken, the Order shall be deemed to have been confirmed.
3. The Committee shall hold the hearing at the date, place and time set out in the notice and shall have all the powers and functions of an Officer.
4. The Committee shall hear all evidence from the Corporation of the Township of Chisholm and the Appellant in accordance with the rules of evidence.

#### **Procedure for an Appeal:**

- The Committee will be given copies of the following:
  - Property Standards By-Law
  - Copy of the ORDER and Notice of Non-Conformance

- The Corporation will present its evidence to the Committee first – witness testimony and documentary evidence.
    - The chairperson prior to allowing any witness to give testimony will have the witness make OATH. The witness will take an oath swearing that he will tell the truth or he will affirm that he will tell the truth.
    - The appellant and the Committee will have the opportunity to question any Corporation witness, when the Corporation is finished with their line of questioning for that particular witness.(Cross examination)
    - The Corporation will have the opportunity to clarify any evidence brought out in cross-examination – meaning address the witness again by asking questions. (re-examination)
  
  - Once the Corporation has completed its evidence, the Appellant may present its evidence.
    - The parallel procedure applies as above.
  
  - Upon completion of the Appellant’s evidence the Corporation has the opportunity to give Reply Evidence. Meaning, if during the course of the defense, the appellant or witnesses have raised an issue not previously raised by the Corporation then as Reply Evidence the Corporation may call evidence on the point, which had not been previously raised.
  
  - Once the evidence for the appellant and the Corporation is completed, they will have the opportunity to summarize their evidence to persuade the Committee as to what conclusions he or she should draw from the evidence.
5. The Property Standards Committee may:
- a) confirm the ORDER;
  - b) modify or rescind the ORDER; or
  - c) extend the time for complying with the ORDER provided that the general intent and purpose of the By-law is maintained.
6. The Committee shall give its decision in writing within 10 working days.
7. The Corporation or any owner or occupant or person affected by the Committee’s decision may appeal to a judge of the Ontario Court (General Division) by notifying the clerk of the corporation in writing and by applying to the Ontario Court (General Division) for an appointment within 14 days after the sending of a copy of the decision.