

BY-LAW NUMBER 88-26

of

THE CORPORATION OF THE COUNTY OF BRANT

To establish a Property Standards Committee

AND WHEREAS the County of Brant Council deems it desirable to enable a County-wide Community Planning Permit System through the enactment of a Community Planning Permit By-law.

AND WHEREAS the implementation of the Community Planning Permit By-law requires a repeal of the responsibilities of the Committee of Adjustment with respect to land use planning matters.

AND WHEREAS the Committee of Adjustment was also appointed as an appeal body in the County of Brant Fence By-law No.135-23 as amended and Sign By-law No.121-08 as amended.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT HEREBY ENACTS as follows:

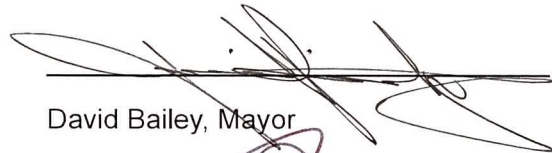
1. **THAT** a Property Standards Committee for the County of Brant be hereby established.
2. **THAT** the authority to hear appeals of Property Standards Orders under Section 15 of the Building Code Act, 1992, S.O. 1992, c. 23, as amended, and in accordance with Property Standards By-law 205-02, as amended, is hereby delegated to the Property Standards Committee.
3. **THAT** the authority to hear appeals of variations granted under Section 9 of Fence By-Law 135-23, as amended, and Section 9 of Sign By-Law 121-08, as amended, is hereby delegated to the Property Standards Committee.
4. **THAT** Schedule 'A' of this by-law, being the attached terms of reference for the Property Standards Committee, be adopted.
5. **THAT** for the purposes of establishing the Property Standards Committee, the citizen members of the former Committee of Adjustment, as appointed under By-Law 118-22, shall be hereby appointed to the Property Standards Committee until such time as the Council of the County of Brant undertakes recruitment to coincide with the term of Council in accordance with the procedures outlined in By-Law 106-25. After such time,

6. **THAT** this By-law shall come into force and take effect on August 22, 2026.
7. **THAT** all by-laws and parts of by-laws that are inconsistent with the provisions of this By-law are hereby repealed.

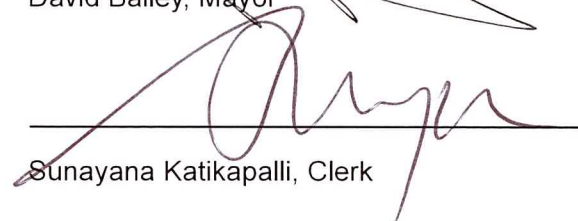
READ a first and second time, this 28th day of July 2026.

READ a third time and finally passed in Council, this 28th day of July 2026.

THE CORPORATION OF THE COUNTY OF BRANT



David Bailey, Mayor



Sunayana Katikapalli, Clerk

County of Brant Property Standards Committee

TERMS OF REFERENCE

1. DEFINITIONS

- a) "COMMITTEE" Means a property standards committee established under section 15.6 of the Building Code Act.
- b) "CHAIR" refers to the chair of the Property Standards Committee, elected by members of the Committee at a regular meeting of the Committee; members may appoint another member to act as Acting Chair in his/her absence Chair ensures that decorum is maintained at each hearing and meeting and that the rules of procedure and conduct are observed.
- c) "TERM OF OFFICE" refers to the length of time a Property Standards Committee member shall be in office; this term corresponds with the term served by the Council of the Corporation of Brant County.
- d) "PUBLIC HEARING" hereinafter called "meeting(s)"; refers to the proceeding of the Property Standards Committee.
- e) "REMUNERATION" refers to the compensation paid to Property Standards Committee members as per the applicable Brant County By-law.
- f) "QUORUM" a majority of the members constitutes a quorum for transacting the committee's business in accordance with the County of Brant Procedural By-Law.
- g) "SECRETERY" refers to the Secretary of the Property Standards Committee.

2. MANDATE

- a) The property Standards Committee is established under the authority of the Building Code Act, 1992, SO. 1992 c. 23 and the County's Property Standards By-law 205-02, as amended. The Property Standards Committee is a quasi-judicial body that hears appeals by property owners or their agents who have received an order of the Property Standard Officer from the County.
 - i. In accordance with Section 15.3(3.1) of the Building Code Act, the Committee will be responsible to:
 - ii. Confirm the Property Standards Order; or
 - iii. Modify the Property Standards Order; or
 - iv. Rescind the Property Standards Order; or
 - v. Extend the time for complying with the order provided that, in the opinion of the Committee, the general intent and purpose of the Property Standards By-law is maintained.

3. ADDITIONAL MANDATE, APPEAL AUTHORITY

The authority to hear appeals of variations granted under Section 9 of Fence By-Law 135-23, as amended, and Section 9 of Sign By-Law 121-08, as amended, may also form part of the mandate of the Property Standards Committee.

4. COMPOSITION OF THE COMMITTEE

The Property Standards Committee is composed of seven appointed representatives. Members should have a demonstrated commitment and interest in the community, and the committee membership should reflect a balanced representation from the areas of planning, construction and lay people.

5. TERMS OF APPOINTMENT

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

6. LOCATION, CALENDAR DATE AND TIME OF HEARINGS

Hearings shall be held as required, on as-needed basis (at the availability of the individuals involved) and in accordance with the County of Brant's procedural by-law.

7. DISCLOSURE OF PECUNIARY INTEREST

- a) If a member has a pecuniary interest, direct or indirect, in any matter in which the Committee is concerned and is, or will be present at a meeting at any time at which the matter is the subject of consideration, the member:
 - i. Shall, before any consideration of the matter, at the meeting verbally disclose the interest and its general nature.
 - ii. Shall not, at any time take part in the discussion of, or vote on, any question in respect to the matter; and
 - iii. Shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- b) If a Member is not present and has any pecuniary interest, he/she shall disclose his/her interest at the next meeting in attendance.

8. REMUNERATION PAID TO COMMITTEE MEMBERS

- a) The members of the Property Standards Committee for The County of Brant so appointed shall receive remuneration as the Council may provide for the exercise of their respective duties and responsibilities.

- b) Mileage to pick up Property Standards Committee packages will not be paid to members of the Property Standards Committee. Members have the option of picking up their packages or receiving packages via courier. A form will be distributed at the beginning of each term asking members to sign to their decision with the understanding that they have the option to change their method of receiving their packages at any time.

9. QUORUM

- a) Three members shall be deemed to constitute Quorum as per Section 15.6(5) of the Building Code Act. If no quorum is present thirty (30) minutes after the time appointed for a meeting, the Chair of the meeting or the secretary may discharge the members present and may cancel or reschedule the meeting.
- b) The Chair shall be counted in determining quorum and shall be entitled to all the rights of a member on the Committee, including voting.

10. VOTING OF MEMBERS

- a) Every Property Standards Committee member, including the Chair, who is present at a Committee Meeting when a question is put shall vote thereon, except where he/she is disqualified to vote by reason of a pecuniary interest or is absent from the meeting when the question is put. Should the motion result in a tie said motion is defeated. If a motion is defeated a new motion must be brought forward and voted on.
- b) Every Committee member who is not disqualified from voting by reasons of a declared pecuniary interest shall be deemed to be voting against the motion if he/she declines or abstains from voting.

11. CONDUCT OF MEETINGS

- a) The meeting shall be called to order by the Chair. The meeting shall commence at the time given in the Notice of Hearing and will continue until a motion is passed to adjourn the meeting.
- b) The Chair shall ask the Members to declare any pecuniary interests that they may have in applications before the Committee, and the provisions of the Municipal Conflict of Interest Act shall apply. If an interest is declared, the member will not participate in any discussion, vote or any question with respect to the application.
- c) Decisions are to be made by those members present at all hearings regarding the appeal.
- d) All meetings shall be open to the public and no person shall be excluded except for improper conduct, except as indicated in part (e) hereunder.

Schedule 'A'

- e) Meetings shall be closed only in the manner and circumstances identified by the Municipal Act and the County of Brant's procedural by-law.
- f) The Committee can choose to defer an application if the applicant and/or agent are absent from the meeting.
- g) The Chair shall also call for any requests for deferral of an application or for any request for withdrawal of an application.
- h) All requests for deferrals of the hearing of an application to a later meeting as noted above must be for reasonable cause.
- i) The Chair of the meeting shall ask the applicant, authorized agent or the applicant's representative to introduce themselves.
- j) The Chair of the meeting shall invite anyone else having an interest/concern, with respect to the application to come forward and introduce themselves. All Delegates shall have a maximum ten minutes to speak to the application and shall be focused solely on the application at hand, the secretary or Staff will provide 2-minute warning.
- k) The Committee shall give the applicant, authorized agent or the applicant's representative opportunity to respond to any comments received from commenting agencies or interested parties.
- l) After having considered the issues raised by the applicant, authorized agent, applicant's representative, any respondents and the evidence heard at the meeting by the Committee, the Chair shall ask the members of the Committee for a motion with respect to the disposition of the application. The Chair of the meeting upon receipt of a motion from the Committee member shall ask for a seconder to the motion. The Chair of the meeting shall call for a vote by the Committee on the motion, and the Chair shall announce whether the motion is carried or defeated. A defeated motion is not a decision. A new motion should then be presented until one is carried by a majority of the members. The chair shall announce at the meeting, the decision of the Committee.
- m) Committee members may ask the secretary for any assistance they require related to the matters at hand.
- n) Committee members concurring with the decision of the Committee shall sign the decision at the meeting or electronically if the meeting is being held virtually.
- o) The conduct of the meetings and members, with respect to matters not specifically addressed, shall be in accordance with the Statutory Powers Procedure Act R.S.O. 1990, CS. 22 as amended, the Municipal Conflict of Interest Act R.S.O. 1990, C.M 50 as amended and The Municipal Act 2001, S.O. as amended. Conduct not covered by these acts will be in accordance with Robert's Rules of Order.

12. ACCESS TO MEETINGS - CLOSED MEETING PROVISIONS

- a) Except as provided in this section, all meetings shall be open to the public, media and Property Standards Committee Minutes shall be available upon request. The Chair may expel any person for improper conduct at a Meeting. A meeting may be closed to the public if the subject matter being considered is:
 - i. the security of the property of the municipality or local board;
 - ii. personal matters about an identifiable individual, including municipal employees or local board members;
 - iii. a proposed or pending acquisition or disposition of land by the municipality or local board;
 - iv. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.
 - v. the receiving of advice that is subject to solicitor-client privilege; including communications necessary for that purpose;
 - vi. a matter in respect of which the board or committee may hold a closed meeting under the authority of another Act.
 - vii. for the purpose of educating or training the members, subject to the condition that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision- making of the Committee.
- b) Before holding a Meeting or part of a Meeting that is to be closed to the public, the Committee shall state by Resolution:
 - i. the fact of the holding of the Closed Meeting;
 - ii. the general nature of the matter to be considered at the Closed Meeting.
 - iii. in the case of a meeting for educational or training purposes, that it is closed for that purpose as well.
- c) All deliberations while in Closed Session shall remain confidential unless otherwise approved by Committee in Open Session. The secretary shall record all Minutes of Closed Session without note or comment. These Minutes shall remain confidential.

13. PROVISION FOR ACCESSIBILITY AND DIVERSITY

Adequate provisions shall be made by the Chair of the Property Standards Committee and relevant staff to ensure that meeting locations, agenda and minute formats, communications and conduct of meetings be accessible, to ensure maximum participation and quality customer service. Reference may be made to the provisions of the Ontarians with Disabilities Act, and similar legislation, policies and guidelines.

14. DEFERRALS

- a) As indicated above, Committee may pass a motion to defer an appeal for any of the following reasons:
 - i. At the request of the applicant and/or agent;
 - ii. If the applicant and/or agent are absent from the meeting;
 - iii. At the recommendation of Staff;
 - iv. For other reasons as Committee deems necessary.
- b) all requests for deferrals of the hearing of an application to a later meeting as noted above must be for reasonable cause.
- c) A motion to defer an application must be carried by a majority of the members.
- d) Deferral fees, as passed by Brant County Council By-law, may apply.
- e) The secretary will consult with Staff to determine if a fee shall apply to each individual deferred application.
- f) A deferral letter will be mailed to the applicant and/or authorized agent informing them of the deferral policy and the prescribed fee if applicable.
- g) Once the applicant/agent has addressed the reason(s) for the deferral and resolved all outstanding issues, a request must be submitted to the secretary to place their application on an agenda for the Property Standards Committee.
- h) Such request must be submitted in writing to the attention of the secretary and accompanied by the applicable fee as outlined in the deferral letter.
- i) Requests and fees must be received by the secretary a minimum of three weeks in advance of the Committee meeting.