



Staff Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: October 5, 2020

Report Number: LGS-001-20

Submitted By: Rob Maciver, Director of Legislative Services

Reviewed By: Andrew C. Allison, CAO

Resolution#:

File Number:

By-law Number:

Report Subject: Nuisance Lighting

Recommendations:

1. That Report LGS-001-20 be received;
2. That the By-law attached to Report LGS-001-20, as attachment 2, be approved; and
3. That all interested parties listed in Report LGS-001-20 and any delegations be advised of Council's decision.

Report Overview

This Report provides information on an amendment to Clarington's Property Standards Bylaw 2007-070, for the inclusion of a nuisance lighting provision, in response to Council's request.

1. Background

- 1.1 At the September 14, 2020 Joint Committees meeting, Council considered correspondence from Raymond Kiomall requesting Council to enact a by-law to regulate nuisance lighting and referred the correspondence to staff to report back.
- 1.2 Issues regarding nuisance lighting are seldom brought to the attention of the Municipal Law Enforcement Division. Over the past five years, our dispatch records reflect that only two concerns have been brought forward related to residential lighting being a nuisance for residential areas.
- 1.3 Current Municipal regulatory by-laws do not address nuisance lighting for residential lighting.
- 1.4 During the September 14, 2020 Joint Committee meeting, Council did raise questions regarding residential lighting issues and commercial lighting issues. According to the Municipal Law Enforcement Division dispatch records, approximately five concerns have been reported concerning commercial lighting. As was conveyed to Council by the Acting Director of Planning Services, commercial lighting is regulated through the site plan process and as well, the Property Standards By-law 2007-070 also addresses light trespass from Commercial Properties. See Attachment 1.

2. Discussion

- 2.1 Mr. Kiomall's correspondence referred to the Town of Ajax's Property Standards Bylaw and suggested that Clarington enact similar regulations. Staff reached out to the Town of Ajax and confirmed that their Property Standards By-law 46-2017 states as follows:

Exterior lighting fixtures shall be installed and maintained so as to prevent the light source from shining directly into a dwelling unit

- 2.2 Ajax enforcement staff indicated they infrequently have to rely on this regulation but admitted that it has proven useful when it was appropriate to apply it. They further noted that the regulation purpose is specifically for direct lighting and is not intended for light trespass.

- 2.3 Should Council choose to enact a regulation to regulate direct lighting as a nuisance (not light trespass) emanating from residential properties, staff recommends that the Property Standards By-law be amended to include the same clause as is used by the Town of Ajax (stated in 2.1 above).

3. Concurrence

Not applicable.

4. Conclusion

Should Council wish to regulate direct lighting emanating from residential properties, it is respectfully recommended that the By-law attached to this Report as attachment 2 be approved.

Staff Contact: Duncan Anderson, Manager of Municipal Law Enforcement, 905-623-3379 ext. 2110, danderson@clarington.net

Attachments:

Attachment 1 – Lighting in Commercial and Industrial Developments

Attachment 2 – Draft By-law 2020-XX

Interested Parties:

Raymond Kiomall