



Staff Report

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Report To:	General Government Committee		
Date of Meeting:	November 8, 2021	Report Number:	LGS-029-21
Submitted By:	Rob Maciver, Director of Legislative Services		
Reviewed By:	Andrew C. Allison, CAO	Resolution#:	
File Number:		By-law Number:	
Report Subject:	Snow Clearing		

Recommendations:

1. That Report LGS-029-21 and any related communication items, be received; and
2. That the By-law attached to Report LGS-029-21, as attachment 1, be approved.

Report Overview

In 2016, rate adjustments were made to the snow clearing by-law. Over the last 5 years, snow clearing costs have increased and will regularly fluctuate over the years. To avoid frequent amendments to the by-law and provide a fair and consistent approach to recovery of costs for services, amendments within this report are recommended.

1. Background

- 1.1 By-law 93-144 provides an owner or occupant 24hrs after a snow fall to clear snow, slush, and ice from a sidewalk alongside their property. In situations where an owner fails to clear the sidewalks, Municipal Law Enforcement provides notice to have it cleared, then after further non-compliance arranges to have sidewalks cleared at the owners' expense.
- 1.2 Recovery of costs for snow removal is set out in By-law 93-144, section 4. as per the following schedule:

Details of Work Undertaken on sidewalk in front of, alongside, or at the rear of:	Distance of sidewalk area on which the work was undertaken	Fee
Developed Residential lot with at least one dwelling unit	Up to 23 metres (75.5 feet)	\$150 flat fee
Developed Residential lot with at least one dwelling unit	Greater than 23 metres (75.5 feet)	\$250 flat fee
Developed land with a Commercial / Industrial or mixed use building on it		\$4.00 per metre
Vacant land (regardless of its Zoning Designation) or any land under development prior to the date of closing of sale		\$4.00 per metre

- 1.3 The cost for snow removal services is constantly on the increase. The actual cost to remove snow from sidewalks alongside vacant, commercial and industrial properties currently exceeds the amount recoverable under the existing cost recovery provisions of the by-law.

- 1.4 In many cases, the existing cost recovery provisions related to residential properties is disproportionate to the actual cost of the work. For example, under the current provisions, an owner who had snow cleared from 5 meters of sidewalk would be invoiced the same amount as a resident who had 22 meters cleared. Fairness dictates this should be revised so that the amount recovered is the actual cost of the work.

2. Discussion

- 2.1 To remain equitable and consistent with other regulatory by-laws providing for the recovery of costs, an amendment to by-law 93-144 is required. In addition to remaining equitable and consistent, an increase for developed commercial and industrial lands, and vacant lots is required to ensure costs can be fully recovered.
- 2.2 The Municipality's Clean and Clear by-law provides for the recovery of the actual costs associated with contractor services, plus an administration fee of \$50. The nature of the work, and the recovery of costs under the Clean and Clear by-law is comparable to by-law 93-144. By-law 93-144 should be amended to reflect the same approach to cost recovery.
- 2.3 Following the same process and recovery of costs as the Clean and Clear by-law provides consistency for staff and residents. Billing the actual cost is the most fair and reasonable method to calculate the amount to be recovered.

3. Concurrence

Not applicable.

4. Conclusion

It is respectfully recommended that the By-law attached to Report LGS-029-21, as attachment 1, be approved.

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

Attachments:

Attachment 1 – Bylaw 2021-xxxx

There are no interested parties to be notified of Council's decision.