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Report To: General Government Committee

Date of Meeting: June 2, 2025 **Report Number:** LGS-021-25

Authored By: Kristina Bergeron, Manager, Municipal Law Enforcement

Submitted By: Rob Maciver, Deputy CAO/Solicitor, Legislative Services

Reviewed By: Mary-Anne Dempster, CAO

By-law Number: **Resolution Number:** # C-33-24, #GG-013-24

File Number:

Report Subject: Proposed Structured Review of Regulatory By-laws

Recommendations:

1. That Report LGS-021-25, and any related delegations or communication items, be received;
2. That Committee endorse the proposed sequence of By-law reviews contained in Report LGS-021-25; and
3. That all interested parties listed in Report LGS-021-25, be advised of Council's decision.

Report Overview

Municipal staff are seeking Council's direction and support to implement a structured review of current regulatory by-laws. The goal is to evaluate and update existing regulations systematically, ensuring they remain relevant, effective, and aligned with community needs.

1. Background

Need for Review

- 1.1 There is a continuous need to review the regulatory by-laws that define the Municipality's structure and image. This process ensures compliance with legislative requirements and promotes enforcement practices that align with the Municipality's framework, objectives, Strategic Plan, and other priorities.
- 1.2 In recent years, comprehensive revisions have been made to the Clean and Clear By-law 2019-047, Vehicles-for-Hire By-law 2019-069 (formerly the Taxi By-law), Public Spaces By-law 2024-009 (formerly the Parks By-law), and the Site Alteration By-law 2024-017. In addition, several other regulatory by-laws have been amended on an ad hoc basis according to Council direction (e.g. Property Standards By-law, Traffic By-law, Exotic Animal By-law).
- 1.3 By adopting a proactive approach, we can systematically assess regulatory by-laws, anticipate potential concerns, and implement well-planned updates, ensuring regulations remain effective, clear, and aligned with long-term objectives
- 1.4 Creating a structured process for reviewing by-laws ensures that municipal regulations are current and aligned with evolving legislative requirements, reducing the risk of compliance gaps arising from outdated or misaligned regulations. By systematically evaluating and updating by-laws, the municipality can maintain clarity, consistency, and legal adherence.
- 1.5 Without a structured review process, by-law updates tend to be reactive, driven by immediate concerns rather than strategic planning. This approach can result in inefficiencies and unnecessary disruptions. For instance, a sudden increase in complaints from a specific group might trigger a prompt by-law revision, diverting resources from broader, more impactful regulatory updates. A structured review ensures that updates are thorough, well-informed, and aligned with long-term priorities, rather than being dictated by isolated, short-term demands.
- 1.6 A structured review process would also provide for a robust public engagement component that is essential for successful municipal regulatory activity.

2. Proposed Review Approach

Rationale for Prioritization

- 2.1 Due to the complexity and scope of municipal by-laws, staff propose reviewing one (1) to two (2) by-laws per year, based on their impact and priority. This approach will allow for thorough examination while maintaining operational efficiency. A prioritized sequence has been established to guide the review process.
- 2.2 The prioritized list reflects regulatory areas requiring timely updates. Reviewing these By-laws sequentially will help prevent unforeseen compliance issues and expedite necessary improvements.
- 2.3 The priority sequence may be adjusted if there is a change in governing legislation that creates an urgent need, or where the addition of a new regulation is necessary, for example, the addition of a Vulnerable Spaces By-law.
- 2.4 Staff from Municipal Law Enforcement, Legal, and Planning and Infrastructure have conducted a preliminary review and request Council's endorsement of the following priority sequence for review:

1. Boulevard By-law 2013-066

- 2.5 At a meeting of Council held on March 25, 2024, direction was provided through resolution # C-33-24, that Staff report back on potential amendments to the Boulevard By-law as it relates to Parking on Clarington Streets.
- 2.6 It is necessary to consult with Public Works and Planning and Infrastructure staff, as well as external stakeholders such as the various utility companies through public engagement.
- 2.7 The Boulevard By-law 2013-066 was last revised October 18, 2021, and is the first prioritized By-law for review.

2. Election Sign By-law 2016-004

- 2.8 Revisions and updates are required in preparation of upcoming Municipal Election to be held in 2026.
- 2.9 The election Sign By-law was last revised October 18, 2021.

3. Noise By-law 2007-071

- 2.10 At the General Government Committee meeting held on March 4, 2024, Council approved a motion that resulted in resolution #GG-013-24, directing Staff to review both the Kennel By-law 2013-025 and Noise By-law 2007-071, and report back on findings as it relates to noise impacting neighbouring properties.
- 2.11 While the immediate concerns giving rise to the resolution were resolved within the existing by-law framework, a comprehensive review of the Noise By-law would be beneficial.
- 2.12 Noise is among the most common concerns raised by residents. Establishing an effective tool to address community disturbances is essential for maintaining a peaceful environment for residents.
- 2.13 The Noise By-law was last revised on March 12, 2012.

4. Refreshment Vehicle By-law 2015-016

- 2.14 Efforts to streamline and increase efficiencies of our special events process for vendors and staff, a survey of neighbouring Municipalities will be compiled to assist with creating a more user friendly and consistent approach for food vendors.
- 2.15 This By-law has never been reviewed or revised since adoption in 2015.

5. Fence By-law 2000-015

- 2.16 The Fence By-law came into force 25 years ago. Timely updates are required including Work Orders/Remedial Action to address non-compliance and swimming pool enclosure safety.

6. Exotic Animals 2012-045

- 2.17 Public interest in updating bee keeping regulations.

7. Property Standards 2007-070

- 2.18 Property Standards concerns are a top priority in the community. Regular review of the established community standards should be at the forefront to ensure appropriate standards are in place to maintain standards and protect the health, safety and wellbeing of residents.

8. Snow and Ice Removal By-law 93-144

- 2.19 The Snow and Ice Removal By-law has been in place for over 30 years. While amendments have kept its provisions up to date, a comprehensive review would be beneficial, particularly to address fire hydrant clearing and updates to work order regulations.

9. Kennel By-law 2013-025

- 2.20 At the General Government Committee meeting held on March 4, 2024, Council approved a motion that resulted in resolution #GG-013-24, directing Staff to review both the Kennel By-law 2013-025 and Noise By-law 2007-071, and report back on findings as it relates to noise impacting neighbouring properties.
- 2.21 While the immediate concerns giving rise to the resolution were resolved within the existing by-law framework, a comprehensive review of the Kennel By-law would be beneficial.

Benefits of a Structured Review

- 2.22 A structured review prevents regulatory gaps and compliance risk. It ensures consistency in enforcement and public awareness and provides transparency and clarity on the review process.
- 2.23 It reduces last-minute disruptions and reactive decision-making. By establishing a structured review process, staff can focus on planned priorities without being diverted by unexpected requests. This approach fosters efficiency and ensures that regulatory updates align with broader municipal objectives, helping staff stay on task and accomplish work plan goals effectively.

3. Financial Considerations

- 3.1 Not Applicable.

4. Strategic Plan

- 4.1 The endorsement of the proposed sequence of By-law reviews aligns with Clarington's Strategic Plan 2024-27 by supporting effective governance and responsible growth management. This initiative reflects the municipality's commitment to efficient service delivery, public engagement, and modernized regulatory frameworks.
- 4.2 By establishing a structured approach to By-law reviews, Council ensures that regulatory updates are conducted in a transparent, orderly, and strategic manner, reinforcing Clarington's vision of a connected, dynamic, and welcoming community.

Furthermore, incorporating subsequent reviews, revisions, or amendments into the established sequence promotes consistency, operational efficiency, and responsiveness to evolving community needs.

5. Climate Change

Not Applicable.

6. Concurrence

Not Applicable.

7. Conclusion

It is respectfully recommended that Committee endorse the proposed sequence of By-law reviews. Further that, any subsequent required regulatory By-law reviews, revisions, or Amendments not outlined will be incorporated into the order of the established sequence.

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Attachments:

Not Applicable

Interested Parties:

Tony Ricciardi, Manager of Construction and Inspections

Brett Novak, Manager of Roads