

REQUEST FOR DECISION

DATE: October 21, 2015

Report No. CSS-15-019

TO: Laurie Hurst, Chief Administrative Officer

FROM: Blair McDonald, Director, Community Safety Services

SUBJECT:

Boulevard Maintenance Bylaw, 2015, No. 2860.

RECOMMENDATION:

That Council gives first, second and third readings to the Boulevard Maintenance Bylaw, 2015, No. 2860.

RELEVANT POLICY:

Council Policy E&PW-02 Guide to Boulevard Modifications
Bylaw Notice Enforcement Bylaw, 2014, No. 2839, as amended

STRATEGIC RELEVANCE:

This Bylaw does not directly relate to Council's Strategic Plan.

BACKGROUND:

In January of 2015, Council approved Council Policy E&PW-02 Guide to Boulevard Modifications, which provides for Boulevard Alteration Permits to enable residents of the Township to be able to modify the boulevard at their residence in a way that would not compromise safety and allow access where necessary to municipal works within the boulevard. Due to complaints about some properties, it was apparent that a mechanism to enforce the intention behind the Boulevard Alteration Permit was required. At the October 13th, 2015 Committee of the Whole, the Boulevard Maintenance Bylaw was introduced and staff were directed to prepare a report for Council.

ISSUES:

1. Rationale for Selected Option

In response to numerous requests and complaints, Engineering and Public Works created a process to allow permitting for landscaping other than grass on boulevards.

After the implementation of this process, it became clear that an enforcement mechanism was required to aid in ensuring uniform application of the policy. With input from Parks and Recreation, Engineering and Public Works and Community Safety Services, this Bylaw was created. It is believed by staff, that with prudent application, this Bylaw will aid in attaining the goals of the Boulevard Modifications Policy.

2. Organizational Implications

The “Township Guide to Boulevard Modifications” has been in place since the beginning of 2015. This Bylaw does not represent a new policy or process; it merely compliments the existing policy.

3. Financial Implications

There are no Financial Implications to this Bylaw with the exception of a small amount of fine revenue that may be generated from enforcement.

4. Sustainability & Environmental Implications

The ability to use boulevard lands for appropriate plantings will aid in allowing those who wish to plant something other than grass, the opportunity to do so.

5. Communication & Engagement

The “Township Guide to Boulevard Modifications” is currently posted on the Township website. This Bylaw, when adopted by Council, will also be posted on the website. The latest Township Newsletter has a “Did You Know” piece in it bringing the “Township Guide to Boulevard Modifications” to the attention of all residents.

Bylaw enforcement policy is, first and foremost, to seek voluntary compliance. If there are any properties that have altered the boulevard but do not have a subsisting Boulevard Alteration Permit and those properties are brought to the attention of bylaw enforcement staff, either by complaint or some other process, they will be directed to the policy and requested to seek a permit for the alterations in existence on the boulevard before any enforcement action takes place.

ALTERNATIVES:

1. That Council gives first, second and third readings to the Boulevard Maintenance Bylaw, 2015, No. 2860 as attached to Staff Report CSS-15-019.
2. That Council directs any amendments it considers appropriate to Bylaw No. 2860 prior to giving it first, second and third readings as amended.
3. That Council refers Bylaw No. 2860 back to staff to further revision.