



# INFORMATION REPORT

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	April 16, 2019
<b>SUBJECT/REPORT NO:</b>	Licensing and By-law Services Housekeeping and Technical Amendments to By-laws (PED19011(a)) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Robert Ustrzycki (905) 546-2424 Ext. 4721
<b>SUBMITTED BY:</b>	Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

City Council at its meeting held on January 25, 2019 received Item 7.3 of the Planning Committee Report 19-001, regarding housekeeping amendments to the City of Hamilton Property Standards By-law 10-221 and Yard Maintenance By-law 10-118, and referred the report back to staff to include details on the changes proposed.

## INFORMATION

By-law amendments are occasionally required to correct minor errors, to align with changes to legislation, improve processes and to correct obsolete or imprecise language. As part of continuous improvement efforts, staff work to improve and update various by-laws to deficiencies identified by Council, committees, staff, public, and the courts. These technical and housekeeping changes are minor in nature, and do not deviate from the general intent and purpose of the by-law as originally approved and enacted by Council.

For clarity and to ensure that the Council has all the information for consideration, including the details on the proposed changes to the by-law, Licensing and By-law Services (LBS) will ensure all by-laws are attached to the report and that the report clearly delineates the changes requested.

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The details to the amendments proposed in staff Report PED19011 (Housekeeping Amendments to the City of Hamilton Property Standards By-law 10-221 and Yard Maintenance By-law 10-118) will be re-introduced to the Planning Committee in separate reports that will include the draft amending by-law and original by-law, or the relevant excerpts thereto.

To ensure Council are fully aware of future housekeeping amendments to by-laws, LBS will ensure advance notice is given of proposed changes.

In 2019, the following housekeeping amendments will be coming forward to Committee;

1. To update the definition of Director in the Property Standards and Yard Maintenance By-laws to reflect the title change of the City Director of Parking and By-law Services, now the Director of Licensing and By-law Services.
2. To include a provision in the Yard Maintenance By-law for an expedient and efficient method to remedy minor damage to trees (branches and limbs), while continuing to apply the lengthy formal process and rights of appeal under the Property Standards Orders for trees that may be hazardous and requiring more involved work or removal.
3. To correct the penalty section to the Property Standards By-law to reference the offence and penalty provisions under the *Building Code Act*.
4. To include any and all property under a development agreement or grading plan in the Landscaping provisions of the Property Standards By-law to support the continued maintenance requirements for development proposals.
5. To include the term Rural Settlement Areas to the definition of Urban Boundary in the Yard Maintenance By-law to clarify its reference to the Rural Official Plan so the reader is not misled.
6. To update the definition of 'inoperative vehicle' in the current Yard Maintenance By-law that is obsolete to the vehicle/permit holder regime under the *Highway Traffic Act*, and fails to include motorized snow vehicles.
7. The Yard Maintenance and Property Standards By-laws are silent to define "Naturalized Areas" and rely on its ordinary meaning, which poses uncertainty in applying the maintenance standards of both By-laws. LBS staff is currently consulting with other internal departments for an appropriate definition that meets the intent and general purpose of the by-law.

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As this Report addresses the issue respecting housekeeping amendments to City of Hamilton Property By-law 10-221 and Yard Maintenance By-law 10-118 on the Planning Committee Outstanding Business List, it is appropriate to be identified as complete and removed from the list.

**APPENDICES AND SCHEDULES ATTACHED**

N/A

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