

Staff Report

Community Services Department



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REPORT TO: Community and Infrastructure Services Committee

DATE OF MEETING: April 22, 2024

SUBMITTED BY: Gloria MacNeil, Director of Enforcement, 519-741-2200 ext. 7952

PREPARED BY: Steve Vrentzos, Manger of Enforcement, 519-741-2200 ext. 7375

WARD(S) INVOLVED: All

DATE OF REPORT: April 22, 2024

REPORT NO.: CSD-2024-083

SUBJECT: Property Standards By Law Amendments

RECOMMENDATION:

That the proposed by-law attached to report CSD-2024-083, to repeal and replace specific sections of the existing Property Standards By-law, Chapter 665 as noted in Appendix A, be adopted; and,

That the updated regulations of the City of Kitchener Property Standards By-law, Chapter 665 be incorporated into The City of Kitchener Municipal Code.

REPORT HIGHLIGHTS:

- The purpose of this report is to proactively address enforcement concerns that may arise with the approval of report DSD-2024-066 Enabling Four Units.
- Updating the Property Standards By-law with some general housekeeping amendments to address concerns that were previously not captured in the by-law.

BACKGROUND:

On April 8, 2024, Council approved DSD-2024-066 Enabling Four Units, which was brought forward by the Planning Division. As a result of the approved changes to allow additional units, staff have identified potential challenges that may arise as a result of this change.

Staff have also taken the opportunity to review our current Property Standards By-law and have identified some recommended updates to the by-law which will allow staff to address some recurring concerns and ultimately provide better customer service.

REPORT:

By-Law Enforcement and Planning staff have considered potential enforcement concerns that may result with the increased number of new multi-residential units. One of the concerns was the possibility of increased complaints related to the storage of waste or waste containers. Although our current Property Standards by-law addresses some waste concerns, it does not address how waste can be stored on multi-residential properties unless there is a registered site plan on file with the City. Since site plans are no longer a

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requirement for development of properties with less than 10 units, staff are recommending changes to the Property Standards By-Law to mitigate any future concerns related to the storage of waste on multi-residential properties with 3 or more units.

In 2017, the current Property Standards by-law Chapter 665 was repealed and replaced. Staff spent a considerable amount of time reviewing and updating the by-law and engaging with the public and stakeholders. Since then, staff have noted some additional concerns or updates that are currently not captured and therefore are recommending including some housekeeping amendments to the Property Standards By-Law to provide better customer service.

Recommended changes to the Property Standards By-law:

1. The definition of “multi residential building” be changed from 4 or more units to 3 or more units.
2. Waste and containers located on a multi-residential property will be required to be stored within a building, structure or enclosure to ensure it is screened from view and free of odours.
3. Community mailboxes and lockboxes for apartment and condo building properties was added to the by-law to assist tenants in rental situations.
4. Hot water temperature requirements for residential dwelling units was updated to mirror the Ontario Building Code standards.
5. Visibly deteriorating and damaged roofs has been added to the by-law, which allow staff to ensure buildings are being maintained.
6. Metal Roofs and solar panels will be required to have stoppers installed when abutting public or other private properties. Metal roofs and solar panels accumulate snow and ice which will release the build-up at once, creating a potential safety concern.
7. The lighting section has been clarified to address nuisance complaints and to incorporate standards currently used by Planning staff to reduce illumination.

The amendments proposed to the Property Standards By-law are minor, staff are recommending the amendments as listed in Attachment A.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

N/A

COMMUNITY ENGAGEMENT:

This report has been posted to the City’s website with the agenda in advance of the Committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- CSD-17-060
- DSD-2024-066

APPROVED BY: Michael May, DCAO

ATTACHMENTS:

Attachment A - Proposed Standards of Maintenance and Occupancy of Property By-law