

Staff Report



Development Services Department

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REPORT TO: Community and Infrastructure Services Committee

DATE OF MEETING: February 13, 2023

SUBMITTED BY: Carlos Reyes, Interim Director Engineering, 519-741-2200 ext. 7974

PREPARED BY: Katie Wood, Project Manager, Development Engineering, 519-741-2200 ext. 7135

WARD(S) INVOLVED: All Wards

DATE OF REPORT: January 27, 2023

REPORT NO.: DSD-2023-058

SUBJECT: Site Alteration By-Law Amendment

RECOMMENDATION:

That Chapter 633 (Fill - Dumping Alteration of Grade) of the City of Kitchener Municipal Code be amended to include the Site Alteration By-law as included as Attachment A to Development Services Department report DSD-2023-058.

REPORT HIGHLIGHTS:

- The purpose of this report is to amend the existing Site Alteration By-law
- Key Findings: Two changes are proposed in this report which include the reduction of the exemption area and an elaboration in the definition of site alteration.
- There are no financial implications as this report is not recommending any changes to the fees or administrative process
- Community engagement included a presentation to the Waterloo Region Home Builder's Association (WRHBA) Kitchener Development Liaison Committee meeting on November 18, 2022 and again on January 20, 2023.
- This report supports the delivery of core services.

BACKGROUND:

Unregulated site alteration activities have taken place over the years and those activities have resulted in undesirable environmental impacts. Impacts associated with unregulated site alteration activities can vary from site to site, but there are a number of common concerns which arise including significant loss of natural heritage features such as wetlands and woodlands, flooding, soil erosion and sedimentation, and the formation of unstable slopes.

Currently the Site-Alteration By-Law regulates site alteration activities and staff have the ability to respond to complaints or issues which may arise.

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

REPORT:

The Integrated Stormwater Management Master Plan (ISWM-MP) was approved by Council in November of 2016. One of the recommendations in the plan was that the minimum property area for review should be reduced from 0.405 to 0.1 hectares. This reduction will more accurately reflect the lot sizes in the City of Kitchener and allow for more comprehensive implementation of volume control policy.

The adjustment to the site alteration definition will more clearly describe what type of physical changes on-site constitute as “site alteration”.

STRATEGIC PLAN ALIGNMENT:

The recommendation of this report supports the achievement of the City’s strategic vision through the delivery of core service.

FINANCIAL IMPLICATIONS:

Currently there are fees collected to offset those costs associated with administering permits and enforcing the by-law. These fees are set out in the 2023 fee schedule as:

Permit - \$307.63

Permit with revisions - \$190.94

Permit renewal - \$125.17

This report is not recommending any changes to the fees or administrative process.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the committee meeting. This amendment was also taken to the Waterloo Region Home Builder’s Association (WRHBA) Kitchener Development Liaison Committee meeting on November 18, 2022 for comments. Engineering attended the WRHBA meeting again on January 20, 2023 to address the comments from the first meeting. There were no additional comments or concerns from the WRHBA.

PREVIOUS REPORTS/AUTHORITIES:

DTS-10-006 – Site Alteration By-Law (March 8, 2010 meeting)

INS-16-047 - Stormwater Management Master Plan Final Report
(May 30, 2016 meeting)

INS-16-080 – Implementation Plan – Integrated Stormwater Management Master Plan
(ISWM-MP) (November 7, 2016 meeting)

APPROVED BY: Justin Readman, General Manager, DSD

ATTACHMENTS:

Attachment A – A By-law to amend Chapter 633 of the City of Kitchener Municipal Code