



# Staff Report

## Community Services – By-law Enforcement

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**Report To:** COW- Admin, Corp and Finance, SI, Comm. Services  
**Meeting Date:** May 26, 2025  
**Report Number:** CS.25.016  
**Title:** Proposed Updated Property Standards By-law and Proposed Updated Administrative Monetary Penalties (“AMPs”) By-law 2021-71  
**Prepared by:** Debbie Young, Manager of By-law and Licensing

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### A. Recommendations

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THAT Council receive Staff Report CS.25.016, entitled “Proposed Updated Property Standards By-law and Proposed Updated Administrative Monetary Penalties (“AMPs”) By-law 2021-71”;

AND THAT Council schedule a Public Meeting to consider the Updated Property Standards By-law and Proposed Updated AMPs by-law 2021-71 to include infractions under the AMP’s process.

### B. Overview

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The proposed draft Property Standards By-Law will repeal and replace the current 2002-18 Property Standards By-Law that only addresses a small portion of property within the Municipality. Staff have received many concerns about property standards issues and maintenance from areas of the Municipality that are not presently covered under the current Property Standards By-law.

In addition, staff are proposing that the current infractions under the proposed Property Standards By-law be amended from under The Provincial Offenses Act (“POA”) to transition to the Town’s Administrative Monetary Penalty System (“AMP”s). This process will result in a more expeditious process of infractions as it will not be filtered through the court system. As well, it will allow additional revenue to remain within the Town from the infractions as opposed to it being retained by the POA Court.

The report outlines the rationale for implementing these bylaws, their objectives, and key considerations for Council's review and direction.

## C. Background

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Staff conducted research in preparing the proposed Property Standards By-law and reviewed several other municipalities Property Standards By-laws, including but not limited to, the following:

Town of Collingwood, Town of Wasaga Beach, Municipality of Meaford, and City of Owen Sound.

In 2006, the province replaced the *Tenant Protection Act* with the *Residential Tenancies Act*. Currently, the provisions relating to vital services by-laws are found in Part XIII of the Act (Sections 215 to 223).

Section 216 (1) states that council of a local municipality may pass by-laws:

- (a) Requiring every landlord to provide adequate and suitable vital services to each of the landlord's rental unit;
- (b) Prohibiting a supplier to promptly restore the vital service when directed to do so;
- (c) Requiring a supplier to promptly restore the vital service when directed to do so;
- (d) Prohibiting a person from hindering, obstructing or interfering with or attempting to hinder, obstruct or interfere with the official or person referred to in subsection 218(1) in the exercise of a power or performance of a duty under this section or sections 217 to 223;
- (e) Providing that a person who contravenes or fails to comply with a vital services by-law is guilty of an offence for each day or part of a day on which the offence occurs or continues;
- (f) Providing that every director or officer of a corporation that is convicted of an offence who knowingly concurs in the commission of the offence is guilty of an offence; and
- (g) Authorizing an official named in the by-law to enter into agreements on half of the local municipality with suppliers of vital services to ensure that adequate and suitable vital services are provided for rental units.

Vital services by-law does not apply to a landlord with respect to a rental unit to the extent that the tenant has expressly agreed to obtain and maintain the vital services. This is why a large part of the new by-law speaks about Building Code and vital services.

- 1) The proposed by-law enhances the interpretation of "General Standards for all Properties". There is specific and detailed explanation of sections and most notable is section 5.1.4 which speaks about natural gardens, naturalized properties, and town owned properties not applying to the by-law.
- 2) Buffering is enhanced in the new by-law where it speaks to Commercial and Industrial zoned properties shall be buffered from residential properties to minimize the effect of nuisances (Section 5.4.1).

- 3) Sewage and drainage issues are explained in more detail in the new by-law, which covers property owner's responsibilities for ensuring grading and drainage on their property is maintained (Section 5.6).
- 4) The proposed by-law addresses Heritage Properties (Section 7) within the Town where the current by-law does not address or speak to Heritage Properties. The Town currently has 11 designated heritage properties registered.

### **SOME NOTEWORTHY CHANGES**

Currently, the municipality lacks a comprehensive Property Standards By-law that specifically addresses issues related to the condition of properties, safety hazards, and maintenance standards outside of the Town's "Corridor. The Corridor is outlined in the attached Key Map – Schedule "A1". Although there are some existing policies, they are fragmented, and enforcement can be inconsistent. There is a growing need to ensure that property owners maintain their properties to a standard that promotes public safety, aesthetic value, and the overall well-being of the community.

Similarly, an AMP system would offer an alternative to the traditional court system for enforcing bylaw infractions. Instead of relying on court prosecution, which can be costly and time-consuming, an AMP system would streamline the enforcement process, enabling more efficient resolution of infractions and penalties. This system is increasingly being adopted by municipalities across Ontario as a method of dealing with minor infractions in a timely and effective manner.

Definitions: there are now 61 definitions that cover a variety of meanings and clarification within the new by-law (compared to 14 definitions in the current by-law).

More detailed sections covering Building Code/Residential Tenancies Act issues (plumbing, water supply, bathroom, structural, foundations, windows/doors, heating/ventilation/air conditioning, electrical, lighting, etc.).

## **D. Analysis**

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### **1. Compliance and Enforcement**

There is a reliance on complaint-driven enforcement, which may result in under-reporting of violations in vulnerable areas. The resources allocated to enforcement officers appear to be limited, potentially delaying investigations and follow-up.

## **2. Clarity and Accessibility**

Some bylaw provisions may be overly technical, making it difficult for the public to understand their responsibilities or rights. Improving plain-language communication could enhance compliance.

## **3. Vacant and Derelict Properties**

Vacant properties, particularly in certain neighborhoods, remain a concern. While the by-law includes standards for vacant structures, enforcement is often inconsistent due to ownership disputes or lack of registration requirements for vacant properties.

## **4. Alignment with Provincial Legislation**

The bylaw is generally consistent with the [Ontario Building Code / relevant provincial code], but minor discrepancies in definitions or procedural steps (e.g., appeals) may lead to confusion.

## **E. Strategic Priorities**

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### **1. Communication and Engagement**

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

### **2. Organizational Excellence**

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

### **3. Community**

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

## **F. Environmental Impacts**

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None

## **G. Financial Impacts**

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The costs associated with staff time including research and preparation of the draft by-laws, and any costs associated with a legal review of the proposed Property Standards By-law, if required (estimated at \$1,000). In addition, the training costs to have all By-law Officers Certified under The Ontario Association of Property Standards Officers. This has been ongoing for the last few years, and we anticipate that the training cost would be \$4,800 plus tax which was built into the 2025 Budget.

## **H. In Consultation With**

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Bobbi-Jo Duff, Supervisor of By-law

Tim Murawsky, Manager Building Services/Chief Building Official

Jeffrey Fletcher, Manager of Sustainability & Solid Waste

Nicholas Cloet, Sustainability Coordinator

Ryan Gibbons, Director of Community Services

Climate Action Now Network (CANN)

## **I. Public Engagement**

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The topic of this Staff Report will be the subject of a Public Meeting and/or a Public Information Centre in accordance with the following schedule:

- May 26, 2025 Committee of the Whole – Initial staff report (CS.25.016 Proposed Property Standards Bylaw and Proposed Updated Administrative Monetary Penalties (“AMPs”) By-law 2021-71) with recommendation to proceed to public consultation;
- June 2, 2025 Council – recommendation from Committee of the Whole considered by Council
- June 3, 2025 Public Meeting Notice posted [usually the day after Council confirms direction];
- First week of June, 2025 Public Meeting advertised in The Blue Mountain Review;
- June 24, 2025 Public Meeting
- August 25, 2025 Committee of the Whole – Follow-up report to the Public Meeting, attaching comments received in response to the Public Meeting;
- September 8, 2025 Council – recommendation from Committee of the Whole considered by Council, and related By-law, if any.

Any comments regarding this report should be submitted to Debbie Young, Manager of By-law and Licensing, [bylaw@thebluemountains.ca](mailto:bylaw@thebluemountains.ca).

## **J. Attached**

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1. Property Standards By-law 2002-18 -with Key Map.
2. Proposed Property Standards By-law.
3. Proposed Draft Short Form Wording with AMP amounts to By-law 2021-71.

Respectfully submitted,

Debbie Young  
Manager of Bylaw and Licensing

For more information, please contact:  
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### Report Approval Details

Document Title:	CS.25.016 Proposed Updated Property Standards By-law and Proposed Updated Administrative Monetary Penalties .docx
Attachments:	<ul style="list-style-type: none"><li>- Att. 1 2002-18 Property Standards By-law.pdf</li><li>- Att. 2 Proposed Property Standards By-law.docx</li><li>- Att. 3 Proposed Draft Short Form Wording with AMP amounts .docx</li></ul>
Final Approval Date:	May 16, 2025

This report and all of its attachments were approved and signed as outlined below:

**Ryan Gibbons - May 16, 2025 - 9:38 AM**