

Town to hold review of proposed land Encroachment By-law

By Rob Paul

The Town of Caledon is holding a virtual public review of its Clean Yards and Property Standards by-laws on March 3 at 6 p.m. The review will focus on a new Encroachment By-law that has been proposed with respect to boulevard encroachments and maintenance.

The by-laws set out the rules to encourage residents to play their role in keeping the Town clean and attractive and though enforcement officers respond to complaints, the onus is on property owners to take care of their land.

The proposed amendment will allow minor encroachments to be permitted on adjacent boulevards, provide clear guidelines on the maintenance standards of both soft and hard landscaping, establish a permit process for any encroachments that are not considered minor encroachments, and include enforcement powers for any non-compliant encroachments

Under the current by-laws, a property owner must cut and maintain the grass on their lawn. No grass and weeds can be higher than 20 centimetres (8 inches). Yards must be clean and free from insects, vermin and conditions that may lead to pest infestations and any decayed or damaged trees and limbs that can create a danger must be removed.

Yards must also be free of debris under the by-law, including abandoned or non-working motor vehicles, appliances, construction or demolition materials, and furniture. Water must be drained from properties in a safe manner that does not have a negative impact on any nearby lots and must not block ditches or swales used for drainage.

Other responsibilities for landowners in Caledon under the by-laws including maintaining chimneys, stacks, vents, doors, downspouts, eavestroughs, gutters, hot tubs, pools, roofs, wading pools and artificial ponds, windows, and painted, stained, or varnished exterior surfaces must also be maintained.

Any landowner who violates the by-laws is subject to penalties.

With the proposed amendment to the by-laws, property owners will be required to maintain the adjacent boulevard free of tall grass (20 centimetres), this excludes properties zoned agricultural or rural, and will update several definitions to allow for better clarity.

As it currently stands, the Town will hold a review of the by-laws in a public forum to get a better understanding of how residents feel about the encroachment amendment as part of property standards they must adhere to in Caledon.

"We are currently in the public engagement portion of the by-law review," said Mark Sraga, Director, Building and Municipal Law Enforcement Services/Chief Building Officer. "We have an online feedback/survey that is currently open and have a virtual public meeting scheduled for March 3. Once we have completed the public meeting, we will then review all the feedback/survey results and finalize the draft by-law and bring it forward for Council's consideration in April or May of this year."

The amendment and review were prompted by the realization that the current by-laws could be overly restrictive for property owners and that this would make it more clear for them on how to handle maintenance of boulevards.

"With respect to the Encroachment By-law, we undertook this review based upon the experience of both our Roads Operations staff and our Municipal Law Enforcement Officers," said Sraga. "They have been encountering various types of encroachments on municipal boulevards when, for example, homeowners install landscaping features such as edging around boulevard trees, boulders, mailboxes, concrete or paving stones, or they plant pollinator gardens. These experiences and observations helped us realize that there are some types of encroachments that have no negative impact from a safety or operational perspective and could be allowed to remain. The current by-law requirements, however, were very restrictive and prohibited such encroachments, meaning that property

owners needed to remove them.

?We recognized this was neither necessary nor practical to require homeowners to do so, especially when some of these encroachments helped improve or add to the streetscape. The amendment to the Town's current Clean Yards By-law clarifies that property owners are responsible for maintaining the municipal boulevard portion directly in front of their property. This was identified as being needed since there are a small number of property owners in the Town who do not do so. Having this requirement clearly identified in the by-law is in keeping with many other municipalities and has no impact on most property owners in the Town, as they already do maintain this portion of the municipal boulevard.?

Frequent complaints under the current by-laws helped feed into the proposed amendment to make it easier on property owners.

?We get many complaints on issues involving these matters, especially during the warmer months, and as such felt it was appropriate and necessary to review and develop the necessary by-laws to enable our officers to address them.?

After taking into account the public review and survey submissions, Town staff will then take the information to Caledon Council in a report for a decision to be made.

?We will be bringing a report to Council informing them of the results of the public feedback along with the staff recommendations and the draft by-laws,? said Sraga.

To learn more about the Encroachment By-law, have your feedback taken into account through the Town survey, and to access the public meeting on March 3, visit haveyoursaycaledon.ca/boulevards.