

Community Standards Bylaw – Report and Non-Statutory Hearing**Report Purpose**

To provide Council with the draft Community Standards Bylaw, the results of public engagement to date and a further opportunity to hear from the public on the draft Bylaw.

Recommendation

THAT Bylaw 57-2022, the Community Standards Bylaw, be given first reading.

THAT Bylaw 57-2022 be given second reading.

THAT Bylaw 57-2022 be considered for third reading.

THAT Bylaw 57-2022 be given third reading.

Our Prioritized Strategic Goals

Goal 2 - Healthy and Safe Community

Goal 4 - Municipal Excellence

Goal 2 Priority - A diverse, welcoming, inclusive, and an accessible community for all

Goal 4 Priority - Optimal use of resources that meets the community's needs

ReportBackground

On May 3, 2022, Council directed Administration to prepare a draft Community Standards Bylaw, following a process of research and multi-jurisdictional scans that began in 2019. At that time, Council also directed Administration to conduct an advertised survey, open to all residents, on the topics and standards in the draft Bylaw and to schedule a non-statutory public hearing to discuss the topics and standards in the draft Bylaw.

Community Standards Bylaws are common in Alberta municipalities and in municipalities across Canada. It is good practice to keep related topics together in a single bylaw, rather than spreading them across multiple bylaws. Community Standards Bylaws are often used for this purpose and include a wide variety of topics, depending on the topics and standards that are relevant to each municipality.

Council initially directed that the draft Community Standards Bylaw include 19 topics. Due to parallels between a number of the topics, the draft Bylaw has been consolidated to include 13 distinct topics. This is more than the average number of topics found in other municipalities' bylaws, but is not significantly more, nor is it the highest number of distinct topics. In addition, none of the topics found in the draft Bylaw are unique to Strathcona County – each topic can be found in at least one other municipal bylaw.

Summary of engagement

A public survey on the draft Bylaw was open June 6, 2022 – June 30, 2022.

The survey was provided on SCOOP and as an open online survey. All 13 topics covered in the draft Bylaw were included. In total, 1,587 responses were received.

Quantitative Results

Enclosure 1 – *Community Standards Bylaw – Engagement Results* includes the summary of the engagement results from the public survey conducted June 6, 2022 – June 30, 2022. Overall, the majority of respondents felt the standards found in the draft Bylaw are relatively balanced in every topic area, although the support was greater for some topics than others. A consistent minority of respondents (around 10%) tended to rate all the standards as too restrictive.

The topics that had consistent support in the survey included:

- Building, yard and fence maintenance
- Nuisance and unsightly properties
- Storing construction materials and debris
- Littering
- Charity bins and collection sites
- Clearing disabled persons' parking stalls
- Symbols of hate
- Noise

The topics had the highest percentage of disagreement with the standards, although still being supported by the majority of respondents, included:

- Sidewalk clearing
- Idling
- Wood burning appliances and nuisance smoke
- Graffiti
- Parking on private property

Respondents were also asked which tools they would like to see the County prioritize in achieving the goal of establishing a community standard through this bylaw.

Fines (28%) and education (27%) were the most popular options chosen by respondents, followed closely by non-fine enforcement (24%). Neighbourhood relationship-building was less popular, chosen by only 8% of respondents. 8% of respondents chose 'Other' as a response, which included mentions of alternate enforcement strategies. Such strategies typically included combinations of the above techniques or comments about the difficulty of enforcing certain provisions of the proposed bylaw.

Qualitative results

Open-ended comments revealed some overarching themes. There were consistently concerns about subjective terms within the draft Bylaw, with respondents worried about how terms like 'unsightly' or 'excessive' would be interpreted.

Respondents were also concerned about enforcement. Some want a more lenient system that starts with education and awareness, whereas others want a more punitive system that focuses on progressively higher fines. Respondents also expressed concern that certain aspects of the draft Bylaw would be too difficult to enforce. Some want a more proactive enforcement system, with less reliance on complaints.

A consistent minority of respondents (around 10%), were concerned about the draft Bylaw impeding their personal freedoms without sufficient justification.

Consequences

A portion of the comments received from the public survey described some confusion with certain provisions in the draft Bylaw. The attached draft Community Standards Bylaw has received minor edits to some provisions to clarify the intent of the provisions (notably, sections 43 and 45 have been re-worded). The standards that were proposed in the initial draft Bylaw provided to the public have not been changed.

Enclosure 3 is a brief summary of the standards set out in the draft Bylaw for each of the 13 topics that are included.

Council and Committee History

November 26, 2019	THAT, by the end of the third quarter of 2020, Administration provides a report on: general issues that are addressed via a municipal community standards bylaw; and the feasibility and considerations related to addressing issues such as noise, parking, and unsightly premises in such a bylaw.
September 29, 2020	THAT Administration prepares, for Council's consideration by the end of Q2, 2021, a Community Standards Bylaw, including the matters set out in Option 3, with the additions of items 4, 5, 6, 8, 14, 16, 20 from Option 2 and item 24 from Option 1, in enclosure 4 to the September 29, 2020, Legislative and Legal Services Report.
March 9, 2021	THAT the March 9, 2021 report on the Community Standards Bylaw be referred back to Administration to provide a report by the end of the fourth quarter of 2021 with a plan based on Option 2, the plan to include preparation of a draft bylaw, an assessment of costs for the public engagement plan, and an outline of future enforcement considerations.
June 29, 2021	THAT jurisdiction over the Community Standards Bylaw Public Engagement matter be assumed to replace the March 9, 2021 Priorities Committee motion 2021/ P9 with the following: THAT Administration include a request in the 2022 Budget Process to fund a public engagement plan based on Option 2 in the March 9, 2021 report to the Priorities Committee on the Community Standards Bylaw (full engagement on all topics including surveys, digital and face to face engagement).
May 3, 2022	THAT the June 29, 2021 Council Resolution 2021/207 be rescinded. THAT jurisdiction over the Community Standards Bylaw Public Engagement matter be assumed to replace the March 9, 2021 Priorities Committee motion 2021/ P9 with the following: THAT Administration prepare a draft Community Standards Bylaw by the end of the third quarter of 2022 to be presented to Council; THAT Administration conduct an advertised survey, open to all residents on the topics and standards in the draft Community Standards Bylaw; THAT Administration schedule a non-statutory public hearing to discuss the topics and standards in the draft Community Standards Bylaw; and

THAT Administration publish the draft Community Standards Bylaw at least three weeks prior to the survey and the non-statutory public hearing.

Other Impacts**Policy:****Legislative/Legal:****Financial/Budget:**

Interdepartmental: Legislative and Legal Services, Enforcement Services, Utilities, Planning and Development Services, Communications and other affected departments will collaborate to communicate the effects of the new standards to affected individuals, if the Bylaw is passed.

Master Plan/Framework:**Communication Plan**

If Council passes the Bylaw, a communications strategy will identify key messaging, tactics, and timelines for communicating the Community Standards Bylaw to the community.

Tactics include, but are not limited to: media release, social media, e-newsletters, newspaper advertisements, rural road signs, and other methods as required, to direct the public to the new bylaw.

Enclosure(s)

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| 1 | Community Standards Bylaw – Engagement Results |
| 2 | Bylaw 57-2022 - Community Standards Bylaw (draft) |
| 3 | Community Standards Bylaw – Summary of Standards |
| 4 | Presentation – Community Standards Bylaw |