Staff Report

Report To: City Council

Report From: Tim Simmonds, City Manager

Riley Brugess, By-law Enforcement Supervisor

Meeting Date: July 27, 2026

Report Code: CM-26-031

Subject: Fostering a Vibrant River District – Report IV

Recommendations:

THAT in consideration of Staff Report CM-26-031 respecting updates to the Waste Management By-law and the potential licensing of emergency shelter and social support services, City Council directs staff to:

1. Bring forward a by-law to amend the Waste Management By-law as outlined in Attachment 1 of the report;
2. Bring forward a by-law to amend the Fees and Charges By-law to add an $80 fee per item collected that is disposed of improperly;
3. Provide notice of an amendment to the Fees and Charges By-law as required by the Notice By-law for the improper collection fee;
4. Apply to the Ministry of the Attorney General for approval of the set fines as outlined in Attachment 2 of the report; and
5. Not proceed with further research or development of a by-law to license emergency shelter and social support services at this time.

Highlights:

- Staff recommend amending the Waste Management By-law to increase property owner accountability for waste placed on public property, including tenant education, same-day removal of uncollected waste, and boulevard maintenance.

- Amendments to the Waste Management By-law would provide clearer enforcement tools, support partial cost recovery, and advance Council's objective of a cleaner, safer, and more vibrant River District.
- After research and consultation with certain affected services, staff are concerned that requiring the licensing of emergency shelter and social support services could create unnecessary barriers to vulnerable populations accessing services.
- Staff are recommending not to proceed with further research or development of a by-law to license emergency shelter and social support services at this time.

Vision 2050 - Strategic Plan Alignment:

Strategic Plan Priority: Safe City – Contributing to inclusivity and accessibility in our community and participating in initiatives focused on a range of long-term, systemic safety solutions that respond to current and future residents.

Previous Report/Authority:

Business Licensing By-law No. 2023-128

Fees and Charges By-law No. 2026-067

Notice By-law No. 2018-022

Waste Management By-law No. 2005-151

Report CM-25-023 - Community Organization Meeting Regarding River District

Report CM-25-027 - Update Following the July 28 Community Stakeholder Discussion to Foster a Vibrant River District

Report CM-25-032 - Fostering a Vibrant River District - Report II

Report CM-26-021 – Fostering a Vibrant River District – Report III

Background:

The City's Official Plan identifies the River District as the primary economic, commercial, financial, cultural, tourism, and employment focus for Owen Sound and the surrounding region.

The area continues to face challenges related to cleanliness, non-compliance with waste disposal requirements, the impacts of homelessness, and overall perceptions of safety in the area.

On June 15, 2026, the Owen Sound Police Service Board (OSPSB) presented a letter to a special meeting of Council wherein the OSPSB requested City Council to take action on concerns raised regarding loitering and other social disorder matters taking place in the River District. During the meeting, the Chief of Police explained that more tools are required to address social disorder concerns.

Staff reviewed municipal tools for addressing improper waste disposal and other concerns in the River District. Based on that review, staff propose amendments to the Waste Management By-law and recommend that the City not pursue a licensing program for emergency shelter and social support services at this time.

Analysis and Options:

Updates to the Waste Management By-law

Garbage and recycling services in the River District have been adjusted to better align with seasonal activity and broader changes to provincial programs.

Despite enhanced service levels and targeted communications, improper garbage disposal continues, particularly outside scheduled curbside collection days and for furniture or other oversized items. These materials are not part of regular collection and require an additional Public Works response, increasing operational effort and unplanned costs. This redirects taxpayer-funded resources from planned services and broader community priorities while diminishing the cleanliness and appearance of the River District.

The By-law Enforcement Division has undertaken targeted illegal-dumping initiatives, including daily foot patrols and waste-management audits in the River District. These efforts have resulted in seven charges for improper waste disposal in 2026 to date. Enforcement proves to be a challenging initiative because officers must either observe the illegal disposal directly, through camera evidence or witness testimony, or identify the owner through a search of the waste.

Current regulations allow the City to invoice the "person who directly or by means of an agent discarded the waste." However, waste searches rarely identify that person: during two audits, 86.2 per cent of bags contained no information that could support further investigation. This limitation will likely grow as more people move to electronic billing and correspondence.

Enforcement efforts are further complicated by the high concentration of rental housing units within the River District. In the case of a bag placed in front of a commercial storefront, there may be anywhere from 3-20 apartments above the store. While staff can generally determine the area from which waste originated, identifying the individual responsible for its disposal is frequently not possible.

Property owners currently have limited accountability under existing regulations for waste-management issues associated with their rental properties. While it is a reasonable expectation that individual tenants manage their own waste, many buildings in the downtown have no space available to store waste prior to collection day. Staff have also encountered tenants who are unfamiliar with waste-collection requirements or are unaware of where to access information regarding proper disposal practices.

Amendments to the Waste Management By-law No. 2005-151 are proposed in Attachment 1, to increase accountability of property owners to ensure that their tenants are aware of and are complying with the rules for waste disposal.

Many, if not the majority of municipalities in Ontario, place requirements on the owner of a property to maintain the boulevard, road allowance, and sidewalk to:

- cut and maintain grass and weeds;
- remove waste material and litter; and
- remove snow and ice.

Currently, Owen Sound imposes limited maintenance requirements in the boulevard, with the exception that certain properties in the River District are required to remove snow and ice from the sidewalk.

The proposed amendments would expand maintenance responsibilities for all property owners to include the removal of solid waste (excluding loose litter) from adjacent boulevards, sidewalks, and road allowances.

Waste Disposal Requirements

The following regulations are proposed:

- Owners of commercial and residential rental properties must provide each tenant with a copy of the current year's Waste Collection Calendar and Garbage Collection Factsheet or post it in a conspicuous place in a common area.
- Owners are responsible for ensuring that waste generated on their property is placed for collection in accordance with the regulations.
- In the Downtown Collection Area (River District), waste placed on City property on any day other than the scheduled collection day may be removed immediately by City staff without notice. The property owner adjacent to the waste would be invoiced for the removal costs.
- In the Downtown Collection Area (River District), on the collection day, any waste placed without a bag tag or otherwise placed contrary to the by-law is tagged as uncollectable and left at the curb. Property owners adjacent to the waste are responsible for ensuring that waste is removed from the curb no later than 8:00 p.m. If not removed, City staff remove the waste and invoice the property owner.
- Owners who receive an invoice for waste removed by City staff may appeal to the By-law Enforcement Supervisor or designate only on the basis that the waste was placed in front of the property without the consent of the owner, occupant, or guest. The owner must provide evidence supporting the appeal.
- Outside the Downtown Collection Area, the City would follow a similar process but would provide notice to the property owner before removing the waste.

Schedules 'F' and 'G' of the Waste Management By-law currently permit the City to invoice the person who placed the waste at the curb. Because waste rarely contains identifying information, these provisions are difficult to enforce. The proposed amendments would repeal those provisions and instead make the adjacent owner responsible for waste located in front of their property.

While some property owners may be concerned that waste placed in front of their property did not originate from their tenants, the proposed

amendments are intended to encourage greater owner involvement in waste education, monitoring, and compliance efforts, including:

- creating a designated area for the storage of waste between collection days, as required by the City's Property Standards By-law;
- posting waste collection regulations and calendars inside the building;
- assigning property managers to monitor waste in front of their property, remove the waste if not collected, and report non-compliance to the By-law Enforcement Division;
- installing cameras at the entrance of properties to capture illegal dumping; and
- electing for private collection services, where appropriate.

Additionally, regulations are strengthened to enforce problematic social behaviours, allowing property owners to work collaboratively with By-law Enforcement where tenants or other parties are not complying with the regulations, including set fines for:

- placing waste in front of a property without the permission of the owner; and
- picking over, interfering with, disturbing, removing or scattering material placed for collection without the permission of the owner.

Operational Plan

Once the amendments to the Waste Management By-law are in place, Waste Collection staff will be directed to cease collection of waste in the River District that does not contain a bag tag or is otherwise placed contrary to the requirements of the Waste Management By-law. Bags will be tagged as uncollected and left at the curb.

Tenants and property owners would have until 8:00 p.m. on collection day to remove uncollected waste from City property by returning it to private property or taking it to the transfer station. **Operationally, this would leave some uncollected waste downtown between collection and 8:00 p.m. that day.** During the transition, complaints may increase while City staff help property owners understand the new requirements. A communication plan will support property-owner awareness and communication with tenants.

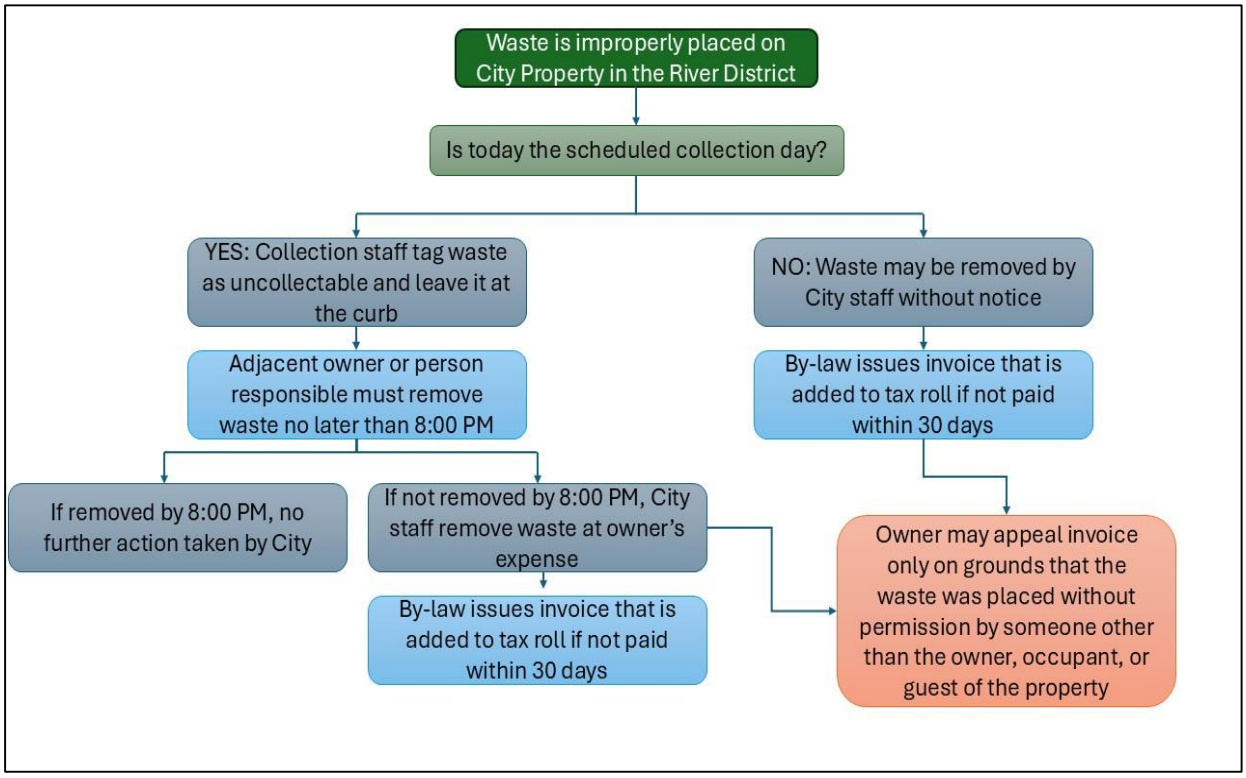
During the implementation of this new program, City staff will be scheduled to enforce non-compliance and to remove uncollected waste after 8:00 p.m.

The proposed amendments would establish responsibility for waste located in front of a property with the property owner. Where an owner fails to remove waste from in front of their property, and City staff are required to dispose of it, it is proposed that a cost-recovery fee be applied to the owner and collected through the tax roll.

Item 17 of Schedule 'G' of the City's Fees and Charges By-law has an existing fee of $80.00 for each "Waste Inspection". Staff propose that a fee be added to the Fees and Charges By-law for a "Waste Removal Fee" in the amount of $80.00 per item that is removed by City staff in accordance with this program.

When dispatched to remove waste, Public Works staff will document and photograph its location, then forward the record to By-law Enforcement. By-law Enforcement staff will review the record and issue an invoice to the property owner through Cloudpermit. Any invoice unpaid after 30 days will be added to the tax roll.

A property owner who receives an invoice may appeal to the By-law Enforcement Supervisor or a designate. The appeal is limited to cases in which the owner can demonstrate that the waste was placed in front of the property, without the owner's consent, by someone other than the owner, an occupant, or a guest of the property.



Updates to the Business Licensing By-law

Under the Business Licensing By-law, all businesses in the City must obtain a licence and comply with any conditions applicable to their class of business.

A legal review of the by-law determined that certain emergency shelter and support services are not captured under the current definition of a business. As a result, the City does not currently have the authority to require these establishments to obtain a licence or comply with licensing conditions.

Business Licensing By-laws provide municipalities with the authority to:

- prohibit the carrying on or engaging in the business without a licence;
- refuse to grant a licence or to revoke or suspend a licence;
- impose conditions on all or a class of businesses as a requirement of obtaining, continuing to hold, or renewing a licence;
- license, regulate, or govern real and personal property used for the business and the persons carrying it on or engaged in it.

Under a Business Licensing By-law, a municipality is **not permitted** to refuse a license for the sole reason of the location of the business but may require compliance with the Zoning By-law.

A Business Licensing By-law provides municipalities with tools to regulate businesses and impose conditions intended to prevent nuisance, maintain public order, protect the health, safety and well-being of residents and service users, and promote compliance with applicable legislation and municipal regulations.

In 2024, the Town of Cobourg established a by-law to regulate and license Emergency Care Establishments. City staff contacted Cobourg for information about the program, on multiple occasions, including whether it has reduced the nuisance or disturbance behaviours it was intended to address, but did not receive any response. Cobourg is the only municipality known to have established such a program, and there is no available data to demonstrate whether it has been beneficial.

City staff reviewed the Cobourg By-law, as well as the letter from the Ontario Human Rights Commission to the Town of Cobourg (Attachment 3). In doing so, staff created a draft licensing program based on the needs of the City. The draft by-law is Attachment 4 to this report.

The draft by-law would update the City's Business Licensing By-law No. 2023-128 to amend the definition of a business to include certain emergency shelter and social support services, and to place certain conditions on the holding of a license.

A preliminary review identified the following existing services that would be subject to the proposed licensing program:

- Safe 'N Sound;
- Safe 'N Sound – new shelter location;
- The Women's Centre Grey Bruce;
- Grey County – Short Term Shelter Program;
- OSHaRE (currently has a general business licence);
- CMHA Grey Bruce (currently has a general business licence);
- United Way of Bruce Grey;
- YMCA Owen Sound Grey Bruce;
- M'Wikwedong Indigenous Friendship Centre; and
- Salvation Army Owen Sound.

City staff consulted with Grey County staff, who advised that a licensing program could increase operating costs, create barriers for vulnerable people seeking services, and impose conditions that would be difficult to enforce. County staff also cautioned that enforcement could lead to the revocation of a license for a service that is important to the community.

County staff recommended that should Council consider moving forward with such a program, that the County be provided with an opportunity to review the proposal and provide formal comments on behalf of Committee/Council.

City staff also consulted Safe 'N Sound Grey Bruce leadership. The organization advised that a licensing fee would not create a major financial burden, but licensing conditions could. It also reported that Cobourg's by-law had temporarily closed a service similar to its drop-in program. Many proposed conditions reflect actions Safe N Sound already takes or plans to take, including:

- hiring staff to clean up adjacent boulevards within one (1) block of their properties (current);
- requiring adherence to a code of conduct from service users, and placing temporary restrictions on service users that do not adhere (current);

- using rear entrances to properties as the primary entrance, where there is more room on private property to congregate (future); and
- installing longer term storage solutions on their properties, to limit the need for service users to carry their belongings from place to place (future).

Council may consider the following options for licensing emergency shelter and social support services:

1. That Council direct staff not to proceed with further research or development of a by-law to license emergency shelter and social support services;
2. That Council direct staff to bring forward a by-law to amend the definition of a business, to require emergency shelter and social support services to obtain a general business license; or
3. That Council direct staff to continue research and development of a by-law to license emergency shelter and social support services, and that the County be provided with an opportunity to review the proposal and provide formal comments on behalf of Committee/Council.

City staff are recommending not to proceed with further research or development of a licensing program at this time. City staff were unable to receive feedback from the Town of Cobourg on whether their licensing program was effective. Public response to Cobourg's Emergency Care Establishment By-law was overall negative, including concerns about compliance with the *Ontario Human Rights Code*.

Overall, staff believe existing by-laws and the proposed Waste Management By-law amendments can be utilized to improve conditions in the River District without creating barriers to necessary social services.

Resource Alignment:

Financial Resources

Direct costs related to the River District are approximately $62,000 (March-May 2026). The majority of these costs are related to Public Works waste/garbage pick-up. Costs do not include additional support staff time.

The proposed cost recovery fee is set at $80.00 per garbage bag, container, or item and is anticipated to recover some of the costs associated with

waste/garbage pick-up. In addition, it is anticipated that over time, property owners will implement solutions to improve compliance with waste collection requirements and begin removing waste prior to City staff involvement, minimizing future staff time.

Human Resources

Public Works currently spends approximately 35 – 40 staff hours per week towards the cleanup of waste in the River District. By-law Enforcement spends approximately 8 staff hours per week towards investigating non-compliance of the Waste Management By-law. Additional staff time will be required to administer the appeal process for invoices.

Time and Scheduling

If approved, the final by-law will be brought forward for adoption at the September 28, 2026 Regular Council meeting.

A 45-day grace period will be used to promote and communicate the new waste disposal requirements in the Waste Management By-law. The first waste collection day in the River District after the grace period would be November 17, 2026. Evening scheduling of Enforcement and/or Public Works staff will be in place for the first 2-3 weeks to collect waste remaining on public property after 8:00 p.m., and to invoice the property owners responsible.

Technology and Infrastructure

N/A.

Climate and Environmental Impacts:

The recommendation supports the City's Climate Mitigation Plan. The recommendations support the City’s Climate Mitigation Plan by encouraging improved solid waste consumptions and disposal practices.

Communication and Engagement:

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

The City's communication plan is focused on education and awareness first, providing multiple opportunities for residents and businesses to understand and comply with the requirements before enforcement begins. Targeted

follow-up communications will continue to support compliance and address areas where additional outreach may be required.

To support awareness and compliance with the new requirements, a communications and engagement plan has been developed, which includes:

- Distribution of letters to affected property owners outlining the upcoming changes, expectations, waste management calendars, and available resources.
- Media release to inform the broader community and encourage compliance.
- Ongoing public information efforts through City communication social media and website channels leading up to enforcement beginning in November.

Report Developed in Consultation With:

Briana Bloomfield, City Clerk

Viveca Gravel, River District Coordinator

Heidi Jennen, Supervisor of Environmental Services

Mason Bellamy, Manager of Public Works and Engineering

Director of Public Works and Engineering

Owen Sound Police Service

Grey County

Safe 'N Sound Grey Bruce

External City Solicitor

Attachments:

1. Draft Amended Waste Management By-law – Redlined
2. Draft Set Fines – Waste Management By-law
3. Ontario Human Rights Commission Letter to the Town of Cobourg
4. Draft Amended Business Licensing By-law - Redlined

Reviewed by:
Briana Bloomfield, City Clerk
Kate Allan, Director of Corporate Services

Submission approved by:
Tim Simmonds, City Manager

For more information on this report, please contact Riley Brugess, By-law Enforcement Supervisor at rbrugess@owensound.ca or 519-376-4440 ext. 1270.