bylaw guide

A guide to the most asked-about City of Kitchener bylaws

2016
Kitchener fosters a sense of belonging and community pride where neighbours are connected by more than just property lines. Our citizens are active and engaged in building safe and thriving neighbourhoods.

This guide was created to provide residents with helpful tips and information about some of the most common bylaws that help everyone do their part. Although this guide does not capture all the details of the specific bylaws, a complete list can be found at www.kitchener.ca/bylawguide.

We hope this guide can help build bridges in your community and provide you with information that supports your efforts to be a good neighbour.

At the top of each page, the primary contact for that particular bylaw is listed. Below is the legend for what each icon represents.

- City of Kitchener corporate contact centre
- City of Kitchener building division
- Waterloo Regional Police Services
- City of Kitchener planning division
- Kitchener-Waterloo Humane Society
- City of Kitchener zoning section
- Region of Waterloo
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**At home**
Bylaws affecting you and your home and/or personal property.

**Around the city**
Bylaws affecting you and the city at large.
At home & around your property

Keeping our city beautiful and safe.

In this section, you’ll find information about bylaws that apply to areas around your home that affect you and your neighbours. They were developed to help ensure properties are maintained to a minimum standard to support safe and thriving neighbourhoods.

By maintaining your home and property, you are playing an active leadership role in creating great neighbourhoods and fostering a stronger sense of community and belonging.

Property maintenance

Kitchener’s municipal code sets standards for maintenance and occupancy that apply to all local properties. Bylaws highlighted on the following pages are a few of the most common; for a full list please visit www.kitchener.ca/bylaw

Zoning, licensing and building

Prior to starting a new project or beginning a home business, you must first determine whether you require a building permit or license and if your business or project meets zoning requirements.

This section outlines a few of the most common topics related to zoning, licensing and building permits.

For more information please visit kitchener.ca/bylawguide or call 519-741-2345.
Decks

A deck is considered an extension of the home for many, and can provide a great space to enjoy the outdoors and spend time with friends, family and neighbours.

• If building a deck that has a surface height greater than 0.6 metres (two feet) above grade at any point, a 1.2 metre (four foot) setback from any adjoining interior sideyard property line and a building permit are required.

• When building a deck that is under 0.6 metres (two feet) in height, a building permit is not required and it can be built to the lot line.

To learn more about building a deck or obtaining a permit, please contact our building division at 519-741-2433.
Checking with current bylaws when choosing to extend your driveway will ensure you meet the requirements and maintain an appropriate appearance for the neighbourhood.

- Depending on the width of your lot, a driveway extension may be permitted.
- For lots with a width of 10.3 metres (34 feet) or less, the driveway can be extended to the maximum width of 5.2 metres (17 feet).
- Lots with a width of 10.3 metres (34 feet) or greater can extend the width of a driveway to a maximum of 50 per cent of the lot width, or eight metres (26 feet), whichever is less.
- Driveways leading to a garage must be set back a minimum of 0.6 metres (two feet) from the side lot line.
- Driveway widenings must use the same material as the existing driveway.
- Pedestrian walkways must be distinguishable from the driveway.
Fences

Fences help keep kids and pets safe, give us privacy and can add visual appeal to our yards and neighbourhoods. If not installed in the right location or to the right height, they can also cause unsafe conditions by blocking views of traffic and pedestrians.

The type of property and location of the fence dictate the maximum height and are as follows:

- Fences between the front of the house and the front property line and along the front property line are permitted to be 0.9 metres (three feet) high.
- Fences between the front of the house and the rear property line and along the rear property line are permitted to be a maximum of 2.4 metres (eight feet) high.
- Fences on corner lots are permitted to be 0.9 metres (three feet) high within a specific distance from corners and driveways to ensure clear lines of sight (see page 10 for diagram).
- There are some variations for corner lots along the property line:
  - If constructed on the property line along the side of the property, the fence can be a maximum of 0.9 metres (three feet) high.
  - If set in 1.5 metres (five feet) from the property line, the fence can be a maximum of 1.8 metres (six feet) high.
  - If set in 4.5 metres (15 feet) from the property line, it can be a maximum of 2.4 metres (eight feet) high.

A permit is not required when building a fence unless it is intended to be built around a swimming pool in which case other restrictions apply. Please see swimming pools on pages 24, 25.

Learn more about fence height requirements by calling 519-741-2317.
Fire pits

Backyard fire pits are a fun way for many to spend time with friends and family and are allowed in Kitchener. It is important to follow these guidelines to ensure the safety and enjoyment for everyone.

- Fire pits must be constructed of non-combustible material, be situated at least five metres (16.5 feet) from any building, fence or wooden structure and remain away from overhanging trees or branches.
- Only clean, dry firewood can be burned. Materials like painted/treated lumber, yard waste, tires and plastic are strictly prohibited.
- The open flame from a fire pit must remain under one metre (3.3 feet) in height and width.
- The adult(s) tending to the fire must keep a close eye, and have the means to extinguish the fire at all times.
- Fires are only permitted between the hours of 6 p.m. and 11 p.m.

Did you know?
There may be times when a fire ban is in effect as declared by the Fire Chief, who has authority to declare a ban at any time.
Fireworks

Fireworks are considered by many to be a great way to celebrate holidays, and by carefully following a few guidelines, they can be enjoyed safely without causing a disturbance to neighbours.

• In Kitchener, fireworks are only permitted the day before, day of and day after Victoria Day, Canada Day and Diwali.

• Residents can set off fireworks on private property, but they are not permitted on public property.

• Fireworks must be at least 7.5 metres (25 feet) in distance away from any building.

• Areas containing dead undergrowth or dry grass are to be avoided due to their likelihood of sparking.

• Firecrackers are not allowed in the city of Kitchener.
Keeping the areas around your home tidy will improve your neighbourhood’s appearance, making it more welcoming and fostering a greater sense of pride.

- Grass and weeds on all residential properties, including vacant lots, should be maintained to a height of 20 centimetres (eight inches) or less.

- A healthy lawn is the best way to prevent weeds. Regular fertilization, aeration, top-dressing and over-seeding are great steps to maintaining a healthy lawn.

Did you know?

While pesticides are banned in Ontario, there are a variety of treatments available. Check with your local hardware store to learn more.
Hedges and trees can add appeal to the landscape of your home; however, they can also obstruct views, which can be dangerous for drivers and pedestrians.

- There are regulations for the height of hedges, trees, bushes or any other type of vegetation growing within a specific distance from corners and driveways to ensure clear lines of sight. Vegetation within these areas must be less than one metre (3.3 feet) tall (measured from the road).

- It is also important to be sure that hedges, trees and other types of vegetation don’t block or prevent foot or vehicle traffic.
Working from home may be an ideal situation for some. When considering a home based business, it’s important to know what is or isn’t permitted and what licenses may be required.

- Specific types of businesses are permitted in a residential zone as a home based business.
- All business owners are required to obtain a business license, as well as an occupancy certificate for the home based business.
- Licenses and approvals must be obtained prior to operating your business.

For further information regarding your home based business or how to get your permit, please call our corporate contact centre at 519-741-2345.
Ensuring household garbage containers are kept neat and tidy improves the appearance of our neighbourhoods.

- The Region of Waterloo’s waste management bylaw requires that garbage be set out for pickup after 7 p.m., the night before your scheduled pick up date.

- Any garbage that is not picked up, as well as all garbage, recycling and compost containers, must be returned to your property by 7 p.m. on collection day.

- Although garbage containers are not required to have lids when placed at the curb, garbage containers must have lids when stored on the property.

For more information about the Region of Waterloo’s waste management program, please visit www.regionofwaterloo.ca
Noise

Limiting excessive noise and being considerate of others will help to build positive relationships with your neighbours.

- Excessive noise that is likely to disturb anyone, at any time of the day, is not tolerated in the city of Kitchener. This includes: yelling, loud music, radio, television or any unusual noise.

- Construction noise is permitted Monday through Sunday including holidays, from 7a.m. to 7p.m.

If you are experiencing a disturbance and are looking to report a noise complaint, please call Waterloo Regional Police Services at 519-653-7700 and ask for dispatch. The police will contact the bylaw officer on duty who will respond to the complaint.

Did you know?
The minimum charge under the noise bylaw is $300
Nuisance

Keeping the peace and enjoying a community that is safe and connected will cultivate healthy and vibrant neighbourhoods we want to live in.

- A nuisance is considered to be any action or activity in a public space that causes a disturbance, and has a negative impact on any person(s).

- The following disturbances are not permitted in public spaces:
  - Fighting
  - Defecating, urinating and spitting
  - Yelling, swearing, using profane or obscene language
  - Preventing the movement or motion of a person(s)
  - Damaging, defacing or vandalizing property

If you are experiencing a disturbance and are looking to report a nuisance complaint, please call Waterloo Regional Police Services at 519-653-7700 and ask for dispatch. The police will contact the bylaw officer on duty who will respond to the complaint.
Privacy screens

Due to layout or building design, some properties may provide limited opportunities for privacy, and a screen can be a great way to build in some personal space to enjoy.

- Privacy screens are used as a visual barrier to provide privacy.
- They can be a maximum of three metres (10 feet) high - provided they are set back a minimum of 1.2 metres (four feet) from any adjoining property line.
- They can be built on a deck to a maximum height of three metres (10 feet), when measured from the walking surface of the deck.
- Hedges, trees, buildings, trellis, arbor, pergola, gazebo or obelisk are not considered to be a privacy screen.
Recreational equipment provides leisure and fun. It also requires proper storage throughout the year to keep your neighbourhood tidy.

- Recreational equipment includes motor homes, travel trailers, tent trailers, boats, boat trailers, or other similar equipment. Bicycles are not included.
- Recreational equipment can also be stored in a garage.

Did you know?

Recreational equipment cannot be stored in a front yard or side yard that borders on a street but it can be parked on a driveway between May 1 and Oct. 31 each year.
Retaining walls are a functional way to address changes in grading on your property and can also be an attractive addition to the visual landscape of your property.

- When planning a retaining wall(s), it is important to consider how high you intend to build. Should your retaining walls exceed 0.9 metres (three feet), or if they border on public property, you may require a permit.
- A permit is not necessary when building retaining walls under 0.9 metres (three feet) in height.
- Retaining walls must be maintained and kept in good structural repair.
Sheds/accessory buildings

Having areas to store equipment and other household belongings is a common sight within neighbourhoods.

There are several requirements when building a shed or accessory building (see diagram on next page).

Please contact the city’s building division at 519-741-2433 for further information about shed or accessory building permits.
Units over 10 square metres (108 square feet)

- Any units that are larger than 10 square metres (108 sq feet) require a building permit.
- They are required to have a 0.6 metres (two foot) setback from any interior side or rear property line.
- Maximum height of the unit can be 5.5 metres (18 feet).
- The maximum height of the underside of the fascia shall be three metres (10 feet).
- No portion of the unit shall encroach beyond the lot line.

Units 10 square metres and under (108 square feet)

- Any shed or accessory building 10 square metres (108 square feet) or under does not require a permit.
- This size of unit is not required to have a setback from property lines.
- The unit cannot encroach beyond the lot line.
- Accessory buildings/sheds cannot be located in a front yard, or a side yard abutting a street.
Snow and ice

Snow and ice are a part of winter in Canada and can make for a lot of outdoor fun. They also make for slippery sidewalks. Icy sidewalks make it hard for people to get around.

- In Kitchener, each resident or property owner is responsible for removing snow and ice from the sidewalk adjacent to their property.
- By properly removing snow, you can ensure that everyone can travel safely and easily.
- There are many individuals who are aging or have physical limitations that prevent them from shoveling their sidewalks. Helping out neighbours who may not be able to clear their own sidewalks will keep sidewalks safe for everyone.

- You have 24 hours from the time the snow stops falling to remove snow and ice from your sidewalks, down to bare pavement. Snow can be piled on front lawns and boulevards, but cannot be placed on sidewalks or roadways.
- Salt, sand or artificial ice-melters can be used to reduce slippery areas. Use salt sparingly as it not good for the environment.

Did you know?

When temperatures dip below -10°, salt is no longer effective in melting. Sand is better to use below -10° and is available for no cost at several locations throughout the city.

Visit www.kitchener.ca/bylawguide for locations.
Structure maintenance

Keeping fences and structures in good repair helps keep property owners, children, pets and visitors safe from harm.

Be sure that structures at home are kept in good condition/repair at all times. Some examples of structures include:

- Foundations, foundation walls, outdoor walls, roofs, windows and doors.
- Outdoor stairs, landings, porches, balconies and decks.
- Protective or decorative finishes of outdoor surfaces.
Swimming pools

Swimming pools are great for enjoying the hot days of summer, especially when built with safety in mind.

There are several building requirements for installing a pool at home to ensure the safety of everyone.

- All swimming pools that are capable of holding 0.9 metres (three feet) or more of water, whether above ground, below ground or on ground, require a permit and must comply with all of the fencing provisions for swimming pools.

- The pool cannot be filled with water until it has been inspected and approved, and is enclosed with the appropriate fence and gating required.

It is important to first contact the city's building division to acquire any permits that are required before you begin to build your pool or fence. Once complete, an inspection must be completed by bylaw prior to filling the pool with water. This is to ensure the pool and fence meet all safety requirements.
• Fences, including doors and gates, must be a minimum of 1.5 metres (five feet) in height and be non-climbable (see specific requirements for non-climbable below).

• Specific requirements for non-climbable fences and gates:
  • Chain link fences must be 1.5 metres (five feet) in height and have a linkage no greater than 3.81 centimetres (1.5 inches) in diameter.

• Space between the bottom of the fence and grade cannot exceed 10 centimetres (four inches).

• The vertical distance between any structural components of the fence that run horizontally throughout the fence shall either be at least 0.9 metres (three feet) apart, or the space between any structural components of the fence that run vertically shall not be more than 3.81 centimetres (1.5 inches) apart.
Untidy properties

Clean and tidy neighbourhoods are more enjoyable for everyone.

- Help keep your property tidy by removing any clutter that is visible from outside of your home, such as: garbage, refuse, debris, litter, domestic waste, appliances, furniture, discarded or unlicensed vehicles, automobile parts, tires, bricks, unused building materials, etc.
- Outdoor storage of building materials is not permitted unless there is active construction.

Did you know?
If you are looking for storage options, there are many outdoor storage solutions available at your local hardware store.
Water drainage

Draining water away from your house will help to prevent water damage to the home. It is equally important to consider where the water is being drained, and how it might affect your property and that of your neighbours.

- Water can be drained from eaves troughs, downspouts or sump pump discharge lines, but cannot be directed at a neighbouring property.
- Water draining from the home may not be left to cause a nuisance, as it can lead to erosion reducing the appearance around the property.

Did you know?

Over time, running water slowly breaks down the surface of the earth, causing it to erode. Erosion can be reduced or stalled by changing the path of water flow, or by finding ways to absorb the water or store it for use another time.
In this section, you’ll find information about city bylaws that affect everyone. They were developed to ensure public spaces remain safe, connected, walkable and enjoyable for residents and visitors alike.

By working together we can create active and vibrant public places that promote health, happiness and well-being.

Parking
To ensure safety and fairness for all Kitchener residents, there are several parking regulations that apply when parking in the city of Kitchener.

Pets & animals
Cats and dogs can make wonderful pets and companions, and are welcome in neighbourhoods when they are properly cared for by responsible pet owners.

Public property
Having great public spaces is critical to the success of a city. Public property bylaws have been established to protect those spaces for everyone’s enjoyment.
Graffiti can have a negative impact on neighbourhoods. When we work together to reduce and remove it, we build stronger communities together.

- Graffiti is considered to be markings made up of one or more letters, symbols, marks, pictorial representations, messages, etchings, carvings or slogans made to property.

- It is each property owner’s responsibility to ensure that any graffiti placed on their property is removed, painted over or permanently blocked from public view.

There are four ways to report graffiti in the city:

- Call our corporate contact centre at 519-741-2345 anytime, 24 hours a day.

- Report a problem on Pingstreet through your Smartphone or tablet (find the app on Blackberry World, App store, or Google Play).

- Visit www.wipeoutgraffiti.ca to learn more and report a problem.

- Or call wipe out graffiti’s hotline at 1-855-TAG-FREE (1-855-824-3733).
Livestock in Kitchener

There are some limitations to the type of animals that inhabit space in or around your property. In Kitchener, agricultural zones are the only areas permitted to house livestock as they require a number of specific health and safety measurements to ensure public safety.

- Livestock is not permitted within city limits unless it is agriculturally zoned. This includes animals such as: chickens, horses, llamas, sheep, goats and pigs.
- Only animals listed on the permitted animals list are permitted in a residential zone.

Permitted animals include:

A) cats, chinchillas, degus, dogs, ferrets, gerbils, guinea pigs, hamsters, hedgehogs, mice, rabbits, rats, sugar gliders.

(b) all birds, reptiles, amphibians, fish and invertebrates which are not restricted or prohibited animals.
Parking - Commercial vehicles

To help keep streets safe, large commercial vehicles are not generally permitted in neighbourhood areas, yet may need access from time to time for special circumstances.

- A commercial vehicle is any motor vehicle that has a gross weight of 4000 kg or more, such as tractor trailers, semi-trailers, tow trucks, buses, etc.
- Commercial vehicles such as moving trucks and couriers are temporarily permitted while actively on delivery.
- Commercial vehicles are not permitted to be parked or stored in a residential zone.

Did you know?
While any vehicle weighing more than 4000 kg cannot be parked in a driveway, a vehicle weighing less than 4600 kg can be parked on a residential street (you must still comply with the street parking bylaws outlined on page 31).
Parking - Front lawn parking

Parking on the lawn affects the overall appearance of a neighbourhood as it reduces street appeal and can cause damage to the lawn.

- In the city of Kitchener, parking on any portion of a lawn is not allowed for any period of time.
- Motor vehicles, utility trailers and major recreational equipment are to be parked in driveways and properly stored (see more about the recreational equipment bylaw on page 16).

- Parking is not permitted on the boulevard portion of the driveway. There is an exception in ward five during winter months under specific conditions. Learn more at www.kitchener.ca/parkingregulations
Parking - Street parking

There are many options for street parking in the city with a few limitations to ensure safety and fairness for everyone.

• In order to park on a street, your vehicle must have current registration, be licensed and operable.
• Parked vehicles must not block access to driveways or fire hydrants.
• Unless otherwise posted, the maximum length of time a vehicle may park on a street is three hours.
• Overnight parking (2:30 a.m. - 6 a.m.) on the road is not permitted from Dec. 1 to March 31 regardless if there is snow or not.
• When a Snow Event has been declared, parking on the road is not permitted at any time.

Did you know?

It takes 16-24 hours to complete street snow removal once the snow has finished falling. As a result, overnight parking is not allowed during the outlined winter months and during a Snow Event. This makes it possible for crews to clear streets as quickly as possible.
Pet licensing

All dogs are required to be licensed annually.

Lost pets

• If a pet has gone missing, please contact the Kitchener Waterloo Humane Society at 519-745-5615 to file a lost pet report.

• Licences can be purchased online at www.kwhumane.com, or in person at the Humane Society.

Did you know?

A pet’s license is their ticket home. Ensure your contact information is up to date. One hundred percent of missing licensed dogs that have been found are returned to their owners.
Pet nuisances

Pets at home

- Pet owners must pick up all animal feces, not allowing any to accumulate in their yard.
- Cats and dogs are not allowed to be “at large”, or roam freely off their owner’s property. This means they must remain on their owner’s property or under their owner’s control at all times.

Pets in public spaces

- When off their property, pet owners must pick up after their dogs and properly dispose of their animal’s feces.
- When off their owner’s property, dogs must be under control by means of a leash. The only exception is in a designated off-leash area.
Public parks

Public parks are places people can come together for leisure and enjoyment. In many cases, they are an extension of our homes and can be the heart of a neighbourhood.

Kitchener parks include sports fields, playgrounds, woodlots, valley lands, wetlands and trails and are managed or maintained by the city for recreational use by citizens.

Park users are encouraged to be considerate of the land and others who use it by:

- Depositing litter and waste in available garbage bins.
- Leaving the park in the condition it was found, and not damaging the property in any way.
- Leaving motorized vehicles in appropriate parking areas, as they are not permitted in parks.
- Respecting all people, pets and land found in public parks.
Signs

Signs are used to promote businesses, share information and help people find what they are looking for. If they aren’t managed in a consistent fashion, they can also be confusing, create clutter and diminish the visual appeal of our city.

- All permanent and portable signs require a permit. Portable signs will also need to receive approval to display on location.
- Temporary signs, banners, and other types may require a permit. It is best to contact the planning division to determine any approvals for the sign type you intend to post.
- Signs are not permitted on city owned property.

To learn more about sign permits, please contact the planning division at 519-741-2426.
Need support in your neighbourhood?

From time to time, it may be difficult to come to an agreement with your neighbour. There are options to help resolve conflicts that may arise that can help you find ways to improve communication and build positive relationships in your community.

You are encouraged to speak with your neighbours when possible to try and resolve any issues you may be experiencing. Often times people are not aware they are violating a bylaw or creating a problem for someone. Having a conversation can often diffuse the situation and foster good neighbour relations.

If that does not resolve the issue you are experiencing, the City of Kitchener provides a free mediation service that helps people deal with difficult discussions or situations and work toward solutions. If experiencing a disagreement with a neighbour, contact us and we can assist by providing a referral for mediation services or connecting you with the right support.

Did you know?

Housing mediation helps people learn how to resolve conflicts with neighbours on a number of topics. To find out how you can work to improve your neighbour relations, call 519-741-2345 and ask for bylaw enforcement to provide you with a free referral.
City of Kitchener
Corporate Contact Centre
519-741-2345

Report a problem on Pingstreet through your Smartphone or tablet (find the app on Blackberry World, App Store, or Google Play)

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