

Motion – Councillor D. Hill – Amendment to By-law 2002-189 - Licensing and regulation of hardscaping contractors

Motion – D. Hill, conseiller – Règlement no 2002-189 – Délivrance de permis et réglementation concernant les entrepreneurs paysagistes

Committee Recommendation(s)

That Council approve that By-law 2002-189, as amended, is further amended as follows and that the City's website be updated to reflect this:

1. The definition of "hardscaping contractor" in Section 1 of the by-law shall be repealed and replaced with the following:

"hardscaping contractor" means a person who is engaged in the business of (a) installing, altering or paving hard landscaping features on private property, such as driveways and parking areas, concrete pads, gravel areas, retaining walls, steps, walkways and pathways, and patios, where such landscaping features are made of asphalt, concrete, interlock, pavers, flagstone, brick or similar materials, including altering or paving any portion of the highway as part of hardscaping work occurring on adjacent private property, but does not include:

- (i) the sealing or re-sealing only of driveways or parking areas;
 - (ii) the installation or alteration of pools, decks and fences;
 - (iii) the temporary removal and reinstatement of hard landscaping features as part of another lawful construction, repair, or installation activity, provided the work is incidental to that activity and not offered as a standalone service; or
 - (iv) performing minor repairs or minor alterations.
2. Section 4(1)c) of Schedule 36 of the by-law shall be repealed and replaced with the following:

has provided the address and contact information for the applicant or an agent of the applicant

- a. to which the City may send a notice, documentation, or communication that may be required under this by-law, and
 - b. at which the applicant or the applicant's agent will accept receipt of any notice, documentation, or communication during regular business hours;
3. Section 9 of Schedule 36 of the by-law shall be repealed and replaced with the following:

Every licensee shall ensure that each vehicle used for the hardscaping business has a sign attached or painted on both sides showing the name and contact information of the business in a clear and legible manner.

Recommandation(s) du Comité

Que le Conseil approuve que le Règlement n° 2002-189, dans sa version modifiée, soit modifié comme suit, et que le site Web de la Ville soit mis à jour en conséquence :

1. La définition de « entrepreneur paysagiste qui effectue des aménagements paysagers faits de matériaux durs » à l'article 1 sera abrogée et remplacée par la suivante :

« entrepreneur paysagiste qui effectue des aménagements paysagers faits de matériaux durs » s'entend d'une personne qui effectue a) l'installation, la modification ou le pavage d'éléments paysagers faits de matériaux durs sur des propriétés privées, comme des entrées de cour, des aires de stationnement, des dalles de béton, des zones de gravier, des murs de soutènement, des marches, des allées piétonnières, des sentiers ou des terrasses, lorsque ces éléments paysagers sont faits d'asphalte, de béton, de pavés autobloquants, de dalles, de pierres, de briques ou de matériaux similaires, ce qui comprend la modification ou le pavage de toute partie de la voie publique dans le cadre de travaux d'aménagement paysager fait de matériaux durs effectués sur une propriété privée, mais exclut :

- (i) la seule application ou réapplication d'un scellant dans des entrées de cour ou des aires de stationnement;
- (ii) l'installation ou la modification de piscines, de terrasses ou de clôtures;

- (iii) le retrait temporaire et la réinstallation d'éléments paysagers faits de matériaux durs dans le cadre d'une autre activité légale de construction, de réparation ou d'installation, si ce travail est secondaire à l'activité en question et n'est pas proposé comme un service à part;
 - (iv) toute autre réparation ou modification mineure.
2. L'alinéa 4(1)c) à l'annexe 36 du Règlement sera abrogé et remplacé par ce qui suit :
- fournir l'adresse et les coordonnées du demandeur ou d'un agent du demandeur :
- a. où la Ville peut envoyer des avis, des documents ou des communications pouvant être requis par le présent règlement;
 - b. où le demandeur ou l'agent du demandeur acceptera de recevoir ces avis, documents ou communications pendant les heures normales de bureau;
3. L'article 9 à l'annexe 36 du Règlement sera abrogé et remplacé par ce qui suit :
- Le détenteur de permis doit s'assurer que chaque véhicule utilisé pour son entreprise est muni des deux côtés d'une enseigne fixée ou peinte indiquant le nom et les coordonnées de l'entreprise de manière claire et lisible.**

Documentation/Documentation

1. Extract of the draft Minutes, Emergency Preparedness and Protective Services Committee, April 16, 2026

Extrait de l'ébauche du procès-verbal, Comité des services de protection et de préparation aux situations d'urgence, le 16 avril 2026

2. Members' Motion submitted to Emergency Preparedness and Protective Services Committee, dated April 16, 2026 (ACS2026-OCC-CCS-0046)

Motion d'un membre soumise au Comité des services de protection et de préparation aux situations d'urgence daté le 16 avril 2026 (ACS2026-OCC-CCS-0046)

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Le 16 avril 2026**

Motion – Councillor D. Hill – Amendment to By-law 2002-189, as amended, with respect to licensing and regulation of hardscaping contractors

File No. ACS2026-OCC-CCS-0046

At the outset, Vice-Chair David Hill introduced the Motion and spoke to provide context.

Mr. Ryan Perrault, General Manager, Emergency and Protective Services (EPS) Department, Mr. Roger Chapman, Director, By-Law and Regulatory Services, EPS, Mr. Jake Gravelle, Associate Director, By-Law and Regulatory Services, EPS, and Ms. Samantha Montreuil, Interim Manager, Public Policy Development, EPS were present to respond to questions.

The following members of the public spoke before the Committee and provided comments on the item:

- Jonathan Gilman, Owner, Ottawa Interlock Repair
- David Wildeboer, Owner, Wild Ridge Landscapes Inc.
- Lindsey Ross, Owner, Living Green Landscaping, and President, Landscape Ontario

Following questions to the speakers and to staff, and at the conclusion of Committee discussions, Motion No. EPPSC 2026-23-02 was put before the Committee and was 'Carried', as presented.

Motion

WHEREAS Council enacted By-law 2025-415 to amend By-law No. 2002-189, as amended, with respect to the licensing and regulation of hardscaping contractors on November 12, 2025; and

WHEREAS the intent of the hardscaping licensing framework is to establish a more permissive standard for homeowners, enhance public awareness of permitted work under City by-laws, and to provide City staff with clearer tools to address non-compliance; and

WHEREAS certain businesses are seeking additional clarity regarding the requirements set out in the by-law; and

WHEREAS individuals perform minor repair or alteration work are not required to obtain a Hardscaping Contractor license, including individuals under the age of 18; and

WHEREAS the by-law currently requires hardscaping contractors to display ensure that each vehicle used for the hardscaping business has a sign attached or painted on both sides showing the name and telephone number of the business in 15cm characters, consistent with requirements the vehicles for some other categories of licensed businesses; and

WHEREAS vehicles used in the operation of a hardscaping business are mostly stationary or remain on-site for extended periods, unlike vehicles used in other categories of licensed businesses; and

WHEREAS amending the by-law to avoid the uncertainty highlighted by some small business owners can avoid unnecessary burdens and costs for both businesses and homeowners; and

WHEREAS Council's priority continues to be fostering a diverse economy and supporting small businesses;

BE IT THEREFORE RESOLVED THAT By-law 2002-189, as amended by by-law 2025, is amended as follows and that the City's website be updated to reflect this motion:

- 1. The definition of "hardscaping contractor" in Section 1 of the by-law shall be repealed and replaced with the following:**

"hardscaping contractor" means a person who is engaged in the business of (a) installing, altering or paving hard landscaping features on private property, such as driveways and parking areas, concrete pads, gravel areas, retaining walls, steps, walkways and pathways, and patios, where such landscaping features are made of asphalt, concrete, interlock, pavers, flagstone, brick or similar materials, including altering or paving any portion of the highway as part of hardscaping work occurring on adjacent private property, but does not include:

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- (iii) the temporary removal and reinstatement of hard landscaping features as part of another lawful construction, repair, or**

installation activity, provided the work is incidental to that activity and not offered as a standalone service; or

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2. Section 4(1)c) of Schedule 36 of the by-law shall be repealed and replaced with the following:

has provided the address and contact information for the applicant or an agent of the applicant

- a. to which the City may send a notice, documentation, or communication that may be required under this by-law, and**
- b. at which the applicant or the applicant's agent will accept receipt of any notice, documentation, or communication during regular business hours;**

3. Section 9 of Schedule 36 of the by-law shall be repealed and replaced with the following:

Every licensee shall ensure that each vehicle used for the hardscaping business has a sign attached or painted on both sides showing the name and contact information of the business in a clear and legible manner.

Carried