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Communication
Council – May 22, 2024
By-Law 085-2024

DATE: May 8, 2024

TO: Mayor and Members of Council

FROM: Gus Michaels, Deputy City Manager, Community Services

RE: **COMMUNICATION - Council Meeting May 22, 2024**
FORTIFICATION OF LAND BY-LAW 085-2024
(as it relates to Item No. 10, Report No. 52, CW(2), December 5, 2023)

Recommendation

That the additional amendments to the new Fortification of Land By-law 085-2024, as outlined below, be approved by Council, in order to provide further precision and clarification to exceptions from the by-law requirements.

Background

Item No. 10, Report No. 52 was approved by the Committee of the Whole(2) on December 5, 2023. The item recommended consolidation of the current Fortification of Land By-law 328-2003 in accordance with the approved consolidation format and the incorporation of several other amendments to the by-law, including: amendments to outdated definitions, repeal of applications for exemptions respecting excessive fortification, repeal of provisions with relation to video surveillance, and the designation of the By-law under the City's Administrative Monetary Penalties By-law. Further review of By-law, in consultation with York Regional Police, Vaughan Fire and Rescue Services and City's Building Standards Department, brought out additional recommended amendments, as follows:

- to make minor changes to the definition of "Excessive Fortification and Excessively Fortify", as agreed with VFRS and YRP:
 - deleting the reference to "laminated glass" when prohibiting application of break-resistant materials for windows or doors, as different types of laminated or polycarbonate materials are often recommended by police services as an additional home security measure;
 - in addition, specifying that any pillars, cones, or barriers constructed out of any solid building material are prohibited only when such barriers are blocking access to vehicles used by emergency personnel in case of emergencies;
- to clarify that any exceptions from the By-law for any commercial, business, institutional or industrial establishments are to be determined by the City. An exemption process exists under the current Fortification of Land By-law 328-

2003. Such exemptions are determined by the Building Standards Department and apply to any property. In the staff report, this exemption process was eliminated following consultations with staff that determined that this process is almost never used. Commercial, business, institutional and industrial establishments are exempt from this By-law's requirements if such use was lawfully permitted. In consultation with Building Standards and YRP, staff are recommending leaving this exemption for such establishments (such as jewelry stores, hunting gear shops, etc.), while making it up to the City's discretion to permit or prohibit such type of fortification. The decision, in such instances, would be made by BCLPS and Building Standards jointly;

- to add an exception for electrified fencing used by agricultural operations for the purpose of controlling movement of livestock, as it is a normal farm practice to allow this type of fencing for farms on agricultural lands;
- to add an exception for fences and gates that are used on residential properties and comply with the City's Fence By-law provisions.

For more information, contact Susan Kelly, Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8952.

Respectfully submitted by,

A handwritten signature in blue ink, appearing to read "Gus Michaels".

Gus Michaels, CMM III, MLE Executive, Property Stds. Prof. GDPA
Deputy City Manager, Community Services