

# Committee of the Whole (1) Report

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**DATE:** Tuesday, January 21, 2025

**WARD(S):** ALL

**TITLE:** TECHNICAL AMENDMENTS REPORT

**FROM:**

Gus Michaels, Deputy City Manager, Community Services

**ACTION:** DECISION

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## **Purpose**

This is a periodic technical amendment report to help ensure that City of Vaughan (City) by-laws are up-to-date, clear and easily accessible. This report includes: proposed updates to the Property Standards By-law 231-2011 (*Property Standards By-law*), as amended, with respect to boats and trailers; all by-laws which reference the *Police Services Act*, R.S.O. 1990, c. P.15 (*Police Services Act*), which was repealed and replaced with the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 (the *Community Safety and Policing Act*); and, correcting and updating other by-laws referenced in this report.

## **Report Highlights**

- The intent of this report is to ensure City by-laws are up-to-date, clear and easily accessible, in line with the mandate of the City's By-law Strategy.
- Recommendations include updating the *Property Standards By-law* on what markings are required to be present on boats and trailers, updating all by-laws with enforcement provisions to reference the *Community Safety and Policing Act*, which has replaced the repealed *Police Services Act*, updating references in designated by-laws to reflect a new Administrative Penalties By-law, clarifying permit holder's responsibilities in the Special Events By-law, providing for damages to and from encroachments in the Road Allowance By-law, enforcement-related clarifications in the Long Grass and Weeds and Parks By-laws, provisions allowing for alternative methods of renewal in the Short-Term Rental By-law, and making minor corrections and updates to other by-laws.

## **Recommendation**

1. That Staff be directed to return to Council with by-laws substantially in accordance with the recommendations in the Analysis and Options section, subject to any further direction from the Committee of the Whole and Council, and in a form satisfactory to Legal Services.

## **Background**

In line with the [Council-approved By-law Strategy](#), staff review City by-laws for opportunities to ensure they are up-to-date, clear and easily accessible. This section provides the background for changes recommended in the report.

### **Greater clarity is required with respect to the registration requirements for boats and trailers.**

The *Property Standards By-law* requires that, in order for a boat or trailer to be lawfully stored within a yard, it must have both the appropriate registration and the corresponding markings. The proposed amendment provides greater clarity on what specifically is required to be in compliance.

### **The introduction of new legislation requires amendments across all regulatory by-laws with respect to the appointment of municipal law enforcement officers.**

City by-laws, which are enforced by City 'enforcement officers', currently reference the *Police Services Act*, as the provincial act which gives municipalities the authority to appoint enforcement officers. As of April 2024, the *Police Services Act* was repealed and replaced with the *Community Safety and Policing Act*, which provides the City with the authority to appoint enforcement officers, as per section 55(1), which states, "A municipality may appoint persons to enforce the by-laws of the municipality."

### **A new Administrative Penalties By-law has been introduced to accommodate automated speed enforcement and updated screening and hearing processes.**

A new Administrative Penalties by-law, By-law 240-2024, replaced the previous by-law in order to incorporate automated speed enforcement provisions and introduce consequential revised screening and hearing processes. As a result, all designated by-laws will now be required to reference this new by-law, including but not limited to: the Animal Control, Anti-Graffiti, Backflow Prevention, Dumping, Fence, Filming, Firearms, Fireworks, Fortification, Idling, Licensing, Long Grass and Weeds, Noise, Nuisance, Parking, Parks, Photography Permits, Road Allowance, Sewer Use, Short-Term Rentals, Signs, Site Alteration, Smoking, Special Events, Standing Water, Vulnerable Infrastructure, Waste and Water by-laws.

**Greater clarification is needed to delineate the regulatory requirements of special event permit holders.**

The City's Special Event By-law provides for a permitting regime to vet proposed events and ensure that all necessary measures are being taken to protect the health and safety of participants and the public at large, as well as mitigate any excessive nuisances. As a result, permits set out requirements and conditions. While permit holders must abide by all relevant City by-laws, permits can, and often do, prescribe what specific exemptions may exist to specific provisions of other by-laws for the duration of the permitted event. Staff are recommending adding clarifying language with respect to these instances.

**Provisions relating to damages arising to and from encroachments need to be reinstated in the Road Allowance By-law.**

As part of consolidation and modernization of its regulatory by-laws, the City took the step to create Road Allowance By-law 126-2024, which included provisions relating to encroachments. Staff have since determined that greater clarity should be provided by adding language to make people aware that, as encroachments are situated on public lands, the City cannot be held responsible for any damages that arise to or from such encroachments as a result of the course of its maintenance or repair operations.

**Further clarification is required in some by-laws with respect to enforcement procedures.**

In reviewing both the Long Grass and Weeds By-law and the Parks By-law, staff identified a couple of areas that require further clarification. For the Long Grass and Weeds By-law, the clarification pertains to service requirements, including placarding, when a property owner or occupant cannot be identified or located (as may happen in abandoned and derelict properties). For the Parks By-law, the clarification pertains to the requirement to be in full compliance with the conditions prescribed on any permits issued.

**Provisions relating to alternative methods of licence applications and renewals need to be added to certain by-laws.**

As the City continues to automate services, increasingly providing more self-serve options, by-laws, policies and procedures need to be revised to continue to support this innovation. Most recently, licence applications and renewals for short-term rentals have been included on the City's on-line application portal. Staff are now recommending that the Short-Term Rental By-law be amended to account for alternative application and renewal options, including on-line options.

## **Amending language to provide clarity and consistency across the interpretation provisions of the City's by-laws.**

Under the "Definitions and Interpretation" section of some of the City's by-laws, there is language that speaks to how the use of special terms and other language is to be applied. Staff are recommending that such provisions be applied consistently across all City by-laws.

## **By-law interpretations, definitions, numbering corrections and spelling need to be revised in a number of by-laws.**

There are a number of by-laws that require updates to by-law interpretations, definitions, numbering and spelling, including:

- The Animal Control By-law, Administrative Penalties By-law and Noise By-law require some numbering corrections.
- A number of by-laws require updates and additional clarity to some definitions, including Animal Control, Anti-Graffiti, Backflow Prevention, Dumping, Fence, Filming, Firearms, Fireworks, Fortification, Idling, Licensing, Long Grass and Weeds, Noise, Nuisance, Parking, Parks, Photography Permits, Property Standards, Road Allowance, Sewer Use, Short-Term Rentals, Signs, Site Alteration, Smoking, Special Events, Standing Water, Vulnerable Infrastructure, Waste and Water.
- A number of by-laws require additional information with respect to by-law interpretation, such as Animal Control, Anti-Graffiti, Backflow Prevention, Fence, Filming, Firearms, Fireworks, Fortification, Idling, Licensing, Long Grass and Weeds, Noise, Parking, Photography Permits, Property Standards, Sewer Use, Short-Term Rentals, Signs, Site Alteration, Smoking, Special Events, Waste and Water.
- The Site Alteration By-law also requires amendments to correct a by-law reference and to appropriately repeal another.

See the Previous Reports/Authority section that follows for links to these by-laws, by-law numbers and a link to the By-law Library where they are posted.

## **Previous Reports/Authority**

- [Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1](#)
- [Police Services Act, R.S.O. 1990, c. P.15](#)
- [Council-approved By-law Strategy](#), Item 3, Report No. 3, adopted on June 24, 2014.

By-laws that are being amended or repealed, as posted in the [By-law Library](#):

- [Administrative Penalties By-law 240-2024](#)
- [Animal Control By-law 066-2020](#)

- [Backflow Prevention 177-2020](#)
- [Business Licensing 122-2022](#)
- [Dumping 103-2020](#)
- [Fence 189-2020](#)
- [Filming 168-2020](#)
- [Firearms 123-2016](#)
- [Fireworks 089-2022](#)
- [Fortification 085-2024](#)
- [Idling By-law 170-2004](#)
- [Long Grass and Weeds By-law 125-2022](#)
- [Noise By-law 121-2021](#)
- [Nuisance By-law 124-2024](#)
- [Parking 064-2019](#)
- [Parks By-law 134-95](#)
- [Photography Permits 169-2020](#)
- [Property Standards 231-2011](#)
- [Road Allowance By-law 126-2024](#)
- [Sewer Use 025-2024](#)
- [Short-Term Rental By-law 158-2019](#)
- [Signs 140-2018](#)
- [Site Alteration By-law 031-2024](#)
- [Smoking 074-2019](#)
- [Special Events 045-2018](#)
- [Standing Water 143-2003](#)
- [Vulnerable Infrastructure 143-2024](#)
- [Waste 121-2024](#)
- [Water 024-2024](#)

### **Analysis and Options**

The amendments being recommended are detailed in Attachment 1 to this report, describing the current state and the related challenges or issues, listing the recommendations from staff, and providing the reasoning behind the recommendations. All amendments will be detailed in the by-laws that will be sent to council for approval separately.

### **Financial Impact**

There is no anticipated financial impact anticipated as a result of the recommendations of this report.

### **Operational Impact**

This report was prepared in consultation with Legal Services. There are no anticipated operational impacts as a result of the recommendation of this report.

### **Broader Regional Impacts/Considerations**

There is no anticipated broader regional impact.

### **Conclusion**

In line with City Council's Strategic Priority to contribute to community safety and well-being through the continued implementation of the By-law Strategy, this report's recommendations seek to enhance the clarity and relevance of City by-laws.

**For more information**, please contact: Susan Kelly, Director of By-Law and Compliance, Licensing and Permit Services, ext. 8952.

### **Attachment**

1. Analysis and Options

### **Prepared by**

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