

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 035-2025

A By-law to amend Site Alteration By-law 031-2024, as amended, to: reflect changes to the legislative authority for municipalities to appoint municipal by-law enforcement officers; correct the repeal clause; adding By-law 164-2019 to the Transition section; and update other definitions and clarify interpretation of the By-law.

WHEREAS section 142 of the *Municipal Act, 2001*, S.O. 2001, c. 25 authorizes local municipalities to require that a permit be obtained for the placement of fill, the removal of topsoil, or the alteration of the grade of land, and to impose conditions to such permits; and;

AND WHEREAS the City of Vaughan enacted Site Alteration By-law 031-2024, as amended, in which municipal by-law enforcement officers have the authority to enforce the By-law;

AND WHEREAS section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 ("*Community Safety and Policing Act*") gives municipalities the authority to appoint *Municipal By-law Enforcement Officers* and repeals and replaces the *Police Services Act*, R.S.O. 1990, c. P. 15 ("*Police Services Act*") which previously gave municipal councils that authority;

AND WHEREAS the Council of The Corporation of the City of Vaughan deems it necessary to amend the Site Alteration By-law, as amended, to reflect this change to legislative authority, as well as make other changes to address incorrect or non-existent reference to older by-laws, and other updates regarding definitions and interpretation of the By-law;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. To amend By-law 031-2024, as amended, as follows:
 - (a) renumber section 3.0(6) to 3.0(7).
 - (b) add the following as the new section 3.0(6):
 - (6) Any reference to a statute, regulation, by-law or other legislation shall

include such statute, regulation, by-law or legislation as amended, re-enacted, replaced, or superseded.

- (c) delete reference to “as amended”, “as amended, or its successor by-law” and “as amended or superseded”.
- (d) delete and replace the definition of “Administrative Monetary Penalties By-law” in section 3.0(7) with the following definition, placed in alphabetical order: “Administrative Penalties By-law” refers to the City Administrative Penalties By-law 240-2024;
- (e) delete and replace reference to “Administrative Monetary Penalties By-law” with “*Administrative Penalties By-law*”.
- (f) delete and replace reference to “administrative monetary penalty” with “administrative penalty”.
- (g) delete and replace reference to “administrative monetary penalties” with “administrative penalties”.
- (h) add the following definition in section 3.0(7):

“Municipal By-law Enforcement Officer” means a *Person* appointed as a Municipal By-law Enforcement Officer, pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P.15 or section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1, to enforce the provisions of this By-law;
- (i) delete and replace reference to “*By-law Enforcement Officer*” with “*Municipal By-law Enforcement Officer*”.
- (j) delete and replace section 16.0 (1) with the following:
 - (1) Notwithstanding the repeal of By-law 189-96, 44-2004, 265-2006, 007-2017, 164-2019, and all amendments thereto, those by-laws shall continue to apply to act, omission or occurrences and to any offences that took place prior to the enactment of this By-law.
- (k) delete and replace section 17.0(2) with the following:
 - (2) By-laws 189-96, 44-2004, 265-2006, 007-2017, and 164-2019 are hereby repealed.
- (l) delete section 17.0(1).

(m) add section 17.1 as follows:

17.1 Designated By-law

(1) This is a designated by-law as per Schedule 1 of the *Administrative Penalties By-law*.

Voted in favour by City of Vaughan Council this 25th day of February, 2025.

Steven Del Duca, Mayor

Todd Coles, City Clerk

DRAFT

Authorized by Item No. 13 of Report No. 1 of the Committee of the Whole.
Report adopted by Vaughan City Council on January 28, 2025.
City Council voted in favour of this by-law on February 25, 2025.
Approved by Mayoral Decision MDC 002-2025 dated February 25, 2025.
Effective Date of By-Law: February 25, 2025