

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2025

Item 13, Report No. 1 of the Committee of the Whole which was adopted without amendment by the Council of the City of Vaughan on January 28, 2025.

13. TECHNICAL AMENDMENTS REPORT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, dated January 21, 2025:

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.

Committee of the Whole (1) Report

DATE: Tuesday, January 21, 2025

WARD(S): ALL

TITLE: TECHNICAL AMENDMENTS REPORT

FROM:

Gus Michaels, Deputy City Manager, Community Services

ACTION: DECISION

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all by-laws which reference the *Police Services Act*, R.S.O. 1990, c. P.15 (*Police Services Act*), which was repealed and replaced with the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 (the *Community Safety and Policing Act*); and, correcting and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all by-laws with enforcement provisions to reference the *Community Safety and Policing Act*, which has replaced the repealed *Police Services Act*, updating references in designated by-laws to reflect a new Administrative Penalties By-law, clarifying permit holder's responsibilities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

Carol Ramchuram, Regulatory Policy Analyst, ext. 8783

Analysis and Options

No	Current state	Recommendation	Reasoning
1	<p>The City Property Standards By-law requires that, “5.1 (1)(f) Every Yard shall be kept clean and free from... f) Vehicles, boats and trailers that are wrecked, dismantled, partially dismantled, abandoned, unused, inoperative or not affixed with a valid plate displaying a valid permit registered to the Vehicle, boat or trailer”.</p> <p>Staff have noted that there are times when boats and their associated trailers do not appear to have the proper registration markings, though:</p> <ul style="list-style-type: none"> - the Canadian government requires that ‘pleasure crafts’, (which are usually smaller boats under 15 tonnes), have a registration number; - the Ontario government requires that boat trailers are registered and have a validation sticker; and - there may be other requirements related to the commercial purpose of the boat. 	<p>In the Property Standards By-law, to change, “not affixed with a valid plate displaying a valid permit registered to the Vehicle, boat or trailer”, to, “not affixed with registration, licence markings and/or numbers in compliance with current federal and/or provincial requirements”.</p>	<p>This change will address the requirements that boats and trailers are properly registered and display the appropriate registration markings.</p>
2	<p>City by-laws which are enforced by City ‘municipal by-law enforcement officers’, sometimes listed as an ‘officer’, ‘enforcement officer’, ‘municipal law enforcement officer’ or</p>	<p>In all City by-laws, to update all relevant officer references to use the same term - “municipal by-law enforcement officer”, and to include reference to the <i>Community Safety and</i></p>	<p>To help ensure the role of municipal by-law enforcement officers is clear across all City by-laws, as well as to ensure the proper legislation is referenced with</p>

No	Current state	Recommendation	Reasoning
	other term. Currently, these officer definitions usually reference the <i>Police Services Act</i> as the authority for appointing officers, however this act has now been repealed. The <i>Community Safety and Policing Act</i> now provides the authority for municipalities to appoint municipal by-law enforcement officers.	<i>Policing Act</i> as the appointing authority for them.	respect to appointment authority.
3	<p>Site Alteration By-law 031-2024 was enacted this year, and in the introduction advises it was to repeal By-law 189-96, however, in the body of the by-law, it mentions repealing By-law 89-96.</p> <p>By-law 89-96 is a by-law that amended the previous Zoning By-law, which was repealed.</p> <p>As such, the correct by-law to repeal is 189-96.</p>	To create an amendment for the Site Alteration By-law to delete the repeal of by-law 89-96 (already repealed with former Zoning By-law 1-88) and to repeal 189-96.	To help support the accuracy of our by-laws.
4	<p>In the Road Allowance By-law 126-2024, section 8.0(3)(e) is missing a few words, and states:</p> <p>“An Encroachment on the Road Allowance is allowed without a Permit if it...is more than 200 centimetres when the <i>Encroachment</i> extends more than 30 centimetres above grade...”.</p>	<p>In the Road Allowance By-law, to replace the wording in section 8.0(3)(e) with the following:</p> <p>“An Encroachment on the Road Allowance is allowed without a Permit if it...is more than 200 centimetres away from a fire hydrant when the <i>Encroachment</i> extends more than 30 centimetres above grade...”.</p>	To help ensure that the intended meaning of the by-law is clear.

No	Current state	Recommendation	Reasoning
5	<p>The Road Allowance By-law does not advise the public that if they place encroachments on the City's property they do so at their own risk and that the City is not responsible for any damage caused by or to those encroachments.</p>	<p>Reinsert similar language from the previous encroachment by-law 034-2017 to address the risk of placing encroachments on City property and the City's responsibilities.</p>	<p>To help ensure that the public is aware of the risks involved in placing encroachments on City property.</p>
6	<p>Section 5.0(5) of the Long Grass and Weeds By-law 125-2022 explains when a placard with an order can be posted:</p> <p>"If the address of the Owner is unknown, or the City is unable to serve the Owner or occupant under section 5.0(2), a placard stating the terms of the order in 5.0(2) shall be placed in a conspicuous place on the Property and shall be deemed to be sufficient notice to the Owner."</p> <p>Some staff have commented that further clarification would be preferable with respect to when a placard can be used for service of an order.</p>	<p>In the Long Grass and Weeds By-law, to replace the wording in section 5.0(5) with the following:</p> <p>"If the City is unable to serve the Owner in person or by registered mail as per section 5.0(3), or if the order cannot be served to the Owner and occupant as per section 5.0(4) (if applicable), a placard stating the terms of the order in 5.0(2) shall be placed in a conspicuous place on the Property and shall be deemed to be sufficient notice to the Owner."</p>	<p>To provide greater clarity with respect to when placards with orders can be placed on a property.</p>
7	<p>Various by-laws require other administrative updates, such as with respect to numbering and definition updates.</p>	<p>To make numbering corrections and to add and update definitions, including in the following by-laws: Administrative Penalties By-law, Animal Control, Anti-Graffiti, Backflow Prevention, Dumping, Fence, Filming,</p>	<p>For greater clarity and comprehension.</p>

No	Current state	Recommendation	Reasoning
		<p>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.</p> <p>In designated City by-laws, this includes to change references to the Administrative Monetary Penalties By-law to “Administrative Penalties By-law”, and administrative monetary penalties to “administrative penalties”.</p>	
8	<p>Various by-laws require updates to reflect current procedures and by-law interpretation, such as that applications can now be made online, as opposed to just in-person, or that activities must be compliant with permit requirements.</p>	<p>To update various by-laws to reflect current procedures and by-law interpretation, including the 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 by-laws.</p>	<p>To help ensure the public has access to up-to-date information about City procedures.</p>

No	Current state	Recommendation	Reasoning
9	<p>Under the authority of the Special Events By-law, City staff issue permits for Special Events. As with most City by-laws, normally events must be in compliance with the Special Events By-law and other City by-laws, however, sometimes exceptions are allowed and are described in the conditions of the permit.</p> <p>The Special Events By-law currently does not address these exceptions.</p>	<p>Staff suggest adding the following to the Special Events By-law, "Every Person who receives a permit shall comply with all other City by-laws, except to the extent that the permit received under this By-law provides for explicit exceptions under its terms and conditions."</p>	<p>To provide greater clarity on by-law regulation.</p>