

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 166-2020

A By-law of The Corporation of the City of Vaughan to amend Encroachment By-law 034-2017, as amended.

WHEREAS section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate, and to enhance its ability to respond to municipal issues;

AND WHEREAS the Council of The Corporation of the City of Vaughan has passed a by-law to reflect the needs of its communities by promoting through regulation the responsible use of the public boulevard, while protecting the broader public interest by ensuring the safety and accessibility of its property, including property under its control;

AND WHEREAS the Council of The Corporation of the City of Vaughan has determined that it is desirable to make amendments to By-law 034-2017, as amended;

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

1. That Encroachment By-law 034-2017, be amended as follows:

(a) Add section 4.0(9.1) to read as follows:

(9.1) Notwithstanding section 4.0(8), *Fences* that *Encroach* onto the *Boulevard* are subject to the fence height exemption application process, pursuant to Fence By-law 80-90, as amended or its successor by-law.

(b) Amend section 4.0(8) to read as follows:

(8) No *Fence* that encroaches onto the *Boulevard* shall:

(a) exceed a height of 1.2 metres for that portion of the *Fence* erected in a residential front yard, unless such yard abuts a rear yard, in which case the encroaching *Fence* may not exceed 2.0 metres;

- (b) exceed a height of 2.0 metres for that portion of the *Fence* located along a residential side yard or rear yard;
- (c) exceed a height of 3.0 metres in a non-residential zone;
- (d) otherwise contravene the height restriction in Fence By-law No. 80-90, as amended, or its successor by-law; or
- (e) enclose any *Public Boulevard Appurtenance*.

Enacted by City of Vaughan Council this 17th day of November, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk