

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 028-2025

A By-law to amend the Property Standards By-law 231-2011, as amended, to: reflect changes to the legislative authority for municipalities to appoint municipal by-law enforcement officers; to update requirements for the required federal and/or provincial registration, markings and numbering on boats and boat trailers; to update other definitions for greater clarity; and, to clarify interpretation of the By-law.

WHEREAS section 15.1 (3) of the *Building Code Act, 1992*, S.O. 1992, c.23 authorizes the Council of a municipality to pass a By-law for prescribing standards for maintenance and occupancy of properties within the municipality;

AND WHEREAS the City of Vaughan has enacted the Property Standards By-law 231-2011, 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 Canadian federal and provincial governments require that boats and boat trailers have certain registration, markings, and/or numberings;

AND WHEREAS the Council of The Corporation of the City of Vaughan deems it necessary to amend Property Standards By-law 231-2011, as amended, to reflect the change in legislative authority for appointing municipal by-law enforcement officers, clarify the required markings, registration, and numberings for boats and boat trailers, as well make further changes with respect to certain 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 231-2011, as amended, as follows:
 - a. replace "SECTION 3 DEFINITIONS" with the following:

SECTION 3 – DEFINITIONS AND INTERPRETATION

- (1) In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context requires.
- (2) Wherever a word is used in this By-law with its first letter capitalized and the whole word italicized, the term is being used as it is defined in 3.0(4) of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- (3) 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.
- (4) In this By-law:
 - “Administrative Penalties By-law” refers to the *City’s Administrative Penalties By-law 240-2024*;
 - “Balcony” means an external balustrade platform, and includes both upper and lower surfaces of the platform;
 - “Basement” means a *Storey* or more than one *Storey* of a building located below the *First Storey*;
 - “Building Code Act” refers to *Building Code Act, 1992*, S.O. 1992, c. 23;
 - “Cellar” means that space of a building that is partly or entirely below *Grade*, which has half or more of its height, measured from floor to ceiling above that average exterior finished *Grade*;
 - “Chief Building Official” means the Chief Building Official as appointed under By- law by the *City*;
 - “City” means the Corporation of the City of Vaughan;
 - “Clerk” means the Clerk for the City of Vaughan, as required under section 228(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25;
 - “Committee” means a Property Standards Committee established under this By-Law in accordance with section 15.6 of the Building

Code Act, 1992, as amended, or as substituted from time to time;

“Construction Bin” means any dumpster, commercial roll-off bin or other similar receptacle used for the accumulation and storage of construction waste, demolition waste, or other similar materials;

“Dwelling Unit” means a self-contained room or series of rooms located in a building or structure used as a residential premises;

“Exit” means that part of a *Means of Egress*, including doorways, that leads from the *Floor Area* it serves to a separate building, an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare;

“Fence” means a structure except a structural part of a building used wholly or partially to screen from view to enclose or divide a *Yard* or other land, to mark or substantially mark the boundary between adjoining land and includes swimming pool enclosures, privacy screens, retaining walls, noise attenuation walls, any hedge or grouping of shrubs, or other combination of fencing components which form a continuous barrier for the same purpose;

“First Storey” means the *Storey* with its floor closest to *Grade* and having its ceiling more than 1.8 metres (6 feet) above *Grade*;

“Floor Area” means the space on any *Storey* of a building between exterior walls and required firewalls including the space occupied by interior walls and partitions, but not including *Exits* and vertical service spaces that pierce the *Storey*;

“Floor Covering” means any surface used to cover the basic floor or sub flooring construction, including carpet, vinyl, tile, laminate and hardwood;

“Grade” means the average level of proposed or finished ground adjoining a building at grade level;

“Graffiti” means one or more letters, symbols or marks, howsoever made that disfigures or deface a *Property* or object, but does not

include a Sign pursuant to the *City Sign By-laws* or a mural which has been authorized by the *City*;

“Ground Cover” means organic or non-organic material that covers the ground, and includes concrete, flagstone, gravel, asphalt, grass or other form of landscaping;

“Guard” means a protective barrier around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another;

“Habitable Room” means any room in a *Dwelling Unit* used or capable of being used for living, sleeping, cooking or eating purposes;

“Heritage Attributes” means the attributes or features of *Property*, buildings or structures that contribute to the *Property’s* cultural heritage value or interest that are defined or described or that can be reasonably inferred:

- (a) in a By-law designating a *Property* passed under Section 29 of the *Ontario Heritage Act* and identified as *Heritage Attributes*, values, reason for designation, or otherwise;
- (b) in a Minister’s Order made under Section 34.5 of the *Ontario Heritage Act* and identified as *Heritage Attributes*, reason for designation or otherwise;
- (c) in a By-law designating a heritage conservation district passed under Section 41 of the *Ontario Heritage Act* and identified as *Heritage Attributes*, values, reason for designation or otherwise;
- (d) in the supporting documentation required for a By-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as *Heritage*

Attributes, reasons for designation or otherwise

“Means of Egress” includes *Exits* and access to *Exits* and means a continuous path of travel provided for the escape of *Persons* from any point in a building or in a contained open space to a separate building, an open public thoroughfare or an exterior open space that is protected from fire exposure from the building and that has access to an open public thoroughfare;

“Mixed-Use Property” means a building or structure which can be lawfully used in part for both a *Dwelling Unit* and in part for non-residential purposes;

“Multi-Residential Property” means a building or structure or part of a building or structure that is used or designed for use for more than two *Dwelling Units* and includes any *Yard* appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, *Fences* and erections heretofore and hereafter erected;

“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;

“Non-Habitable Room” means any room in a *Dwelling Unit* other than a *Habitable Room* and includes bathroom, toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the *Dwelling Unit* for public use, for access to and vertical travel between stories, and a *Basement* or part thereof which does not comply with the *Standards* of fitness for occupancy set out in this By-law;

“Non-Residential Property” means a building or structure or part of a building or structure not containing a legal *Dwelling Unit*, and includes the *Yard* appurtenant thereto and all mobile buildings,

mobile structures, outbuildings, *Fences* and erections heretofore and hereafter erected;

“Occupant” means any *Person* or *Persons* over the age of eighteen years in possession of the *Property*;

“Ontario Building Code” means *Ontario Regulation 332/12: Building Code*;

“Ontario Heritage Act” means *Ontario Heritage Act, R.S.O. 1990, c.O.18*;

“Order” means an order made under this By-law;

“Owner” includes the *Person* for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other *Person*, or who would so receive the rent if such premises were let, and shall also include a lessee or *Occupant* of the *Property* who, under the terms of lease, is required to repair and maintain the *Property* in accordance with the *Standards* for the maintenance and occupancy of *Property*;

“Part IV Heritage Property” means real property, including all buildings and structures thereon, that has been designated by the *City* under Section 29 of the *Ontario Heritage Act* or by the Minister under section 34.5 of the *Ontario Heritage Act*;

“Part V Heritage Property” means real property, including all buildings and structures thereon, located within a heritage conservation district designated by the *City* under section 41 of the *Ontario Heritage Act*;

“Person” includes an individual, firm, corporations, association, partnership, trust, unincorporated organization or the heirs, executors, or the administrators or other legal representatives of such a *Person*;

“Property” means a building or structure or part of a building or structure and includes the *Yard* appurtenant thereto and all mobile

structures, outbuildings, *Fences* and erections thereon, whether heretofore or hereafter erected;

“Residential Property” means a building or structure or part of a building or structure, that is used or designed for use as a *Dwelling Unit* and includes any *Yard* appurtenant thereto and all outbuildings, *Fences* and erections thereon, whether heretofore or hereafter erected;

“Sewage System” means a sanitary sewer system or a private sewage disposal system approved by the *Chief Building Official*;

“Sign” means any surface upon which there is printed, projected or attached any announcement, declaration, or insignia used for direction, information, identification, advertisement, business promotion or promotion of products, activity or services, and includes a structure, whether in a fixed location or designed to be portable or capable of being relocated, or part thereof specifically designed for the foregoing uses. Furthermore, this includes flags, banners, advertising devices or any object intended for advertisement purposes;

“Sign” means any advertising device or notice and means any visual medium including its structure and other component parts, which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes;

“Stagnant Water” means water that remains in a structure, rut, or ground depression, for a period of more than four consecutive days that is not flowing in a stream or current;

“Standards” means the standards of physical condition and occupancy stated for *Property* in this By-law;

“Storey” means the portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor

and the ceiling above it;

“Supplied Facility” means any appliance, fixture or piece of equipment supplied in accordance with the provisions of a lease or rental agreement;

“Swimming Pool” means any above ground, in ground or inflatable structure that contains water and includes hot tubs and spas, ponds and any other water features capable of holding water to a depth of more than 75 centimetres;

“Vacant Property” means a building or structure that is not occupied and includes its surrounding *Yard* and all mobile structures, outbuildings, *Fences* and erections located on it;

“Vacant Lot” means a *Property* that does not have a building or structure;

“Vehicle” means anything that is powered, drawn, propelled or driven by any means other than muscular power, such as a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power-driven equipment intended for conveyance;

“Yard” means the land, other than publicly owned land, around or appurtenant to the whole or any part of a building or structure, and includes a *Vacant Lot*;

“Zoning By-law” refers to *City Zoning By-law 001-2021*.

- b. delete references to “as amended”, “as amended, or as substituted from time to time”, or “as amended or its successor by-law”;
- c. delete and replace references to “Administrative Monetary Penalties By-law” with “Administrative Penalties By-law”;
- d. delete and replace all instances of “administrative monetary penalties” with “administrative penalties”.
- e. delete and replace all instances of “administrative monetary penalty” with “administrative penalty”;
- f. delete and replace references to “Building Code Act, 1992”, and “Building Code Act, 1992, SO 1992, c 23”, with “Building Code Act”;

- g. delete and replace references to “*Officer*” with “*Municipal By-law Enforcement Officer*”;
- h. delete and replace references to “City Zoning By-law 1-88” with “*City Zoning By-law*”;
- i. delete and replace section 5.1(1)f) with:
 - f) Vehicles, boats and trailers that are wrecked, dismantled, partially dismantled, abandoned, unused, inoperative or not affixed with registration, licence markings and/or numbers in compliance with current federal and/or provincial requirements.
- j. delete and replace the text in SECTION 15 DESIGNATION with the following:
 - (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

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