

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include such statute, regulation, by-law or legislation as amended, re-enacted, replaced, or superseded.

- (c) delete reference to “as amended”, “as amended, or its successor by-law” and “as amended or superseded”.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 25<sup>th</sup> day of February, 2025.

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Steven Del Duca, Mayor

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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**