

Authority: Administration Committee Report No. 19, Clause No. 9,
as adopted by City of Toronto Council on October 3, 4 and 5, 2000
Enacted by Council: October 5, 2000

CITY OF TORONTO

BY-LAW No. 869-2000

To amend various by-laws to make technical amendments identified in the review of by-laws for a Municipal Code.

WHEREAS Clause 20(g) of By-law No. 47-1998, “To provide for the formulation and implementation of a plan for the provision of emergency services during emergencies affecting the City of Toronto” repealed The Municipality of Metropolitan Toronto By-law No. 31-96;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 27, Council Procedures.

By-law No. 23-1998, “To Govern the Proceedings of the Council and the Committees thereof.”, as amended, is amended as follows:

- A. Clause 10(1)(vi) is amended by deleting “or” and substituting “of”.
- B. Section 11 is amended as follows:
 - (1) By amending subsection 11(5) by deleting “(3), (4) and (5)” and substituting “(3) and (4)”.
 - (2) By amending subsection 11(6) by deleting “(3), (4) and (5)” and substituting “(3) and (4)”.
- C. Section 12 is amended by deleting “ex-officio” and substituting “by right of office”.
- D. Subclause 15.1(g)(i) is amended by deleting “forthwith” and substituting “immediately”.
- E. Clause 16(d) is amended by adding “shall” after “person”.
- F. Subsection 27(4) is amended by deleting “Planning and”.
- G. Section 83 is amended as follows:
 - (1) By amending clause 83(1)(e) by deleting “(4) and (5) above” and substituting “clauses (c) and (d)”.
 - (2) By amending subsection 83(2) by deleting “sections 83, 93 and 93.1 of this by-law” and substituting “this section and sections 92 and 92.1”.

- H. Section 94 is amended by deleting “93.1(6)” and substituting “92.1(6)”.
- I. Subsection 105(5) is amended by deleting “113 and 114” and substituting “112 and 113”.

2. Chapter 39, Defence and Indemnification.

By-law No. 808-1999, “Y2K Employee Indemnification.”, is amended as follows:

- A. Section 6 is amended by deleting “of this by-law”.
- B. Section 10 is amended by deleting “herein”.

3. Chapter 59, Emergency Planning.

By-law No. 47-1998, “To provide for the formulation and implementation of a plan for the provision of emergency services during emergencies affecting the City of Toronto.”, is amended as follows:

- A. By deleting clauses 2(1)(d), (e), (f), (g) and (h) and substituting the following:
 - (d) Commissioner of Works and Emergency Services,
 - (e) Commissioner of Community and Neighbourhood Services,
 - (f) Commissioner of Urban Development Services,
 - (g) Commissioner of Economic Development, Culture and Tourism,
 - (h) Commissioner of Corporate Services,
- B. Subsection 9(5) is amended by adding “decide” before “whether”.
- C. Subsection 18(2) is amended by deleting “forthwith” and substituting “immediately”.

4. Chapter 71, Financial Control.

By-law No. 152-2000, “To confer certain authorities and responsibilities with respect to the commitment of funds and the payment of accounts of the City of Toronto and other related matters.”, is amended as follows:

- A. The definition of “Contingency Fund” in section 1, is amended by deleting “monies” and substituting “money”.

- B. Subsection 8(4) and clause 8(5)(a) are both amended by deleting “and/or-Services” and substituting “and Services or between Programs or Services”.

5. Chapter 79, Fire Services.

By-law No. 132-1998, “To establish a fire department for the City of Toronto.”, is amended as follows:

- A. Subsection 8(2) is amended as follows:

- (1) By deleting the first part of the subsection 8(2), before clause 8(2)(a), and substituting the following:

- (2) The Fire Chief shall be authorized to make such general orders, policies, procedures, rules and regulations and to take such other measures as the Fire Chief may consider necessary for the proper administration and efficient operation of the Fire Department and the effective management of the fire protection services for the City and for the prevention, control and extinguishment of fires, the protection of life and property and the management of emergencies within the territorial jurisdiction of the City, provided that such general orders, policies, procedures, rules, regulations and other measures do not conflict with the provisions of this By-law or any other by-law of the City, including without limitation those requiring the prior approval of or prior notice to the Council or the satisfaction of certain conditions (general or otherwise) specified by the Council before such measures can be implemented, or with the provisions of the Fire Protection and Prevention Act, 1997 or with the provisions of any collective agreement or other written agreement that may be applicable, and, without restricting the generality of the foregoing:

- (2) By deleting the following from the end of the subsection 8(2), after clause 8(2)(k).

provided that such general orders, policies, procedures, rules, regulations and other measures do not conflict with the provisions of this By-law or any other by-law of the City, including without limitation those requiring the prior approval of or prior notice to the Council or the satisfaction of certain conditions (general or otherwise) specified by the Council before such measures can be implemented, or with the provisions of the Fire Protection and Prevention Act, 1997 or with the provisions of any collective agreement or other written agreement that may be applicable.

- (3) By deleting the comma at the end of clause 8(2)(k) and substituting a period.
 - B. By deleting subsection 8(5), to reflect the repeal of Metropolitan Toronto By-law No. 31-96.
 - C. Subsection 14(4) is amended by deleting “with” and substituting “within”.
 - D. Section 15 is amended as follows:
 - (1) By deleting “No” and substituting “If required to do so by the Fire Department, no” in the first part of section 15.
 - (2) By deleting the comma in clause 15(d) and substituting a period.
 - (3) By deleting “if required to do so by the Fire Department.” at the end of the section.
6. Chapter 103, Heritage.
- A. The table in Schedule “A”, of By-law No. 793-1999, “A by-law to establish the Toronto Historical Museum Board and Nine (9) Community Museum Management Boards and provide for the appointment of members thereto.”, is amended by deleting “f1” and substituting “1” in the third column in the row opposite “Scarborough Historical Museum” in the first column.
 - B. By-law No. 794-1999, “A By-law to Revise the Powers of the Toronto Historical Board and to provide for it to be known as ‘Heritage Toronto’.”, is amended as follows:
 - (1) Subsection 4(5) is amended by deleting “from” and substituting “for”.
 - (2) Section 9 is amended by adding “times” after “(8)”.
 - C. By-law No. 795-1999, “A By-law to Establish the Toronto Preservation Board with Community Local Architectural Conservation Advisory Committee Panels and Provide for the Appointment of Members thereto.”, is amended as follows:
 - (1) Subsection 3(2) is amended by deleting “and/or knowledge” and substituting “or knowledge, or both,”.
 - (2) Subsection 12(6) is amended by deleting “and/or markers” and substituting “or markers, or both,”.

7. Chapter 150, Municipal Law Enforcement Officers.

The definition of “Municipal Property” in clause 1(f) of By-law No. 721-1998, “To appoint employees of the Toronto Parking Authority as municipal law enforcement officers to enforce by-laws respecting parking in municipal parking facilities within the City of Toronto.”, is amended by deleting “for the purposes of this by-law”.

8. Chapter 169, Officials, City.

A. Section 1 of By-law No. 448-1999, “To authorize the appointment of certain Commissioners to act in the place and stead of the Chief Administrative Officer.”, as amended, is amended by deleting “Planning and Development” and substituting “Development Services”.

B. Section 3 of By-law No. 3-1998, “To delineate certain duties and responsibilities of the Clerk for the City of Toronto.”, is amended by deleting “and” after “former municipalities”.

C. By-law No. 5-1998, “To delineate certain duties and responsibilities of the Commissioner of Human Resources for the City of Toronto.”, is amended as follows:

(1) The title of the by-law is amended by deleting “Commissioner” and substituting “Director”.

(2) Sections 1 and 2 are both amended by deleting “Commissioner” and substituting “Director”;

D. Section 2 of By-law No. 29-1998, “To appoint and delineate certain duties and responsibilities of the City Solicitor for the City of Toronto.”, is amended by deleting “Department” and substituting “Division”

E. Section 2 of By-law No. 30-1998, “To appoint and delineate certain duties and responsibilities of the City Auditor for the City of Toronto.”, is amended by deleting “Department” and substituting “Division”.

F. The title of By-law No. 34-1998, “To appoint and delineate certain duties and responsibilities of the Commissioner responsible for works and emergency services.”, is amended by deleting “responsible for works and emergency services” and substituting “of Works and Emergency Services”.

G. The title of By-law No. 35-1998, “To appoint and delineate certain duties and responsibilities of the Commissioner responsible for planning and urban development.”, as amended, is amended by deleting “responsible for planning and urban development” and substituting “of Urban Development Services”.

- H. The title of By-law No. 36-1998, “To appoint and delineate certain duties and responsibilities of the Commissioner responsible for community and neighbourhood services.”, is amended by deleting “responsible for community and neighbourhood services” and substituting “of Community and Neighbourhood Services”.
- I. The title of By-law No. 37-1998, “To appoint and delineate certain duties and responsibilities of the Commissioner responsible for corporate services.”, as amended, is amended by deleting “responsible for corporate services” and substituting “of Corporate Services”.
- J. The title of By-law No. 214-1998, “To appoint and delineate certain duties and responsibilities of the Commissioner responsible for economic development, culture and tourism.”, is amended by deleting “responsible for economic development, culture and tourism” and substituting “of Economic Development, Culture and Tourism”.

9. Chapter 195, Purchasing.

By-law No. 462-2000, “A By-law to Establish Procedures and Authority for the Procurement of Goods and Services and to Repeal Interim Purchasing By-law No. 151-2000.” is amended as follows:

- A. Clause 8(2)(a) is amended by deleting “4(1)(i)” and substituting “4(1)(g)”;
- B. Clause 8(3)(d) is amended by deleting “4(1)(i)” and substituting “4(1)(g)”.

10. Chapter 213, Real Property, Sale of.

Section 1, the definition of “Act” in clause 1(a) of By-law No. 551-1998“, ”To establish procedures governing the sale of real property.”, is amended by deleting “thereunder” and substituting “under it”.

11. Chapter 219, Records Retention.

The table in Schedule “A” of By-law No. 378-1998, “To establish a schedule of retention periods for records of the Toronto Police Services Board.”, is amended in the fourth column by deleting “Unit” and substituting “Until” in the row set out opposite “Intelligence Files” in the first column 1 and “Personal Surveillance” in the second column.

12. Chapter 227, Reserves and Reserve Funds.

By-law No. 181-2000, “To provide for the consolidation, continuance and creation of reserve funds, to provide for the creation of reserves, to provide rules for the establishment and use of reserves and reserve funds, and to repeal by-laws

and resolutions of the councils of the former municipalities which established reserves and reserve funds. ”, is amended as follows:

- A. Sections 9 and 10 are amended, in both cases, by deleting “monies” and substituting “money”.
- B. By deleting sections 11, 12, 13, 14, 15, 16 and 17 and substituting the following.
 - 11. (1) The Reserve Funds listed in Column I of Schedule “B”, attached, are continued and are the Reserve Funds into which shall be deposited:
 - (a) the funds held within the reserve funds which were established pursuant to a council resolution or by-law of a former municipality;
 - (b) money allocated to it by Council;
 - (c) money required to be deposited therein by legislation.
 - (2) The Reserve Funds in subsection 11(1) shall be used for the purpose(s) set out in Column II of Schedule “B”.
 - 12. (1) The Reserve Funds listed in Column I of Schedule “B1 - Development Charges Reserve Funds - pre September 1, 1999”, attached, are continued and are the Reserve Funds into which shall be deposited:
 - (a) the funds held within the reserve funds which were established pursuant to a council resolution or by-law of a former municipality;
 - (b) money required to be deposited therein by legislation.
 - (2) The Reserve Funds in subsection 12(1) shall be used for the purpose(s) set out in Column II of Schedule “B1”.
 - 13. (1) The Reserve Funds listed in Column I of Schedule “B2 - Restricted by Agreements with Third Parties”, attached, are continued and are the Reserve Funds into which shall be deposited:
 - (a) the funds held within the reserve funds which were established pursuant to a council resolution or by-law of a former municipality;

- (b) money allocated to it by Council;
 - (c) money required to be deposited therein by legislation.
 - (2) The Reserve Funds in subsection 13(1) shall be used for the purpose(s) set out in Column II of Schedule “B2”.
14. (1) The Reserve Funds listed in Column I of Schedule “B3 - Donated Funds”, attached, are continued and are the Reserve Funds into which shall be deposited:
- (a) the funds held within the reserve funds which were established pursuant to a council resolution or by-law of a former municipality;
 - (b) money allocated to it by Council;
 - (c) money required to be deposited therein by legislation.
- (2) The Reserve Funds in subsection 14(1) shall be used for the purpose(s) set out in Column II of Schedule “B3”.
15. (1) The Reserve Funds listed in Column I of Schedule “C”, attached, are established and are the Reserve Funds into which shall be deposited:
- (a) money allocated to it by Council;
 - (b) money required to be deposited therein by legislation.
- (2) The Reserve Funds in Subsection 15(1) shall be used for the purpose(s) set out in Column II of Schedule “C”.
16. (1) The Reserve Funds listed in Column I of Schedule “C1 - Development Charges – post September 1, 1999”, attached, are established and are the Reserve Funds into which shall be deposited:
- (a) money required to be deposited therein by legislation.
- (2) The Reserve Funds in Subsection 16(1) shall be used for the purpose(s) set out in Column II of Schedule “C1”.

17. (1) The Reserve Funds listed in Column I of Schedule “C2 - Restricted by Agreements with Third Parties” are established and are the Reserve Funds into which shall be deposited:
- (a) money allocated to it by Council;
 - (b) money required to be deposited therein by legislation.
- (2) The Reserve Funds in subsection 17(1) shall be used for the purpose(s) set out in Column II of Schedule “C2”.

13. Chapter 257, Signing Authority.

Section 2 of By-law No. 39-1998, “To provide for the execution of documents on behalf of the City of Toronto.”, is amended by deleting “and” after “directed”.

14. Chapter 363, Building Construction and Demolition.

By-law No. 163-1998, “A By-law under the *Building Code Act, 1992* respecting permits and related matters.”, is amended as follows:

- A. Subsections 4(4), (5), (6), (7), (8), (9) and (10) and subsection 9(1) are amended, in each case, by deleting “of this By-law”.
- B. Schedule A is amended as follows:
 - (1) The first column of the table in section 3A, under “Group C [Residential Occupancies]” is amended by adding a comma after “All other multiple unit buildings”.
 - (2) The second column of the table in section 3F(iv), “Plumbing and Drainage Systems” is amended by adding “1.70/linear m” opposite “Outside Water Services, Sanitary and Storm Piping” in the first column.
 - (3) The table in section 4 is amended as follows:
 - (a) By deleting “Sec. 8(3) of Building Code Act” in the second column opposite “c) Conditional Permit Under” in the first column; and
 - (b) By deleting “c) Conditional Permit Under” in the first column and substituting “(c) Conditional Permit under subsection 8(3) of the Building Code Act, 1992”.
 - (4) Section 6 is amended as follows:

- (a) By deleting “of this By-law” in the first phrase.
- (b) By deleting “section 6 of this Schedule ?A” and substituting “this section”.

15. Chapter 415, Development of Land.

Section 6 of By-law No. 229-2000, “A by-law to delegate certain powers and authority to appointed officials.”, is amended as follows:

- A. By adding “by-law” after “this”.
- B. By adding “, this by-law shall prevail” after “municipality”.

16. Chapter 447, Fences.

By-law No. 472-2000, “To prescribe the height and description of fences on private property and to require owners of privately owned outdoor swimming pools to erect and maintain fences and gates around the swimming pools.”, is amended as follows:

- A. The definition of “FENCE” in clause 1(b) is amended by adding a comma after “structure”, “building”, “other land” and “adjoining land”.
- B. The definition of “FLANKAGE YARD” in clause 1(c) is amended by adding a comma after “space”.

17. Chapter 455, Filling and Grading.

By-law No. 405-2000, “To prohibit or regulate the placing or dumping of fill or the alteration of the grade of land in defined areas.”, is amended as follows:

- A. Subsection 7B(6) is amended by deleting “and/or” and substituting “or”
- B. Subsection 9C of is amended by deleting “14A” and substituting “12A”.

18. Chapter 681, Sewers.

By-law No. 457-2000, “To regulate the discharge of sewage and land drainage.”, is amended as follows:

- A. The definition of “sewer” in clause 1(mm) is amended by deleting “and/or” and a substituting a comma.
- B. Subsection 2(1)(c)(xvii) is amended by adding a comma after “tar”.

- C. Subsection 4(e) is amended by deleting “and/or its discharge” and substituting “, its discharge, or both the sewer and its discharge”.
- D. Subsection 7(8) is amended by deleting “an” after “such termination” and substituting “any”.
- E. Section 9 is amended as follows:
 - (1) Subsection 9(1) is amended by deleting “and/or” and substituting “or”.
 - (2) Subsection 9(2)(h) is amended by deleting “and/or” and substituting “and any work”.
 - (3) Subsection 9(3) is amended by deleting “and/or” and substituting “and”.
- F. Section 10 is amended as follows:
 - (1) Subsection 10(1)(d) is amended by deleting “10(1)2” and substituting the “10(1)(a)”.
 - (2) Subsection 10(3) is amended by deleting the letter “s” before “service garage” and substituting “a”.
- G. Subsection 14(2) is amended by deleting “13(1)” and substituting “14(1)”.

19. Chapter 709, Smoking.

The two definitions of “designated smoking room” in section 1 of By-law No. 441-1999, “A by-law to regulate smoking in public places and workplaces in the City of Toronto and to repeal smoking by-laws in the former municipalities.”, are amended as follows:

- A. In the first definition by deleting “for” after ““designated smoking room”” and substituting “in reference to”.
- B. In the second definition by deleting “for” after ““designated smoking room”” and substituting “ when in reference to”.

20. Chapter 767, Taxation.

- A. Section 1 of By-law No. 473-1998, “To Cap Increases and Decreases of Property Taxes on the Commercial, Industrial and Multi-residential Property Classes for the Taxation years 1998, 1999 and 2000.”, is amended by adding “Municipal” before “Act.”

B. By-law No. 829-1999, “To Create a Tax Rebate Program for Ethno-Cultural Centres.” is amended as follows:

- (1) Clause 3(c) is amended by deleting the word “the” before the words “it is otherwise”.
- (2) Clause 3(d) is amended by adding “and” after the semicolon.

C. The last paragraph of Schedule B of By-law No. 472-1998, “To Phase-in 1998 Assessment-Related Tax Increases and Decreases for the Residential Property Class.”, as amended, is amended by deleting the second “on a business” before “on a property” so that the amended paragraph shall be as follows:

“1997 local taxes (property)” means the taxes on the property, including business taxes imposed on persons carrying on a business on the property, levied in 1997 for the purposes of the general local municipality levy.”

21. Chapter 789. Telecommunications.

Section 3 of By-law No. 665-1999, “To authorize and regulate the erection, placing, maintenance or construction of telecommunications equipment on, across or along any street or public place under the jurisdiction of the City of Toronto.”, is amended by adding a comma after “encroachment”.

22. Chapter 797, Tenant Support Grant Program.

By-law No. 48-2000, “A by-law to establish a Tenant Support Grants Program.”, is amended as follows:

- A. The definition of “Team” in clause 1(h) of is amended by adding “to” after “in response”.
- B. Section 5 is amended by adding “the” before “following maximum amounts”.

23. Chapter 813, Trees.

By-law No. 388-2000, “To regulate planting, care, maintenance, and protection of trees on City Highways/Roads or Street Allowances and to ensure the sustainability of the urban forest.”, as amended, is amended as follows:

- A. The definition of “Commissioner” in section 1 is amended by adding “of” before “Economic”.
- B. Clause 3(ix) is amended by adding “be” before “removed healthy”.

24. Chapter 835, Discontinuance of Vital Services.

By-law No. 749-1998, “To prohibit vital service suppliers from ceasing to provide vital services without providing thirty days notice to the City Clerk.”, is amended as follows:

- A. The definition of “Commissioner” in Clause 1(b) is amended by deleting the words “Planning and”.
- B. Sections 4 and 5 are amended, in both cases, by deleting “of this by-law”.

25. Chapter 849, Water and Sewage Services.

A. By-law No. 660-1999, “To rebate the surcharge on water rates for sewage purposes for the portion of water that is not discharged to the sanitary sewer system.”, is amended as follows:

- (1) Section 2 and subsection 14(1) are both amended by deleting “Clerk of the City” and substituting “City Clerk”.
- (2) Section 10 is amended by deleting “City” before “Commissioner” and substituting “City’s”.
- (3) Section 13 is amended by deleting “of this By-law”.

B. By-law No. 661-1999, “To fix the rates for the supply of water and sewer services by the City of Toronto.”, as amended, is amended as follows:

- (1) The last sentence in section 8 is amended by deleting the “even” before “shall it” and substituting “event”.
- (2) Schedule D is amended by deleting “basic” and substituting “basis” in the second column of the row beginning with “Materials used in buildings” in the first column.

26. Chapter 937 , Temporary Closing of Highways.

By-law No. 455-2000, “To delegate to the Commissioner of Works and Emergency Services of the City of Toronto the authority to temporarily close highways during construction, repair or improvement or for a social recreational, community, athletic, or cinematographic purpose.”, is amended as follows:

- A. Section 4 is amended by deleting “of this By-law”.
- B. Section 5 is amended by deleting “of this By-law,” and by deleting “hereof”.

27. Chapter 950, Traffic and Parking.

- A. By-law No. 912-2000, “To authorize the erection, operation, use and maintenance of parking machines on the highways under the jurisdiction of the City of Toronto, including the setting of fee amounts or fee scales.” as amended, is amended as follows:
- (1) Subsection 9(1) is amended by deleting “§ 313-26 of Chapter 313, Streets and Sidewalks, of the Municipal Code of the former Corporation of the City of Toronto” and substituting “By-law No. 170-1999 ‘To Regulate the Use of City Property for Location Filming.’”.
 - (2) Schedule “A” is amended by adding “Avenue” after Spadina in the third column, in the row with the first entry of “Baldwin Street” in the first column.
- B. Section 5 of By-law No. 528-1999, “To regulate traffic on certain highways during periods of emergency occasioned by the fall of snow.”, as amended, is amended by deleting “and/or” and substituting “or removal, or both,”.

ENACTED AND PASSED this 5th day of October, A.D. 2000.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)