

The Corporation of the Township of Huron-Kinloss



BY-LAW

2022 -

Draft

Being a By-law to Prohibit or Regulate Trailers on Lots within a Residential Zone in the Township of Huron-Kinloss

WHEREAS subsection 164(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may prohibit or licence trailers located in the municipality;

AND WHEREAS Council deems it advisable to pass a by-law to prohibit or regulate the parking and storing of trailers within the Township of Huron-Kinloss;

NOW THEREFORE, The Corporation of the Township of Huron-Kinloss enacts as follows:

Section 1: Definitions

1.1 For the purposes of this by-law:

- (a) "Camper trailer/RV" means a Trailer or Motor Vehicle equipped for Occupancy, excluding Commercial Vehicle;
- (b) "Commercial Vehicle", shall mean any motor vehicle having permanently attached thereto a truck or delivery body and includes tractor trailers or semi-trailers and any component thereof, livestock trailers, ambulances, hearses, tow trucks, dump trucks, motor buses and farm tractors, but excludes trailers, recreational trailer, travel trailers, and industrial equipment as otherwise defined and regulated.
- (c) "Derelict Trailer" means a Trailer that:
 - (i) is inoperative by reason of removed wheels, motor, transmission or other parts or equipment necessary for its operation;
 - (ii) is in a wrecked, dismantled, discarded, inoperative or abandoned condition; or,
 - (iii) is in a state of disrepair or unsightly by reason of missing doors, glass or body parts;
- (b) "Long-term lessee" means a person who has leased a property from another person for a fixed period not less than a year;
- (c) "Lot" means a parcel of land which can be legally conveyed pursuant to Section 50 of the *Planning Act*;

- (d) "Lot Line" means any boundary of a Lot;
- (e) "Motor Vehicle", shall mean any equipment self-propelled by an engine or motor mounted on the vehicle;
- (f) "Municipal Law Enforcement Officer" means a person appointed by the Council of the Township to enforce the by-laws of the Township, including this by-law, pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended, and also includes any police officer appointed pursuant to the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended;
- (g) "Occupancy" means used, or intended to be used, for habitation;
- (h) "Parking" or "Parked" means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
- (i) "Recreational Vehicle" means a propelled vehicle that is used for recreational purposes and include such vehicles as but not limited to boats, snowmobiles, off-road vehicles, jet-ski and motorized bikes but does not include Motorized Vehicle intended for Occupancy;
- (j) "Residential Zone" shall include the Residential One (R1) Zone, Residential Two (R2) Zone, Residential Three (R3) Zone, and Lifestyle Community Residential (LCR) Zone as outlined in the Township's Zoning By-law, as amended;
- (k) "Sewage System" shall mean a system that stores and/or treats human waste on-site and shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants;
- (l) "Township" means The Corporation of the Township of Huron-Kinloss;
- (m) "Trailer" means any vehicle constructed to be attached and propelled by a motor vehicle, even if the vehicle is jacked-up or its running gear is removed, and includes trailers commonly known as recreational trailer/motor home, travel trailer, trailer used for the transportation of recreational vehicles and Utility Trailer;
- (n) "Utility Trailer" means a Trailer so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn by the motor vehicle and is capable of being used for the transport of goods, materials, and equipment;
- (o) "Water Storage Tank" means a water storage tank that holds clean water within a Trailer for later use;
- (p) "Yard, Front", means a yard extending from side Lot Line to side Lot Line and from and parallel to the street line, to the nearest wall of building or structure on the Lot, disregarding open or uncovered terraces or steps or minor architectural projections;
- (q) "Yard, Rear", means a yard extending from side Lot Line to side Lot Line and from rear Lot Line (or apex of the side Lot Lines if there is no rear line), to the nearest part of the main building or structure on the Lot, disregarding open or uncovered terraces or steps or minor architectural projections;
- (r) "Yard, Side", means a yard, extending from the required Front Yard to the required Rear Yard and from the side Lot Line to the nearest part of the main building or structure on the Lot, disregarding open or uncovered terraces or steps or minor architectural projections. In the case of a Lot with no rear Lot Line, the Side Yard shall extend from the Front Yard to the opposite Side Yard;
- (s) "Yard, Side – Exterior", means a Side Yard immediately adjoining a public street;

- (t) “Yard, Side – Interior”, means a Side Yard other than an Exterior Side Yard;
- (u) “Zoning By-law” means the Township of Huron-Kinloss current Comprehensive Zoning By-law.

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Section 2: General Provisions

- 2.1 The following regulations apply to the Parking of Trailers on Lots within a Residential Zone in the Township:
- a) Only three (3) Trailers may be Parked outside of a building on a Lot at any one time.
 - b) Only one (1) of the following Trailers shall be permitted on a Lot at any one time;
 - i) a Camper trailer/RV;
 - ii) a Trailer used for the transportation of Recreational Vehicles such as, but not limited to, snowmobiles, watercrafts, and off-road vehicles; or,
 - iii) a Utility Trailer.
 - c) A Trailer shall not be Parked in the Front Yard of a Lot, unless it is on a driveway for the purpose of actively loading Recreational Vehicles on that Trailer.
 - d) A Trailer shall be Parked in the Rear Yard or Interior Side Yard of a Lot provided it is located no closer than 1 metre to the Lot Line.
 - e) No Trailer shall be Parked on a Lot owned by the Township without the signed written consent of the Township on Township letterhead.
 - f) A Trailer must be owned by the owner or Long-term lessee of the Lot on which it is Parked.
 - g) A Trailer Parked on a Lot shall not be serviced by water unless that Trailer's Water Storage Tank is actively being filled.
 - h) A Trailer Parked on a Lot shall not be connected to or use a Sewage System.
 - i) No Derelict Trailer shall be Parked on a Lot;
 - j) No Trailer shall be Parked on a Lot and used for Occupancy.

Section 3: Administration and Enforcement

- 3.1 This by-law may be enforced by a Municipal Law Enforcement Officer.

Section 4: Penalty

- 4.1 A person who contravenes the provisions of this by-law is guilty of an offence and on conviction, is liable to a fine pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

Section 5: Severability

- 5.1 If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in full force and effect.

Section 6: Short Title

- 6.1 This by-law may be referred to or cited as the "Trailer By-Law".

Section 7: Coming into Force

- 7.1 This by-law shall come into force and effect upon its final passage by Council.

READ a FIRST and SECOND TIME

READ a THIRD TIME and FINALLY PASSED

Mitch Twolan, Mayor

Emily Dance, Clerk

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