

The Corporation of the Township of North Frontenac

By-Law #85-22

Being a By-law to Regulate and Licence Recreational Vehicles in the Municipality and to Repeal By-law #42-20

Whereas Section 164 of the Municipal Act, S.O. 2001, as amended authorizes the Municipality to prohibit or licence Recreational Vehicles located in the Municipality;

Now Therefore the Council of the Corporation of the Township of North Frontenac hereby enacts as follows:

1. Title and Application

- a) This By-law shall be cited as the “Recreational Vehicle Licence” By-law.
- b) This By-law does not apply to:
 - i) Assessed Recreational Vehicles which are legally located on a property and that are assessed under the *Assessment Act*, as amended.
 - ii) Recreational Vehicles located in an approved Tourist Establishment.
 - iii) A Recreational Vehicle placed on a property as a temporary use if approved by the Chief Building Official in accordance with the provisions of the Zoning By-law and with a Building Permit issued for a dwelling.
- c) With the exception of section 1(b) above, this By-law applies to all Recreational Vehicles and all properties in the Township. Section 34(9) of the Planning Act (legal non-conforming/complying) is not applicable to this By-law and no person shall replace a Recreational Vehicle on any property unless the replacement Recreational Vehicle complies with this Bylaw.
- d) Property owners with a current Licensed Recreational Vehicle will have until January 1, 2024 to comply with the provisions of this By-law.

2. Definitions

For the purpose of this By-law the following definitions shall apply:

Recreational Vehicle means any contrivance so constructed that is suitable for being attached to a motor vehicle for the purposes of being drawn or is propelled by the motor vehicle or self-propelled. A Recreational Vehicle includes a travel trailer, motor home, or camper but does not include a Park Model Trailer, Tiny Home or Tent Trailer.

Shipping Container means a container with strength suitable to withstand shipment, storage and handling. Shipping containers include large reusable steel boxes used for intermodal shipments. This definition also includes sea cans.

Stored Recreational Vehicle means a Recreational Vehicle located on a lot which is not connected to hydro, water or sewage hook-up and the stabilizers shall not be used or in accordance with manufacturer’s recommendations.

Tourist Establishment means any parcel of land which is used to provide temporary accommodation for the public or members of an organization in tents, trailers, tourist cabins, tourist trailers or recreational vehicles. This definition also includes a campground and a lodge, and may include common buildings for dining, showers and washroom facilities in accordance with the Zoning By-law.

Township means the Corporation of the Township of North Frontenac.

Use or Occupy means to inhabit or utilize for any purpose.

Zoning By-law means the Township’s Zoning By-law, as amended.

3. Scope

- a) No person shall locate a Recreational Vehicle or construct or place any accessory structures associated with a Recreational Vehicle on any property without a site placement approval issued by the Chief Building Official in advance.
- b) No person shall occupy, use or store a Recreational Vehicle except in accordance with this By-law.

4. Licensing of Recreational Vehicles

- a) The owner of the land upon which a Recreational Vehicle is located, shall be responsible for obtaining a Licence from the Township. A Licence issued pursuant to this By-law authorizes the use and maintenance of one Recreational Vehicle on existing lots for temporary accommodations only. The issuance of a Licence does not grant the Licencee the authority to occupy the Recreational Vehicle on a permanent basis. The issuance of a Licence is not intended and shall not be construed as permission or consent by the Township for the holder of the Licence to contravene or to fail to observe or comply with any law of Canada, Ontario or any By-law of the Township.
- b) The Township may impose conditions on any Licence issued for a Recreational Vehicle, including without limitation any or all of the following. Where any of the following conditions cannot be met, the Township may refuse to issue a Licence for the Recreational Vehicle:
 - i) A maximum of one (1) Recreational Vehicle only, may be occupied or used on a vacant lot zoned Residential Waterfront, Rural, Limited Service Waterfront, Limited Service Rural or Hamlet.
 - ii) For lots where a Recreational Vehicle is currently licensed the reduced setback for the Recreational Vehicle shall be permitted until the current Recreational Vehicle is being replaced. For Recreational Vehicles being placed (replacement of a licensed Recreational Vehicle or a new Recreational Vehicle being proposed to be placed on a lot) setbacks shall be in accordance with this By-law.
 - iii) A Recreational Vehicle shall be setback a minimum of:
 - a. 10 metres from all easements, rights-of-way, and roads;
 - b. 30 metres from high water mark of a waterbody or wetland;
 - c. 5 metres from the rear yard on a non-waterfront lot and 10 metres from the rear yard on a waterfront lot;
 - d. 5 metres from a side yard;
 - e. 3 metres from all other Recreational Vehicles, buildings or structures;
 - f. In compliance with Hydro One and Bell required setbacks.
 - iv) A Recreational Vehicle shall also be setback in accordance with Minimum Distance Separation, Influence Areas and Special Setbacks for Livestock Facility, Manure Storage or Aerobic Digester; Waste Management Facilities; Licensed Pits or Quarries; Industrial Uses; Water Bodies; Wetlands and Provincial Highways as set out in the Zoning By-law.
 - v) A Recreational Vehicle shall be adequately serviced with a potable water supply (may include bottled water).
 - vi) A Recreational Vehicle shall be serviced with an onsite Class 1 sewage disposal system and Class 2 sewage disposal system or an onsite Class 4 sewage disposal system approved under the Ontario Building Code.
 - vii) The owner of the land shall first obtain a Civic Address in accordance with the Civic Addressing Policy.
- c) An unattached deck not exceeding 15 square metres and a maximum of 60 centimetres above grade may be permitted to be constructed as an accessory use to a Licensed Recreational Vehicle provided the deck complies with the Zoning By-law and the Ontario Building Code.

- d) One gazebo, viewing platform, storage shed, and/or shipping container with a total area not exceeding 15 square metres and a maximum height of 8 metres are permitted as accessory buildings to a Licensed Recreational Vehicle provided they comply with the Zoning By-law and the Ontario Building Code.
- e) A dock and pump house are permitted as accessory structures to a Licensed Recreational Vehicle provided they comply with the Zoning By-law.
- f) No person shall construct enclosures, overhangs, porches, roof-overs, expansions, or additions on or abutting a Recreational Vehicle, with the exception of pre-engineered and removable add-a-room manufactured specifically for the purpose of adding additional space to a Recreational Vehicle, subject to obtaining a building permit.

5. Temporary Use

- a) Temporary use of one (1) Recreational Vehicle is permitted on a lot zoned Residential Waterfront, Rural, Limited Service Waterfront, Limited Service Rural or Hamlet with a dwelling for a maximum of 28 days per visit.
- b) Temporary use of Recreational Vehicles shall be permitted from the first Monday in November to the second following Sunday in November, in any year subject to the setback requirements in Sections 4 b ii) and 4 b iii) being met

6. Storage

- a) Non-commercial storage of a Recreational Vehicle is permitted on a property as follows:
 - i) One (1) Recreational Vehicle on a property may be stored on a property with less than 2 acres that does not have a Recreational Vehicle Licence issued.
 - ii) Two (2) Recreational Vehicles may be stored on a property with more than 2 acres that does not have a Recreational Vehicle Licence issued.
 - iii) One additional Recreational Vehicle may be stored from October 15th to May 15th on a property greater than 2 acres with a Recreational Vehicle Licence.
- b) The setback of a Stored Recreational Vehicle shall be:
 - i) 30 metres from a waterbody and/or wetland;
 - ii) 5 metres front yard (non-waterfront);
 - iii) 5 metres rear yard (waterfront) and 3 metres rear yard (non-waterfront);
 - iv) 3 metres side yard.

7. Exemptions

- a) One (1) Recreational Vehicle per acre, to a maximum of 25 Recreational Vehicles, for a maximum of seven (7) days, three (3) times per year is permitted for special event/personal gatherings, subject to the setback requirements in Sections b ii) and 4 b iii) being met. Despite Section 4 b ii) e. the separation distance between other Recreational Vehicles, building, and structures shall be 6 metres.
- b) Property owners shall inform the Director of Emergency Services/Fire Chief in writing a minimum of fourteen (14) days prior to the special event/personal gathering of the details (i.e. dates, number of attendees, number of Recreational Vehicles, property description, RV location and layout to ensure separation distances, etc.) for Emergency Services purposes.
- c) Recreational Vehicles shall be permitted without a Recreational Vehicle Placement for any third-party temporary construction project (i.e. roads, cell towers, etc.)
- d) Recreational Vehicles and attendees exceeding the permitted amount in Section 7 b) for larger events shall request permission from the Township Council in advance of the event.

8. Licence Fees

- a) All Applications submitted for consideration shall be subject to an Application Fee (non-refundable deposit) as set out in the Township's Fees and Charges By-law. If the Licence is refused the fee is non-refundable. This fee covers the review of the Application, initial location inspection and placement inspection.
- b) The Licence Fees for every Recreational Vehicle to which this By-law applies shall be as set out in the Township's Fees and Charges By-law.
- c) No Licence shall be issued unless the prescribed fee has been paid. The annual licence fee will be pro-rated at \$25 per month for a new Recreational Vehicle Licence issued from the first day of the month if the placement occurs mid-year.
- d) The Annual Licences issued under this By-law shall come into effect on January 1st and shall expire on December 31st. Annual Licence Fees payable under this By-law will be invoiced by January 15th of each year and shall be payable by February 28th.
- e) Interest on the Annual Licence Fee not paid when due shall accrue at the rate 1.25% per month (15%) per annum from the due date to the date of payment.
- f) A refund may be obtained by submitting a request in writing to the Chief Building Official indicating a Recreational Vehicle will no longer be located on a property and specifying the date on which it is going to be removed and the proposed Removal Inspection Fee as set out in the Township's Fees and Charges By-law. The CBO or designate will complete an inspection within fourteen (14) days after the actual date it is to be removed, to confirm removal. The amount of the refund will be calculated from the first day of the month following the date on which the property owner advised the Recreational Vehicle will be removed and it is confirmed by the CBO that the Recreational Vehicle is no longer located on the property.
- g) The Chief Building Official will issue a Licence for a Recreational Vehicle provided that a complete application is submitted to the Township, all pre-conditions as specified in this By-law are satisfied, the Licence fee is paid in full and the use of the property for a Recreational Vehicle conforms with all other applicable law, including the Zoning By-law.
- h) Applications to annually renew a Recreational Vehicle license or applications for a license for a new Recreational Vehicle in the location where a license for a previous Recreational Vehicle had been issued will be refused where any terms or conditions of a previous license were breached or if the provisions of this By-law cannot be met.

9. Penalty:

- a) Any person who contravenes this By-law is guilty of an offence and upon conviction is liable to payment of a fine.

10. Notice of Violation:

- a) If the Township is satisfied a contravention of this By-law has occurred, the Township may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the Owner or Occupier of the land on which the contravention occurred to discontinue the contravention.
- b) An order under this section shall identify:
 - i) The location where the contravention occurred;
 - ii) The reasonable particulars of the contravention;
 - iii) The actions necessary to correct the contravention; and
 - iv) The date and time by which there must be compliance with the order.
- c) If a person fails to comply with an order under this By-law the Township may:
 - i) Revoke the license granted under this by-law upon written notice of revocation being served on the owner of the property or such notice being posted conspicuously on the property for which the Licence was issued;
 - ii) Correct the contravention at the person's expense; and
 - iii) Remove the trailer at the person's expense.

- d) All costs incurred by the Township pursuant to section 9(c) may be recovered from the owner and/or Licence holder by action or placed on the tax roll for the property where the contravention occurred and collected in the same manner as municipal property taxes in accordance with Section 446 of the *Municipal Act, 2001*

10. Application

- a) Any section, subsection or part thereof of this By-law be declared by any Court of Law to be illegal or ultra vires, such section or subsection or part thereof shall be severable and all parts hereof are declared to be separate and independent.
- b) This By-law shall come into force and take effect immediately upon the date of passing.
- c) By-law #28-22 is hereby repealed.

Read a first and second time this 16th day of December, 2022

Read a third time and passed this 16th day of December, 2022

Mayor

Clerk