

THE CORPORATION OF THE TOWNSHIP OF HILTON

BY-LAW NO. 1302-21

Being a by-law to regulate the use of trailers located outside of trailer parks in the Township of Hilton and to repeal By-law 1095-14.

WHEREAS Section 164 of the Municipal Act, 2001, as amended, states a local municipality may prohibit or license trailers located in the municipality; and

WHEREAS Section 445 of the Municipal Act, 2001, as amended, provides that if a municipality is satisfied that a contravention of a by-law of the municipality passed under this Act has occurred, the municipality 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 do work to correct the contravention; and

WHEREAS the Council of the Corporation of the Township of Hilton deems it necessary and expedient to pass a By-law to address the matter of trailers outside of registered Trailer Parks to control and regulate the potential for nuisance, noise, and fair property valuation;

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NOW THEREFORE the Council of the Township of Hilton hereby enacts as follows:

1. Definitions

- (a) a *trailer* means a structural unit having no permanent foundation and supported by wheels, jacks or similar supports with lights, hitch, towing capacity and which is used or constructed to be used for conveyance upon public streets or highways and duly licensable in accordance with Ministry of Transportation standards. Without limiting the generality of the foregoing, includes motor homes, travel trailers, tent trailers and camping units of all types that are capable of being used for the living, sleeping or accommodation of persons therein, but excludes a mobile home.
- (b) a *trailer park* means lands designated and zoned in the Township's Official Plan and Zoning By-law as an area of land used for the temporary or seasonal parking of trailers and/or truck campers occupied by the travelling or vacationing public.
- (c) a *principal residence* means the housing unit a person usually occupies during the year
- (d) the *built-up areas* within the Township of Hilton include properties that border both sides of the following roads:
- Big Point Road
 - Brickyard Road
 - Canoe Point Road
 - Ellwood Boulevard
 - Haight Road
 - Hamilton Court/Drive
 - Milford Haven Road
 - Neal Drive
 - Old Moffat Bay Road
 - Old Orchard Road
 - Quarry Point Road
 - Red Maple Drive
 - Reid Road
 - Richmond Bay Road
 - Twin Lakes Road
 - X Line (part of Hamilton Drive Subdivision)
- (e) *Mobile Home* means an assessed trailer which is fitted with parts for connection to utilities that can be installed on a permanent site and used as a permanent, multi-season residence.

- (f) *Setback* means the horizontal distance from a lot line or defined physical feature, measured at right angles to the nearest part of any building or structure on a lot, including trailers
- (g) *Shoreline Setback* means the minimum distance between any building or structure and the original High Water Mark

2. General Provisions

- a) No trailer situated outside of a trailer park shall be used for the occupancy, sleeping, eating or living accommodation of any person or persons within the Township of Hilton unless the owner or occupant thereof has first satisfied the requirements of Algoma Public Health (APH). It is the responsibility of the property owner to contact APH to confirm the respective requirements.
- b) Only one trailer will be allowed to be used or stored on a property less than ten (10) acres in size if such property is located within the built-up areas of the Township of Hilton.
- c) No trailer shall be occupied for a period of more than 4 months in a calendar year. This period of use is defined as the consecutive days beginning with the first day of usage in the calendar year whether or not the use continues consecutively throughout the four month period.
- d) No trailer shall be used as a principal residence.
- e) Trailers placed, occupied or stored within the built-up areas of the Township of Hilton must belong to the owner or immediate family member of the property on which they are located.
- f) The rental of a trailer outside the boundaries of a registered trailer park will be considered a contravention of this by-law.
- g) Trailers on rural, residential or commercial properties must satisfy the same front, rear and side yard setback requirements as a structure, in accordance with the Township's Zoning By-law and must not obstruct any sight line for pedestrians, motorists or neighbouring properties. No trailer may be placed, occupied or stored within the 100 foot shoreline setback.
- h) No permit fee will be required for trailers to be placed, occupied or stored within the Township of Hilton but all provisions of this by-law will continue to apply.

3. Contraventions and Penalties

- a) Any person who contravenes any provision of this By-law shall be guilty of an offence and liable to a penalty of not less than One Hundred Fifty (\$150.00) and not more than One Thousand Dollars (\$1,000.00) and costs.
 - b) Every such penalty shall be recoverable under the provisions of the *Provincial Offences Act*.
 - c) Any trailer within the Township of Hilton that is repeatedly not in compliance with the conditions of this by-law shall be removed from the Township of Hilton at the property owner's expense.
4. By-law No. 1095-14 is hereby repealed.

Read a first, second and third time and finally passed this 19th day of August 2021.