

**The Corporation of the Town of South Bruce Peninsula**

**By-Law Number 77-2024**

**A By-Law to Regulate Tents and Trailers Within  
the Town of South Bruce Peninsula**

**Whereas** Section 8 of the *Municipal Act, R.S.O. 2001* provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**And whereas** Section 164 of the *Municipal Act, R.S.O. 2001* provides that a local municipality may prohibit or license trailers located in the municipality;

**And whereas** the Comprehensive Zoning By-Law for the Town of South Bruce Peninsula regulates campgrounds and trailers and among other things, their permitted locations within the Town;

**And whereas** the Comprehensive Zoning By-Law for the Town of South Bruce Peninsula provides for the establishment of residential dwelling units on lands within the Town and a tent would be considered an extension of an already existing residential dwelling unit;

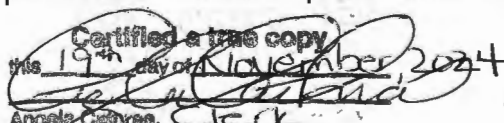
**And whereas** the Council of the Town of South Bruce Peninsula deems it necessary and expedient to pass a by-law to regulate tents and trailers.

**Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:**

**1. Definitions**

For the purpose of this by-law:

- 1.1 "Camping" means establishing accommodation for recreation including shelter, eating and/or sleeping. Presence of clothing, blankets and pillows, toys, books, games, electronic equipment and devices, food and utensils for cooking, a campfire (active or extinguished) and/or a tent, trailer or motorhome/RV or other such shelter device shall be prima facie proof of camping. "Camp" and "camped" have corresponding meanings.
- 1.2 "Clerk" means the person appointed to the position by the Council for the Town of South Bruce Peninsula and shall mean and include any person so designated by the Clerk to perform the duties required under this by-law

Certified a true copy  
this 19<sup>th</sup> day of November, 2024  
  
Angela Cathrae, Clerk  
Town of South Bruce Peninsula

Angela Helen Cathrae  
A Commissioner, etc., County of Bruce  
For the Corporation of the  
Town of South Bruce Peninsula

- 1.3 "Council" means the Council of the Corporation of the Town of South Bruce Peninsula
- 1.4 "Enforcement Officer" means a person appointed by Council to enforce the provisions of this by-law and may also be referred to as an "Officer"
- 1.5 "Individual" shall mean a person, shall include the masculine, the feminine and the non-binary and where applicable, shall include a business, corporation, company, or other such entity
- 1.6 "Motorhome/RV" means any portable dwelling having no permanent foundation and supported by wheels, jacks or similar supports used or so constructed as to permit it for being used as a conveyance upon a highway and licensable (whether or not it is licensed or able to be conveyed upon a highway) as such and designed and intended to permit occupancy for recreation, dwelling and sleeping purposes
- 1.7 "Occupy" shall mean to use or inhabit and includes uses for the purpose of recreation, shelter, relaxing, cooking, eating and sleeping
- 1.8 "Recreation" shall mean and include any use which is not simply cleaning and means and includes but is not limited to, watching television or other electronic devices, listening to a radio or other electronic device, talking on a telephone or other electronic device, playing, taking shelter from weather, gathering and conversing
- 1.9 "Residential Dwelling Unit" for the purposes of this by-law shall mean a building or structure which is used for human habitation, as permitted by the Comprehensive Zoning By-Law for the Town of South Bruce Peninsula
- 1.10 "Temporary" as it relates to a tent shall mean lasting for a brief and limited time and is not ongoing, long lasting or permanent
- 1.11 "Tent" means a temporary shelter constructed of canvas, plastic, fabric or other material and erected to protect a person or people from the elements and that is capable of being used by persons for relaxation, recreation, living, sleeping or eating but shall not mean nor include yurts, geodesic domes and other such non-temporary tent like structures and shall not include dining tents, tents used for special events such as weddings, vehicle garage tents and tent-trailers. Tents of a non-temporary nature are regulated through the Comprehensive Zoning By-Law.
- 1.12 "Trailer" means any vehicle constructed to be attached to and/or propelled by a motor vehicle and that is capable of being used by persons for relaxation, recreation, living, sleeping or eating, and will include vehicles with running gear removed and vehicles which are not sitting on wheels/tires

1.13 "Vacant" as it relates to land and as referred to herein shall mean that the lands do not contain a residential dwelling unit

## **2. Application**

2.1 The provisions of this by-law apply to all lands within the Town of South Bruce Peninsula excepting therefrom any lands which are considered to be under the jurisdiction of other government agencies (ie. Niagara Escarpment Commission and Ministry of Natural Resources).

2.2 For the purpose of this by-law and the enforcement thereof, where the word "trailer" is used, it shall be understood to also mean "motorhome/RV".

2.3 While a license to occupy a trailer is granted to an individual, only one license per property at any given time will be granted.

2.4 The provisions of this by-law shall not apply with respect to a trailer assessed pursuant to the *Assessment Act*.

2.5 The provisions of this by-law shall not apply with respect to a permit issued under the *Ontario Building Code (Act)* for the use and occupancy of a tent.

## **3. General**

### **Trailers**

3.1 No person shall occupy a trailer in the Town of South Bruce Peninsula in an area which is not zoned for such occupancy under the Town Comprehensive Zoning By-Law.

3.2 No person shall permit the occupation of a trailer in the Town of South Bruce Peninsula in an area which is not zoned for such occupancy under the Town Comprehensive Zoning By-Law.

3.3 No person shall occupy or permit the occupancy of a trailer on land which is vacant excepting therefrom an area which is zoned for such occupancy under the Town Comprehensive Zoning By-Law, or as otherwise permitted herein.

### **Tents**

3.4 No person shall occupy or permit the occupancy of a tent on land which is vacant excepting therefrom an area which is zoned for such occupancy under the Town Comprehensive Zoning By-Law.

- 3.5.1 No person shall rent or otherwise receive any type of compensation for the occupancy of any tent.
- 3.5.2 A tent shall not be used as a short-term rental accommodation.
- 3.6 No person shall permit more than three (3) tents on a property at any given time.
- 3.7 Every tent shall be located at least five (5) feet from the property line.

#### **4. Trailer Licensing**

- 4.1 Notwithstanding the general provisions contained herein, a license to occupy a trailer may be granted subject to the provisions contained in this section.
  - 4.2.1 No person shall occupy or permit the occupation of a trailer without a license.
  - 4.2.2 No person shall be required to obtain a license under this by-law to occupy a trailer where the trailer is being occupied in an area zoned for such occupancy under the Town Comprehensive Zoning By-Law.
  - 4.3.1 Every applicant for a license to occupy a trailer shall apply in writing on the prescribed form and the application shall include:
    - 4.3.2 A precise description of the location where the trailer shall be placed on the property.
    - 4.3.3 What provisions have been made for heat, hydro, water, sewage, parking, garbage disposal and access to the property.
    - 4.3.4 Copies of any approvals required from other authorities under all other legislation.
    - 4.3.5 Such other information as requested by the Clerk or Enforcement Officer necessary to properly consider the application.
  - 4.4.1 The Clerk may issue a license for the temporary occupancy of a trailer under the following conditions:
    - 4.4.2 The license is not to exceed one year from the date of issue.

#### **Residential**

- 4.4.3 An individual is constructing a new principal dwelling or reconstructing or renovating a principal dwelling in its entirety such that the dwelling is not able to be occupied at all, at the discretion of the Clerk who may confer with other staff as required.

- 4.4.4 A valid building permit must be in full force and effect.
- 4.4.5 The trailer must be placed on the same property where the principal dwelling is being constructed or reconstructed.
- 4.4.6 No person, except the property owner and his/her immediate family who would ordinarily live with them in the principal dwelling, shall occupy the trailer and the trailer shall not be rented to any person.

**Commercial**

- 4.4.7 An individual is constructing a new building or development or reconstructing or renovating a building or development in its entirety such that the building or development is not able to be occupied at all, at the discretion of the Clerk who may confer with other staff as required.
- 4.4.8 A valid building permit must be in full force and effect.
- 4.4.9 The trailer must be placed on the same property where the building or development is being constructed or reconstructed.
- 4.4.10 No person, except the person identified by the individual constructing or reconstructing the building or development, shall occupy the trailer and the trailer shall not be rented to any person.

**Applicable to Both Residential and Commercial**

- 4.5.1 Every applicant shall pay a deposit in an amount as set forth in the Town's Fee By-Law.
- 4.5.2 The deposit will be cashed and money held in the Town of South Bruce Peninsula bank account.
- 4.5.3 No interest earned will be paid to the licensee.
- 4.6 Every applicant shall pay a license fee in an amount as set forth in the Town Fee By-Law shall be paid by the applicant. No applicant shall fail to pay the license fee.
- 4.7 The deposit will be held by the Town for the period in which the license is valid, not to exceed twelve (12) months.
- 4.8 Notwithstanding any license extension, if the trailer is not removed or it is not proven that the trailer is no longer being occupied at the end of the twelve (12)

month period, the licensee shall be considered in violation of this by-law and the deposit will be forfeited to the Town.

- 4.9 If the trailer is removed or no longer being occupied on or before the end of the twelve (12) month period, the deposit will be refunded to the licensee.
- 4.10 Upon the expiry of the license, every person shall remove the trailer, or if not being removed, no person shall occupy the trailer.
- 4.11.1 Prior to the expiration of the license, the licensee may apply for an extension to the twelve (12) month period.
- 4.11.2 All applications for an extension must be in writing on the prescribed form and state the length of the extension required and why it is required.
- 4.12 Any extension will be subject to the provisions contained herein including the requirement for the payment of another license fee and holding of the deposit, in the amount prescribed in the Town Fee By-Law.
- 4.13 Any extension will only be granted while a valid building permit is in force and effect.
- 4.14 No more than one (1) extension may be granted unless an emergency, as defined in the *Emergency Management and Civil Protection Act, RSO 1990*, as may be amended from time to time, or other such legislation prevents the completion of the construction or reconstruction.

## **5. Town Lands**

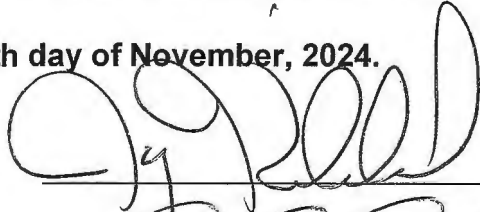
- 5.1 No person shall camp on land owned or occupied by the Corporation of the Town of South Bruce Peninsula or any local board or Committee thereof except with the express permission of Council or their designate.

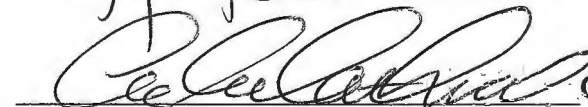
## **6. Enforcement and Penalty Provisions**

- 6.1 The provisions of this by-law will be enforced by an Enforcement Officer.
- 6.2 No person(s) shall willfully obstruct, hinder or otherwise interfere nor attempt to willfully obstruct, hinder or otherwise interfere with an Officer in the performance of their duties, rights, functions, powers or authority under this by-law.
- 6.3 Where an Enforcement Officer has reasonable grounds to believe that an offence under this by-law has been committed by a person(s), the Enforcement Officer may require the name, address and proof of identity of the person(s), and the person(s) shall supply the required information.

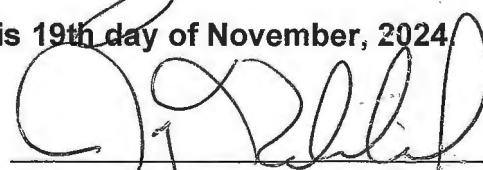
- 6.4 Every person who violates a provision of this by-law is guilty of an offence and upon conviction is liable to the penalty provided in Section 61 of the *Provincial Offences Act R.S.O. 1990 Chapter 33* as amended from time to time.
- 6.5 Every person must abide by all applicable law as it relates to the occupancy and permitting of tents and trailers.
7. **Administration**
- 7.1 This by-law shall have the short title and be known as the "Tent and Trailer By-Law".
- 7.2 If for any reason any section, clause or provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof other than the part which was declared to be invalid.
- 7.3 This by-law shall supersede and rescind any by-law found to be inconsistent with the provisions contained herein.
- 7.4 This by-law shall come into full force and effect upon the final passing thereof.


Read a first and second time this 19th day of November, 2024.

  
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Mayor

  
\_\_\_\_\_  
Clerk

Read a third time and finally passed this 19th day of November, 2024.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk