

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

AGENDA

PUBLIC MEETING

ZONING BY-LAW AMENDMENT 44
- HOUSEKEEPING MATTERS
PARKING AND STORAGE

MONDAY, SEPTEMBER 12, 2011
COMMENCING AT 7:00 P.M.
IN THE COUNCIL CHAMBERS



ITEMS FOR CONSIDERATION:

1. Notice of Public Meeting
Page 2
2. Report PLA 26/11 dated August 3, 2011 re: Recreational Vehicles in Residential Zones -
Zoning By-law Housekeeping Amendment (Previously considered at the August 8, 2011
Council Meeting)
Pages 3-18

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON
NOTICE OF PUBLIC MEETING
ZONING BY-LAW AMENDMENT
(ZBA 44 - Housekeeping Matters - Parking and Storage)

TAKE NOTICE that the Council of the Corporation of the Municipality of Leamington will hold an informal open house on **Wednesday, September 7th, 2011** from 2:00 pm to 8:00 pm in the Gallery at the Municipal Building and a public meeting on **Monday, September 12th, 2011** at 7:00 pm in the Council Chambers at the Municipal Building concerning a proposed zoning by-law amendment under the provisions of the Planning Act, R.S.O. 1990.

Since the passage of the Municipality of Leamington Zoning By-law 890-09, it has come to the attention of Administration that Section 4.6 "Bus, Transport Trailers or Recreational Vehicles - Parking" and Section 4.7 "Bus, Transport Trailers or Recreational Vehicles - Storage" requires additional review. The zoning by-law amendment applies to all properties in the Municipality of Leamington.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed zoning by-law amendment.

If a person or public body that files an appeal to a decision of the Municipality of Leamington in respect of the proposed zoning by-law amendment does not make oral submission at a public meeting or make written submissions to the Municipality before the proposed by-law is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

ADDITIONAL INFORMATION relating to this matter (PLA 26/11) is available for review at www.learmington.ca or at the Municipal Office for the Corporation of the Municipality of Leamington, 111 Erie Street North, during regular office hours. Please contact Tracey Pillon-Abbs, Manager of Planning Services, for further information.

DATED at the Municipality of Leamington this 17th day of August 2011.

BRIAN R. SWEET, CLERK
MUNICIPALITY OF LEAMINGTON
111 ERIE STREET NORTH
LEAMINGTON, ONTARIO N8H 2Z9
TELEPHONE: (519) 326-5761

REPORT

TO: MAYOR AND MEMBERS OF COUNCIL
FROM: TRACEY PILLON-ABBS, MANAGER OF PLANNING SERVICES
DATE: AUGUST 3, 2011
SUBJECT: RECREATIONAL VEHICLES IN RESIDENTIAL ZONES
ZONING BY-LAW HOUSEKEEPING AMENDMENT

AIM:

To report upon a request to schedule the required public meeting to consider a proposed zoning by-law housekeeping amendment for the regulations for the parking and storage of recreational vehicles under the Leamington Zoning By-law #890-09.

BACKGROUND:

Administration has been directed by Council to undertake a comprehensive review of Sections 4.6 and 4.7 of the Leamington Zoning By-law #890-09 which pertains to the parking and storage of recreational vehicles in residential zones in addition to other requirements. The direction is based on a complaint received by a resident. There are concerns that a recreation vehicle obstructs the view of houses and has a negative impact on the neighborhood.

During the last comprehensive review of the new Leamington Zoning By-law #890-09, administration worked with by-law enforcement to address previous complaints of both the storage and parking of recreational vehicles observed from the former Town of Leamington and former Township of Mersea Zoning By-laws. The new by-law attempted to address issues from the previous by-laws and proposed some new regulations. No appeals were received when the zoning by-law was approved by Council in 2009.

However, there is merit in reviewing the regulations in more detail to ensure that recreation vehicles are stored in an appropriate location that does not have a negative impact of the characteristic of the area. Administration agrees that the size of the vehicle should be reviewed, allowing residents to park vehicles for unloading and cleaning, ensuring vehicles are off public right-of-ways and that storage is clearly defined.

COMMENTS:

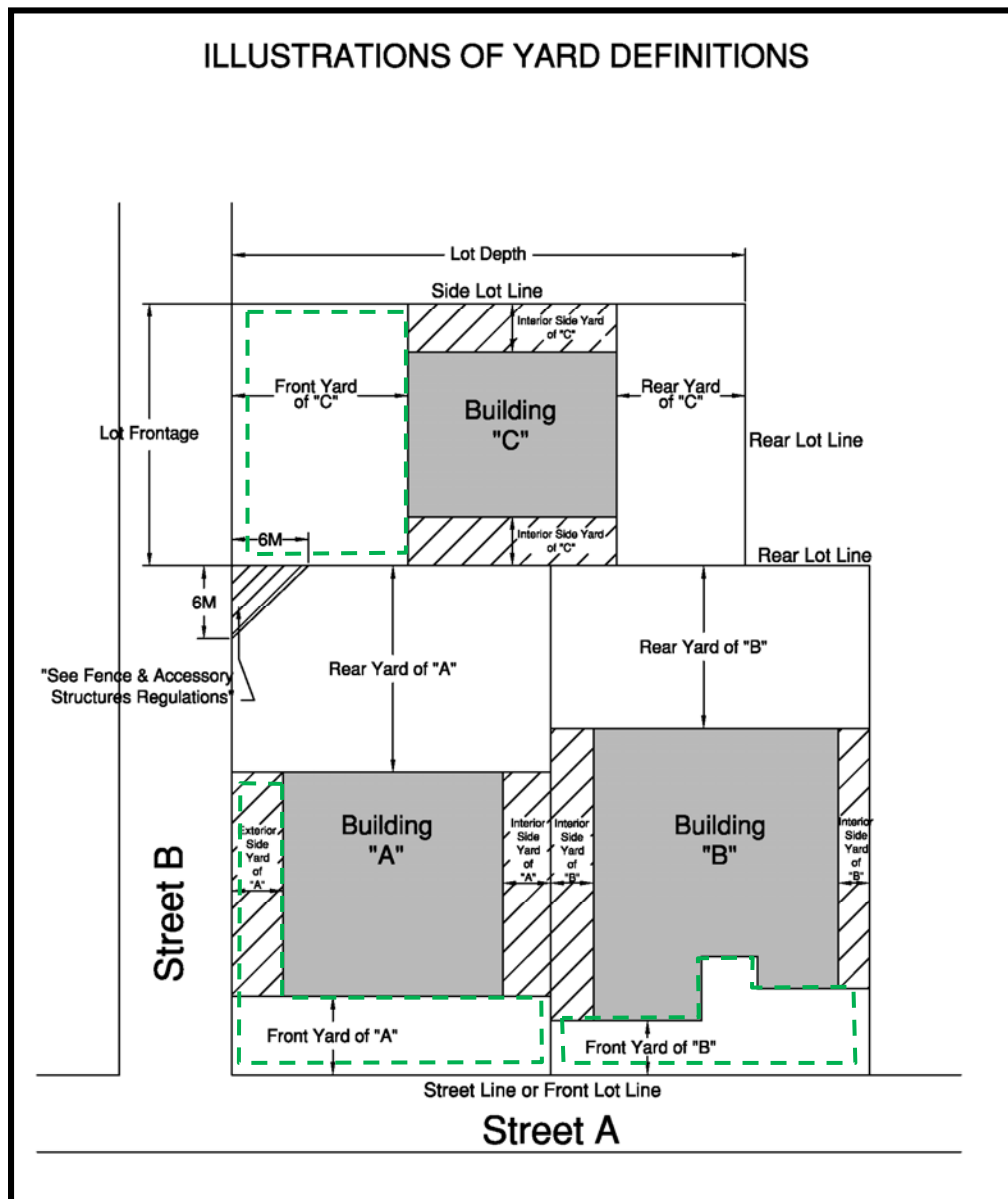
Administration requested that a peer review of Sections 4.6 and 4.7 of the Leamington Zoning By-law #890-09 be undertaken. The planning services of Lassaline Planning Consultants Inc were provided (see attached). Since the previous regulations were developed in-house, peer review offers an opportunity to get a fresh external perspective of the issue.

The following compares the existing wording with the proposed wording for Section 4.6 which pertains to 'parking'.

EXISTING WORDING IN BY-LAW 890-09	PROPOSED WORDING
<p>4.6 Bus, Transport Trailers or Recreational Vehicles "Parking"</p> <p>a) In any zone, where the sale of goods are permitted, no bus, transport trailer, recreational vehicle or other similar vehicle shall be parked and used for wholesale or retail sale of goods, articles or things for a period of more than 15 days within any given calendar year.</p> <p>b) In any Residential Zone, parking of a recreational vehicle shall be permitted between the months of April to October. The lot on which the vehicle is parked must have a residential dwelling unit.</p>	<p>4.6 Bus, Transport Trailers or Recreational Vehicles "Parking"</p> <p>In any zone where the sale of goods are permitted, no bus, transport trailer, recreational vehicle or other similar vehicle shall be parked and used for wholesale or retail sale of goods, articles or things for a period of more than 15 days within any given calendar year.</p> <p>4.6.1 Recreational Vehicle 'Parking'</p> <p>a) In any Residential Zone, and in compliance with all of the provisions of this by-law, no person shall park more than the following defined Recreational Vehicle(s) in any yard of any property:</p> <ul style="list-style-type: none"> (i) maximum of one (1) boat which shall not exceed 8.2 metres in length; or (ii) maximum of one (1) motor home which shall not exceed 8.2 metres in length; or (iii) maximum of two (2) snowmobiles, personal watercraft, all terrain vehicles, utility trailer or similar recreational vehicle, or any combination thereof; or (iv) one (1) travel trailer which shall not exceed 8.2 metres in length, exclusive of hitch or tongue. <p>b) Parking of a Recreational Vehicle(s) in any Residential zone shall only be permitted for the purposes of either loading or unloading goods or materials from the said Recreational Vehicle(s) and on the condition that the Recreational Vehicle(s) only remains on the subject property for a maximum period of 4 consecutive days between April 1st and October 31st.</p> <p>c) The lot on which the Recreational Vehicle(s) is parked must have a residential dwelling unit.</p> <p>d) The owner of the Recreational Vehicle must be a full time resident of the residential dwelling unit or owner of the residence where the Recreational Vehicle(s) is parked.</p> <p>e) No person shall park or cause to be parked a Recreational Vehicle(s) in any location except in compliance with the following provisions:</p> <ul style="list-style-type: none"> i) No person shall park a Recreational Vehicle(s) closer than 1.5 m (5 ft.) feet to any and all property lines of the property.

	<p>ii) The Recreational Vehicle(s) shall only be parked in the front yard or the exterior side of the residence and must be located on a driveway or in a garage.</p> <p>iii) No person shall park or cause to be parked any Recreational Vehicle(s) on any street or highway.</p>
--	--

As an illustration, the following situations would be permitted in the proposed by-law for 'parking'. The area in the green dashed line is where a recreational vehicle can be temporarily parked for up to 4 days between April and October for the purpose of loading and unloading and is limited in number and size.

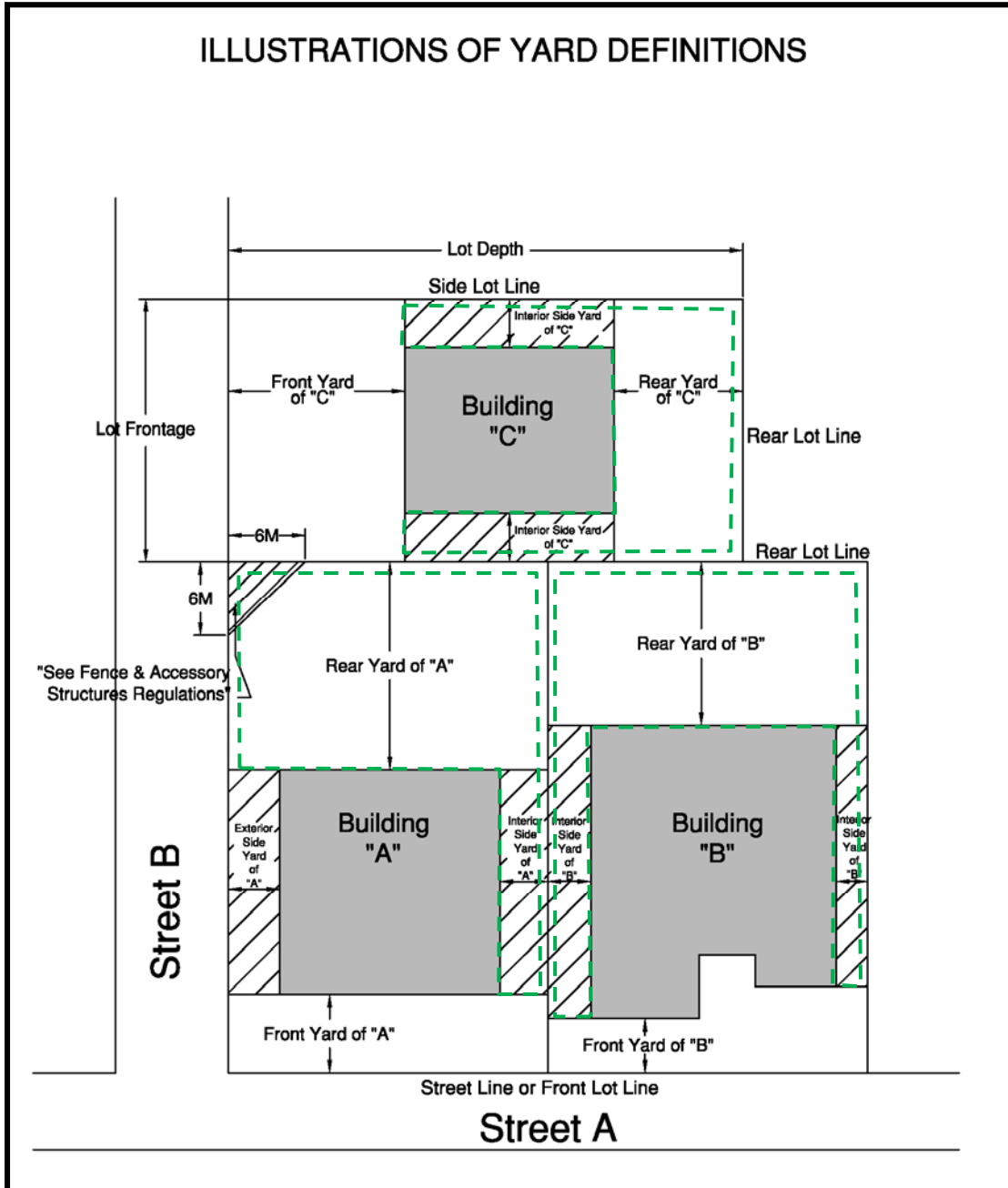


The following compares the existing wording with the proposed wording for Section 4.7 which pertains to 'storage'.

EXISTING WORDING IN BY-LAW 890-09	PROPOSED WORDING
<p>4.7 Bus, Transport Trailers or Recreational Vehicles “Storage”</p> <p>a) In any zone, no bus, transport trailer or other similar vehicle shall be used for the living, sleeping or eating accommodation within the Corporation of the Municipality of Leamington whether or not the same is mounted on wheels.</p> <p>b) In any zone, no recreational vehicle shall be used for the living, sleeping or eating accommodation of persons for a period of more than 15 consecutive days or unless such vehicle is located within a licenced trailer campground. The lot on which the vehicle is used must have a residential dwelling unit.</p> <p>c) In any zone, no bus, transport trailer, recreational vehicle or other similar vehicle shall be used as a permanent office or for storage purposes.</p> <p>d) In any zone, the owner or occupant of any lot shall not store a recreational vehicle or other similar vehicle in any front yard or exterior side yard. Such vehicle may be stored in any rear or interior side yard behind or beside the main building within 0.5 m (1.64 ft) of the interior side lot line and 1m (3.28 ft) from the rear lot line. Notwithstanding this, owners or occupants of any lot abutting Lake Erie may store such vehicles in the front or interior side yards only. The lot on which the vehicle is stored must have a dwelling unit.</p>	<p>4.7 Bus, Transport Trailers or Recreational Vehicles “Storage”</p> <p>In any zone, no bus, transport trailer or other similar vehicle shall be used for the living, sleeping or eating accommodation within the Corporation of the Municipality of Leamington whether or not the same is mounted on wheels.</p> <p>In any zone, no recreational vehicle shall be used for the living, sleeping or eating accommodation of persons unless such vehicle is located within a licenced trailer campground.</p> <p>In any zone, no bus, transport trailer, recreational vehicle, commercial motor vehicle, storage container or other similar vehicle shall be used as a permanent office or for storage purposes.</p> <p>4.7.1 Recreational Vehicle(s) ‘Storage’</p> <p>a) In any zone, the owner or occupant of any lot shall not store a recreational vehicle or other similar vehicle in any front yard or exterior side yard.</p> <p>b) Storage of a Recreational Vehicle(s) in any Residential zone shall only be permitted for the purposes of over-wintering of the said Recreational Vehicle(s) and on the condition that the Recreational Vehicle(s) only remains on the subject property between November 1st through to March 31st.</p> <p>c) In any Residential Zone, and in compliance with all of the provisions of this by-law, no person shall store or cause to be stored more than the following defined Recreational Vehicle(s) in any yard of any property:</p> <ul style="list-style-type: none"> (i) one (1) boat which shall not exceed 8.2 metres in length; or (ii) one (1) motor home which shall not exceed 8.2 metres in length; or (iii) not more than two (2) snowmobiles, personal watercraft, all terrain vehicles, utility trailer or similar recreational vehicle, or any combination thereof; or (iv) one (1) travel trailer which shall not exceed 8.2 metres in length, exclusive of hitch or tongue. <p>d) The lot on which the Recreational Vehicle(s) is to be stored must have a residential dwelling unit.</p> <p>e) In any Residential zone, the owner of the Recreational Vehicle(s) must be a full time</p>

	<p>resident of the residential dwelling unit or owner of the residence where the Recreational Vehicle(s) is stored.</p> <p>f) No person shall store or cause to be stored a Recreational Vehicle(s) in any location except in compliance with the following provisions:</p> <ul style="list-style-type: none">i) No person shall store a Recreational Vehicle(s) closer than 1.5 m (5 ft.) feet to any and all property lines of the property.ii) The Recreational Vehicle(s) shall only be stored in the rear yard behind the residence or interior side yard beside the residence.iii) Owners or occupants of residential lots abutting Lake Erie shall only store Recreational Vehicle(s) in the front or interior side yards.iv) No person shall store or cause to be stored in any Recreational Vehicle(s) on any street or highway.
--	--

As an illustration, the following situations would be permitted in the proposed by-law for 'storage'. The area in the green dashed line is where a recreational vehicle can be stored between November and May unless they are on Lake Erie, then front yard storage is permitted, and is limited in number and size.



Definitions have also been reviewed. The following compares the existing wording with the proposed wording for Section 3 which pertains to 'definitions'.

STORAGE , shall mean the keeping of goods and materials.	STORAGE , shall mean the keeping of goods and materials.
	RECREATIONAL VEHICLE , shall mean a portable vehicular unit designed for travel, camping or recreational use, including but not limited to a travel trailer, motor home, pick-up camper, motorized camper, tent trailer, boat or boat trailer, utility trailer, but does not include a mobile home.
TRAILER, TRAVEL , shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn by the motor vehicle, and capable of being used for temporary living or sleeping of persons therein for seasonal travel, recreation and vacation activity, notwithstanding that such vehicle is jacked up and/or that its running gear is removed or screened from view. This definition shall include tent trailers, motor homes, truck campers, or similar transportable accommodation but shall not include a mobile home as defined herein or a transport trailer.	TRAILER, TRAVEL , shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn by the motor vehicle, and capable of being used for temporary living or sleeping of persons therein for seasonal travel, recreation and vacation activity, notwithstanding that such vehicle is jacked up and/or that its running gear is removed or screened from view. This definition shall include tent trailers, motor homes, truck campers, or similar transportable accommodation but shall not include a mobile home as defined herein or a transport trailer.
	PARKING , shall mean temporary and within a designated area.
MOBILE HOME , shall include any portable dwelling designed to be drawn by a motor vehicle, but does not include a recreational vehicle.	MOBILE HOME , shall include any portable dwelling designed to be drawn by a motor vehicle, but does not include a recreational vehicle.
MOTOR HOME , shall mean a self-propelled, completely self-contained motor vehicle that contains all the conveniences of a home, including cooking and sleeping.	MOTOR HOME , shall mean a self-propelled, completely self-contained motor vehicle that contains all the conveniences of a home, including cooking and sleeping.

Administration agrees with the recommendations made by the Planning Consultant. Improvements have been proposed to the regulations in order to divide the issues of parking and storage making the intent easier to interpret.

The draft by-law has also been amended to be more restrictive for safety reasons. The proposed amendment ensures that recreational vehicles are not parking in inappropriate locations as a safety factor that must be restricted and enforced.

The proposed regulations further identify size, timeframe, location and temporary storage and parking which will be easier for enforcement to regulate.

Finally, parking of commercial vehicles and the keeping of storage containers for the purpose of a permanent office or for storage purposes has been added in addition to a new definition of 'parking'.

The next step is to get feedback from the public. Administration recommends that, in addition to the statutory public meeting, a public open house be held to provide an opportunity for the public to have informal discussions with staff regarding the proposed regulations. Administration will present the findings of the open house to Council during the public meeting.

CONCLUSION:

As set out in the Planning Act, a complete application includes any 'prescribed information' identified in the regulations of the Planning Act and any 'additional information' required by the municipality, as identified in its official plan.

Administration suggests that this matter should now proceed to an open house and a public meeting. The date for the open house is requested to be scheduled for **Wednesday, September 7, 2011 from 2:00 pm to 8:00 pm** in the gallery and the required public meeting is requested to be scheduled with Council for **Monday, September 12, 2011 at 7:00 pm**.

Notice of open house and public meeting will be circulated to all commenting agencies and municipal departments. There are no abutting landowners circulated as it applies to the entire Municipality. Notice will also be posted in the Leamington Post. As part of the new Bill 51, all information will be made available to the public and commenting agencies. A report by Administration will be presented to Council after the public meeting.

Once a decision for Zoning By-Law amendment has been made and notices sent out, there would be an appeal period in the case that there are any objections to the Ontario Municipal Board (OMB).

As set out under Bill 51 of the Planning Act, the OMB is required not only to have regard to Council's decision, but the basis on which the decision is made. In order to ensure that the OMB has regard to Council's decision, Council should be able to demonstrate that its decision was fully supported by relevant information and that the information was considered by Council.

RECOMMENDATION:

THAT Council declare that the application was reviewed and deemed to be complete pursuant to the requirements of the *Planning Act* to consider a proposed zoning by-law housekeeping amendment for the regulations for the parking and storage of recreational vehicles under the Leamington Zoning By-law #890-09, as outlined in Report PLA 26/11;

AND that Administration is directed to schedule the open house for **Wednesday, September 7, 2011 from 2:00 pm to 8:00 pm** required public meeting for **Monday, September 12, 2011 at 7:00 pm**.

Respectfully submitted,

Tracey Pillon-Abbs,
Manager of Planning Services

ATTACH
/tpa

July 4, 2011

Ms. Tracey Pillon-Abbs,
Manager of Planning Services
Municipality of Leamington
111 Erie Street North
Leamington, ON N8H 2Z9

Dear Ms Pillon-Abbs

RE: Peer Review on Parking and Storage of Recreational Vehicles

The following is a peer review and some suggested wording to address the 'Parking and Storage' provisions relating to Recreational Vehicles found in Subsections 4.6 and 4.7 of the Comprehensive Zoning By-law 890-09 for the Municipality of Leamington. This peer review was requested by Tracey Pillon-Abbs, Manager of Planning Services for the Municipality of Leamington on June 23, 2011.

GENERAL OVERVIEW AND COMMENTS

The parking and storage of recreational vehicles in the Municipality of Leamington is a universal planning issue that has challenged planners, residents and Councils across the province for years. This is an issue that is challenging to regulate and challenging to enforce within a 'complaints based enforcement environment'.

Guiding principles of the Planning Act, R.S.O. 1990, c.P. 13, Provincial Policy Statement (PPS) and the Official Plan for the Municipality of Leamington identify and apply sound planning principles, policies and regulations for the development and maintenance of a healthy and safe community.

As indicated in Tracey Pillon-Abbs, Manager of Planning Services for the Municipality of Leamington Council report dated April 27, 2011 the parking and storage of recreational vehicles falls under the purview of two health and safety issues: sight lines and location. The Comprehensive Zoning By-law applies regulations to ensure sight lines and parking of vehicles does not conflict with pedestrian and vehicular traffic and provides a level of regulations to enforce the health and safety of the residents.

The Comprehensive Zoning By-law implements regulations established through policy direction in the Official Plan for the Municipality of Leamington for the maintenance of the character and for compatibility of uses within residential neighbourhoods. The issue of parking/storage of recreational vehicles, particularly ones that are of a larger size, can have a deleterious impact on both the character of a neighbourhood and the compatibility of the land uses occurring in the residential neighbourhoods.

EXISTING BY-LAW GENERAL DISCUSSION

The new Municipality of Leamington Zoning By-law # 890-09 is successful in the division of the two issues: separating the parking of recreational vehicles from the storage of recreational vehicles. By the division of these functions into two separate subsections, the by-law recognizes the resolve and necessity to address both issues separate and it would appear, successfully pro-actively.

PARKING OF RECREATIONAL VEHICLES OVERVIEW

From my review of Section 4.6 Parking of Recreational By-law provisions, I interpret the by-law to regulate the temporary and seasonal parking of RV's in non-residential and residential zones.

- a) **Subsection 4.6 a) allows for bus, transport trailers or RVs to be parked in a zone that permits retail sales for less than 15 consecutive days in a calendar year for the sale of wares;**

Subsection a) speaks of the quasi-commercial use of vehicles and the time limitation associated with parking and use of these vehicles in a non-residential zone.

- b) **Subsection 4.6 b) permits the parking of an RV within a residential zone (on a lot with a residence as a principle use) for a maximum timeframe of April to October.**

This provision is critical to the administration and enforcement of the by-law. From a planning standpoint, this provision presently only provides for direction. Though the by-law provision as it is presently written is flexible and allows for interpretation, it is too open and ambiguous for the enforcement of the by-law provision.

- a) **This provision needs to be expanded to elucidate on the type, size, and location of RVs that are allowed to be 'parked' in residential neighbourhoods. EG:**

- i) Specify the temporary parking of RV's;
- ii) Specify where the temporary parking of RV's can occur on the residential lot;
- iii) Specify the size and type of the RV that can be temporarily parked (eg: one RV that does not exceed 8.2 m in length);
- iv) Specify a timeframe for the duration of the temporary parking (eg: 4 days in any one calendar month during April through October to allow for cleaning, winterizing, etc).

STORAGE OF RECREATIONAL VEHICLES OVERVIEW

From my review of Section 4.7 Storage of Recreational By-law provisions, I interpret the by-law to speak to the over-wintering and storage of RV's in residential zones.

Section 4.7 Bus, Transport Trailers or Recreational Vehicle Storage provides for:

a) **Prohibition of the use of any vehicle for habitation;**

This is sound planning to ensure the character of a residential neighbourhood is preserved, Building Code Standards are maintained, and the use of in-appropriate structures for residential purposes does not occur.

b) **Limitation of the use of an RV to 15 consecutive days for living, sleeping or eating accommodation unless the RV is in a zoned trailer park;**

This provision addresses the use of the RV as a temporary parking issue rather than the storage or overwintering of a Recreational Vehicle.

The intent to allow for the temporary accommodation of an RV in a residential zone should be revisited by administration and Council. From my experience, this provision will be a challenge to interpret as well as enforce.

I recommend that this provision be removed for clarity and enforcement of the by-law.

c) **No vehicle shall be used for accessory uses to main residential uses;**

This is sound planning to ensure the character of a residential neighbourhood is preserved, Building Code Standards are maintained, and the use of in-appropriate structures for residential purposes does not occur.

d) **RV storage is restricted to the rear or side yard of a residence.**

By-law #890-09 recognizes that some of the smaller recreational vehicles may be easily stored and not create a compatibility issue with the character of the neighbourhood and would not have an impact on the adjacent residential land use WHEN STORED IN THE REAR YARD OR AN INTERIOR SIDE YARD. This provision is very successful for the storage of smaller recreational vehicle out of sight in the backyard or at the side of the residence.

Specifics on the size and number of RVs should be specified in the by-law for clarity and enforcement purposes.

CONCLUSION:

RECOMMENDATIONS

I provide you with the following recommendations in regards to the review of By-law # 890-09 respecting recreational vehicles, Section 4.6 Bus, Transport Trailers or Recreational Vehicles 'Parking' and Section 4.7 Bus, Transport Trailers or Recreational Vehicles 'Storage':

- 1) As recommended by Tracey Pillon-Abbs, Manager of Planning Services for the Municipality of Leamington, in my professional opinion **I concur that the issue of the parking and storage of recreational vehicles should be further reviewed by staff and Council.**

- 2) **I concur and strongly recommend that the first recommendation by Tracey Pillon-Abbs be undertaken at this time.**

“1. Administration could conduct a comprehensive analysis and proposed new zoning by-law regulation on the issue. Based on the 2011 Work Plan for Planning Services, a zoning by-law amendment could be brought forward for Council’s consideration,”

There are merits to having the ‘Parking and Storage of Recreational Vehicles’ review occur at the five year review period of the Official Plan and authorizing By-law, namely a comprehensive determination of the applicable laws and a cohesive regulatory framework developed as recommendation, however, this issue will continue to be an enforcement and interpretation challenge until the wording is amended.

- 3) **Separate the two issues of Bus/Transport Trailer Parking/Storage from the Recreational Vehicle Parking/Storage provisions.** Provide a Subsection that will state regulations specifically relating to RV Storage and Parking while providing a second subsection that directly enforces the Storage and Parking of buses/transportation and commercial vehicles.

Separation of the two issues will allow for ‘use’ specific by-law regulations. Address each form of vehicle (RV being quasi-residential) while buses/tractor trailers and commercial vehicles as separate regulations allowing/prohibiting for specific regulations for each vehicle use.

- 4) **Maintain the two separate functions under Subsection 4.6 Parking of RV’s and Subsection 4.7 Storage of RV’s.** This allows for clarity of form and function necessary in the by-law.
- 5) **Amend By-law # 890-09 as noted on page -2- and -3- of this peer review and attached as Appendix A, Draft By-law.**
- 6) **Staff to present attached draft by-law for Council consideration.** Council should hold an Open House and Statutory Public Meeting to allow for public consideration of a Draft By-law.

Respectfully submitted

Jacqueline Lassaline MCIP RPP
Lassaline Planning Consultants Inc.

APPENDIX A

THE CORPORATION FOR THE MUNICIPALITY OF LEAMINGTON

BY-LAW NO. _____

A BY-LAW TO ADDRESS THE STORAGE AND PARKING OF RECREATIONAL VEHICLES

WHEREAS Municipality of Leamington Comprehensive By-law 890-09, as amended, is a land use control by-law regulating the use of lands and the character, location and use of buildings and structures within the Municipality of Leamington;

AND WHEREAS Section 34 of the *Planning Act*, R.S.O 1990, c. P.13, provides that Council for the Corporation of the Municipality of Leamington may amend Comprehensive Zoning By-law 890-09;

AND WHEREAS the Council of the Corporation of the Municipality of Leamington has deemed it appropriate and in the best interest of sound planning to further amend By-law 890-09 as herein provided;

NOW THEREFORE the Municipal Council of the Corporation of the Municipality of Leamington enacts as follows:

1. Section 4. General Provisions, specifically **Subsection 4.6 Bus, Transport Trailers or Recreational Vehicle 'Parking'** is hereby amended by the following:
 - i) delete the first comma in the first sentence of subsection 4.6 a) to have the provision read as follows:

"In any zone where the sale of goods are permitted, no bus, transport trailer, recreational vehicle or other similar vehicle shall be parked and used for wholesale or retail sale of goods, articles or things for a period of more than 15 days within any given calendar year."
 - ii) delete "a)" as the subcategory identifier.
 - iii) delete subsection 4.6 b) in its entirety.
2. **Section 4. General Provisions** is hereby further amended by the addition of the following new subsection immediately after Subsection 4.6 'Bus, Transport Trailers or Recreational Vehicle Parking' in the appropriate order of the by-law:

“4.6.1 Recreational Vehicles ‘Parking’:

- a) *In any Residential Zone, and in compliance with all of the provisions of this by-law, no person shall temporarily park more than the following defined Recreational Vehicle(s) in any yard of any property:*
 - (i) *maximum of one (1) boat which shall not exceed 8.2 metres in length; or*
 - (ii) *maximum of one (1) motor home which shall not exceed 8.2 metres in length; or*
 - (iii) *maximum of two (2) snowmobiles, personal watercraft, all terrain vehicles, utility trailer or similar recreational vehicle, or any combination thereof; or*
 - (iv) *one (1) travel trailer which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.*
- b) *parking of a Recreational Vehicle(s) in any Residential zone shall only be permitted for the purposes of either loading or unloading goods or materials from the said Recreational Vehicle(s) and on the condition that the Recreational Vehicle(s) only remains on the subject property for a maximum period of 4 consecutive days between April 1st and October 31st.*
- c) *The lot on which the Recreational Vehicle(s) is temporarily parked must have a residential dwelling unit.*
- d) *The owner of the Recreational Vehicle must be a full time resident of the residential dwelling unit or owner of the residence where the Recreational Vehicle(s) is temporarily parked.*
- e) *No person shall temporarily park or cause to be parked a Recreational Vehicle(s) in any location except in compliance with the following provisions:*
 - i) *No person shall temporarily park a Recreational Vehicle(s) closer than 1.5 m (5 ft.) feet to any and all property lines of the property.*
 - ii) *The Recreational Vehicle(s) shall only be temporarily parked in the front yard or the exterior side of the residence and must be located on a driveway or in a garage.*
 - iii) *No person shall temporarily park or cause to be parked any Recreational Vehicle(s) on any street or highway.”*

3. Section 4. General Provisions, specifically **Subsection 4.7 Bus, Transport Trailers or Recreational Vehicles ‘Storage’** is hereby further amended by the following:

- i) delete the following words in subsection b) “for a period of more than 15 consecutive days or”.
- ii) delete the second sentence in subsection b) in its entirety.
- iii) replace subsection c) in its entirety with the following “in any zone, no bus, transport trailer, recreational vehicle, commercial motor vehicle, storage container or other similar vehicle shall be used as a permanent office or for storage purposes.”.
- iv) delete subsection d) in its entirety.

4. **Section 4. General Provisions** is hereby further amended by the addition of the following new subsection immediately after Subsection 4.7 ‘Bus, Transport Trailers or Recreational Vehicle Storage’ in the appropriate order of the by-law:

“4.7.1 Recreational Vehicle(s) ‘Storage’:

- a) *In any zone, the owner or occupant of any lot shall not store a recreational vehicle or other similar vehicle in any front yard or exterior side yard.*
- b) *Storage of a Recreational Vehicle(s) in any Residential zone shall only be permitted for the purposes of over-wintering of the said Recreational Vehicle(s) and on the condition that the Recreational Vehicle(s) only remains on the subject property between November 1st through to March 31st.*
- c) *In any Residential Zone, and in compliance with all of the provisions of this by-law, no person shall store or cause to be stored more than the following defined Recreational Vehicle(s) in any yard of any property:*
 - (i) *one (1) boat which shall not exceed 8.2 metres in length; or*
 - (ii) *one (1) motor home which shall not exceed 8.2 metres in length; or*
 - (iii) *not more than two (2) snowmobiles, personal watercraft, all terrain vehicles, utility trailer or similar recreational vehicle, or any combination thereof; or*
 - (iv) *one (1) travel trailer which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.*
- d) *The lot on which the Recreational Vehicle(s) is to be stored must have a residential dwelling unit.*
- e) *In any Residential zone, the owner of the Recreational Vehicle(s) must be a full time resident of the residential dwelling unit or owner of the residence where the Recreational Vehicle(s) is stored.*

f) *No person shall store or cause to be stored a Recreational Vehicle(s) in any location except in compliance with the following provisions:*

- i) *No person shall store a Recreational Vehicle(s) closer than 1.5 m (5 ft.) feet to any and all property lines of the property.*
- ii) *The Recreational Vehicle(s) shall only be stored in the rear yard behind the residence or interior side yard beside the residence.*
- iii) *Owners or occupants of residential lots abutting Lake Erie shall only store Recreational Vehicle(s) in the front or interior side yards.*
- iv) *No person shall store or cause to be stored in any Recreational Vehicle(s) on any street or highway.*

5. **Section 3. Definitions** is further amended by the addition of the following new subsection immediately after Subsection 3.188 in the appropriate order of the by-law:

“3.188 (b) ‘Parking’, shall mean temporary and within a designated area.”

THIS By-law shall come into force and take effect on the final day of passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this _____ day of _____, 2011.

John Paterson, Mayor

Brian Sweet, Clerk