

THE HONOURABLE
JUSTICE HUGH L. FRASER
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

COURT HOUSE
161 ELGIN STREET, 6TH FLOOR
OTTAWA, ONTARIO
K2P 2L1



L'HONORABLE
JUGE HUGH L. FRASER
JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO

PALAIS DE JUSTICE
161, RUE ELGIN, 6^e ÉTAGE
OTTAWA (ONTARIO)
K2P 2L1

TELEPHONE/TÉLÉPHONE (613) 239-1520
FAX/TÉLÉCOPIEUR (613) 239-1572

August 18th, 2014

Township of Alfred and Plantagenet
205 Old Highway 17
P.O. Box 350
Plantagenet, Ontario
K0B 1L0

CANTON D'ALFRED ET PLANTAGENET REÇU	
25 AOÛT 2014	
Par: _____	
# de correspondance _____	
# de dossier _____	

Attention: Mr. Martin Guindon

Dear Mr. Guindon:

Re: *Set Fines – Provincial Offences Act – Part I*
By-law No. 2014-42: Temporary Garages

Enclosed herewith are the original Order dated August 18th, 2014 and original schedule of set fines for By-Law No. 2014-42, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of Alfred and Plantagenet .

Yours truly,

A handwritten signature in black ink, appearing to read "H. Fraser".

Hugh L. Fraser
Regional Senior Justice
East Region
Enclosures

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2014-42 of the Corporation of the Township of Alfred and Plantagenet attached hereto is the set fine for that offence. This Order is to take effect on August 18th, 2014.

Dated at Ottawa this 18th day of August 2014.


.....
Hugh L. Fraser, Regional Senior Justice
Ontario Court of Justice
East Region

PART I PROVINCIAL OFFENCES ACT

TOWNSHIP OF ALFRED AND PLANTAGENET

TITLE: Tempo By-Law #2014-42

<u>ITEM</u>	<u>COLUMN 1</u> Short form wording	<u>COLUMN 2</u> Provision Creating or Defining Offence	<u>COLUMN 3</u> Set Fine
1.	Erecting a tempo closer than 1.5 meters to any front lot line.	2.1	\$100.00
2.	Locating a tempo closer than 1.2 meters to any interior side lot line.	2.1	\$100.00
3.	Locating a tempo closer than 2 meters to any exterior side lot line.	2.1	\$100.00
4.	Erecting a tempo exceeding 4 meters in height.	2.1	\$150.00
5.	Erecting a tempo within the sight triangle.	2.2	\$150.00
6.	Erecting a tempo for permanent storage.	2.3	\$200.00

NOTE: The penalty provision(s) for the offence(s) indicated above is Section 4.2 of By-Law 2014-42 a certified copy of which has been filed.

*Approved
Hef*

PART I PROVINCIAL OFFENCES ACT

TOWNSHIP OF ALFRED AND PLANTAGENET

TITLE: Tempo By-Law #2014-42

Page 2 of 2

<u>ITEM</u>	<u>COLUMN 1</u> Short form wording	<u>COLUMN 2</u> Provision Creating or Defining Offence	<u>COLUMN 3</u> Set Fine
7.	Erecting a tempo prior to October 15 th .	2.4	\$200.00
8.	Having a tempo after April 30 th .	2.5	\$200.00
9.	Erecting a tempo in a manner deemed unsafe or create hazard conditions.	2.6	\$350.00
10.	Maintaining a tempo in a manner deemed unsafe or create hazard conditions.	2.6	\$350.00
11.	Keeping a tempo or any part of it in such condition as to be damaged or dilapidated.	2.7	\$350.00
12.	Having a tempo in the rear yard without a permit.	2.9	\$200.00

NOTE: The penalty provision(s) for the offence(s) indicated above is Section 4.2 of By-Law 2014-42 a certified copy of which has been filed.

**CORPORATION OF THE TOWNSHIP OF
ALFRED AND PLANTAGENET**

BY-LAW NO. 2014-42

BEING a by-law to regulate the erection of temporary structures, commonly known as "Tempo Garages".

WHEREAS Section 128 (1) of the Municipal Act, S.O. 2001, Chapter 25 does authorize a municipality to pass by-laws with respect to Public Nuisance.

AND WHEREAS Section 427 of the Municipal Act, S.O. 2001, Chapter 25 does authorize a municipality to enter onto lands and undertake work to be done at the expense of a person and assign the costs to the tax rolls and collecting the costs in the same manner as taxes.

AND WHEREAS the Council does believe the proliferation of temporary storage structures made of plastic and metal or similar materials to be a detriment to the streetscapes and a visual nuisance.

AND NOTWITHSTANDING the functional nature of these structures, the Council of the Corporation of the Township of Alfred and Plantagenet does believe a level of control should be placed on the installation of these structures in order to achieve a balance between function and the impact on the visual nature of the municipality.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Alfred and Plantagenet does enact as follows that:

1.0 DEFINITIONS:

In this By-Law:

- a. "Council" means the Council of the Corporation of the Township of Alfred and Plantagenet.
- b. "Chief Building Official" means the agent or employee appointed by the Township of Alfred and Plantagenet to enforce the provisions of the Building Code Act or any other by-law of the Township, and includes employees acting under his/her direction.
- c. "Municipal Law Enforcement Officer" means a peace officer for the purpose of enforcing municipal by-law, as set out in the Police Services Act.
- d. "Person" means an individual, a partnership, a body corporate and any association, and the heirs, executors, administrators, successors and assigns or other legal representatives thereof to whom the context means a human being of the male or female gender;
- e. "Sight Triangle" means a triangular space, 6 meters by 6 meters, free of buildings, structures and obstructions, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines as specified in this by-law.
- f. "Temporary storage structure" means any manufactured structure kit fabricated of plastic and metal or treated fabric and metal or any structure that is erected for the purpose of providing a tarp type roof cover and, or including side wall panels over goods, materials, motor vehicles or leisure vehicles.
- g. "Township" means the Corporation of the Township of Alfred and Plantagenet.

Je, le soussigné, greffier adjoint pour la Corporation du
Municipalité d'Alfred et Plantagenet, certifie que ce document
est une copie conforme de

I, the undersigned, Deputy Clerk for the Corporation of the
Township of Alfred and Plantagenet, hereby certify that this
document is a true copy of

By-law Number 2014-42

Monique Batters June 23 2014
Signature Date



- h. **"Yard"** Means a space, appurtenant to a building or structure, located on the same lot as the building or structures, open, uncovered and unoccupied from the ground to the sky except for accessory buildings, structures or uses specifically permitted by this by-law.
- i. **"Yard, Front"** Means the space extending across the full width of the lot between the front lot line and the nearest part of any main building or structure on the lot.
- j. **"Yard, Rear"** Means the space extending across the full width of the lot between the rear lot line and the nearest part of any main building or structure on the lot.
- k. **"Yard, Side"** Means a yard extending from the front yard to the rear yard between the side lot line and the side wall of the main building or main structure.
- l. **"Yard, Side – Exterior"** Means a yard extending from the front yard to the rear yard between the exterior side lot line and the side wall of the main building or main structure.
- m. **"Yard, Side – Interior"** Means a yard extending from the front yard to the rear yard between the interior side lot line and the side wall of the main building or main structure.

2.0 GENERAL PROHIBITIONS

Temporary storage structures as defined under this By-law shall be permitted in a residential zone and the following provisions shall apply:

- 2.1 No person shall erect temporary storage structures closer than 1.5 meters to any front lot line, shall not be located closer than 1.2 meters to any interior side lot line and 2.0 meters to any exterior side lot line and shall not exceed 4 meters in height.
- 2.2 No person shall erect temporary storage structures within the sight triangle.
- 2.3 The owner or occupant of an occupied building or the owner of an unoccupied building or vacant land within the limits of the Township shall not erect temporary storage structures for permanent storage.
- 2.4 No person shall erect temporary storage structures prior to October 15th of any given year in the front yard, side yard or part thereof.
- 2.5 No person shall have temporary storage structures erected after April 30th of any given year in the front yard, side yard or part thereof.
- 2.6 No person shall erect or maintain temporary storage structures in a manner deemed unsafe or create hazard conditions.
- 2.7 No person shall keep temporary storage structures or any part of it in such condition as to be damaged or dilapidated or out of character with the neighboring properties.
- 2.8 No permit is required for temporary storage structures if they are located in the rear yard between October 15th and April 30th of any given year.
- 2.9 A permit is required for temporary storage structures if they are located in the rear yard between April 30th and October 15th of any given year.

3.0 EXEMPTIONS

- 3.1 Exemptions to this By-law may be considered on an individual basis; only if a building permit application has been filed, approved and a permit issued by the Chief Building Official for the Corporation of the Township of Alfred and Plantagenet.

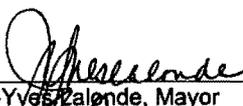
4.0 ENFORCEMENT AND PENALTIES

- 4.1 The provisions of this By-law shall be administered and enforced by the Municipal Law Enforcement Officer.
- 4.2 Every person who contravenes any section of this By-law is guilty of an offence and upon conviction is liable to a fine as set out for in the Provincial Offence Act R.S.O. 1990, Chapter 33 as amended.
- 4.3 Where any requirement in accordance with this by-law is not carried out, the Municipal Law Enforcement Officer or persons designated by the Municipal Law Enforcement Officer for the Corporation of the Township of Alfred and Plantagenet may, upon such notice as he deems suitable, remove the temporary storage structure or do such thing at the expense of the person required to do it and, in so doing, may charge an administration fee of 15% of the amount expended by or on behalf of the municipality and such total shall be recovered by action or in like manners as municipal taxes.
- 4.4 Where any matter or material is removed in accordance with Section 4.3, it may be immediately disposed of by the Municipal Law Enforcement Officer.
- 4.5 The removal of structures by the municipality shall not relieve any person from liability for the penalty for breach of any of the provisions herein, or for further compliance with any of the provisions herein contained.
- 4.6 In addition to the imposition of a fine or other remedy, as court of competent jurisdiction may, upon conviction on an offence under this by-law, issue an order prohibiting the continuation or repetition of the violation by the person convicted.

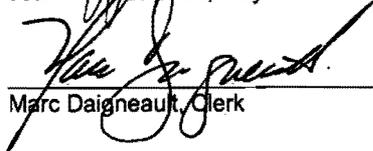
5.0 BY-LAW IN FORCE

- 5.1 This By-law shall come into force and take effect on the day it is duly adopted by the Council of the Corporation.

READ A FIRST, SECOND AND THIRD TIME and duly passed in open council this 16th day of June, 2014.



Jean-Yves Zalonde, Mayor



Marc Daigneault, Clerk

**CORPORATION OF THE TOWNSHIP OF
ALFRED AND PLANTAGENET**

BY-LAW NO. 2014-42

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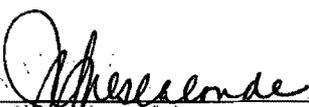
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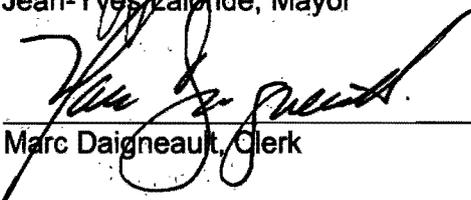
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READ A FIRST, SECOND AND THIRD TIME and duly passed in open council this 16th day of June, 2014.



Jean-Yves Zalonde, Mayor



Marc Daigneault, Clerk

**LA CORPORATION DU CANTON D'ALFRED ET PLANTAGENET
THE CORPORATION OF THE TOWNSHIP OF ALFRED AND PLANTAGENET**

RÉSOLUTION/RESOLUTION NO. 2014-333

Date: 16 juin / June 16, 2014	Item no. : 17.1
Sujet / Subject: Règlement numéro 2014-42 régissant les abris temporaire ou tempo. By-law Number 2014-42 regulating temporary structures or tempo garages.	
Proposé par / Moved by : Richard Brisebois	
Appuyé par / Seconded by : Benoit Lamarche	
Qu'il soit résolu que le règlement numéro 2014-42 régissant les abris temporaire ou tempo soit adopté après ses trois lectures.	<i>Be it resolved that By-law Number 2014-42 regulating temporary structures or tempo garages be adopted after its three readings.</i>

Adoptée / Adopted	✓	Initiales du Greffier ou de la Greffière- Adjointe / Clerk's or Deputy- Clerk's initials:	
Défaite / Defeated			

Vote enregistré demandé par / Recorded vote requested by:	Pour / For	Contre / Against

RÉSOLUTION NO. 2014-333
Acceptée 16 06 2014
Refusée _____
Sans action _____

CORPORATION DU CANTON D'ALFRED ET PLANTAGENET

RAPPORT DU SERVICE DE LA RÉGLEMENTATION

**Rapport – Règlement régissant les abris temporaires ou « Tempo »,
Règlement No. 2014-42**

RAPPORT NO.: R-11-2014

DATE: 16 / 06 / 2014

INTRODUCTION

Ce rapport concerne la création du règlement no. 2014-42, régissant les abris temporaires, communément appelés «Tempo.»

RAPPORT – Règlement No. 2014-42

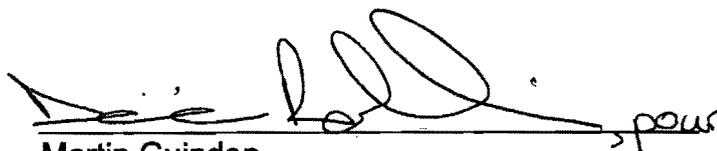
Le Service de la Réglementation a procédé à la création du règlement No. 2014-42 portant sur les abris temporaires. Nous avons sorti la section portant sur ces derniers du règlement de zonage et avons créé ce règlement autonome.

L'application du règlement sera la responsabilité du Service de la Réglementation par contre, l'émission des permis pour ces abris relèvera du Service de la Construction.

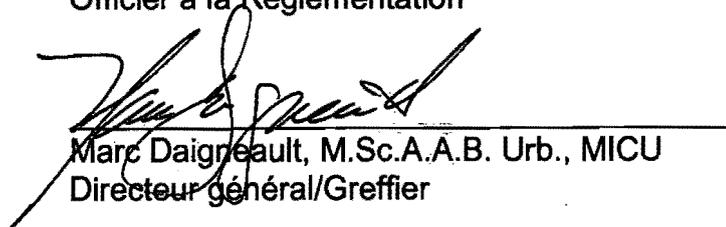
Le règlement ne limite pas le nombre d'abris sur une propriété, mais bien l'emplacement. Un abri est permis sur certaines parties d'une propriété pendant la période du 15 octobre et 30 avril de chaque année. Après le 30 avril, seulement les abris dans la cour arrière seront tolérés mais requerront un permis.

Dans l'application du règlement, soit entre le 30 avril et le 15 octobre, nous émettrons des lettres aux propriétés concernées afin de les aviser du nouveau règlement ainsi qu'avec un délai de temps pour se conformer, soit par l'obtention d'un permis ou en enlevant les dites structures.

Dès l'adoption de ce dit règlement, le Service de la Réglementation commencera à patrouiller l'étendue du Canton et faire parvenir la correspondance nécessaire aux propriétés concernées. Par conséquent, les abris temporaires existants avant l'adoption de ce règlement autonome n'auront pas le statut «légal, non conforme» ou «grand-père» puisqu'ils enfreignent déjà le règlement No. 2009-50 sur l'aménagement du territoire.



Martin Guindon
Officier à la Réglementation



Marc Daigneault, M.Sc.A.A.B. Urb., MICU
Directeur général/Greffier