

TOWNSHIP OF AUGUSTA
RESTRICTED AREA (ZONING) BY-LAW
ZONING BY-LAW NO. 1818

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Date of Consolidation: 1983 10 31
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Prepared By:

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- 9.110 SERVICE SHOP shall mean a building or part of a building:
- (a) used for the repair or servicing of goods, commodities, articles, or materials, but not for the manufacturing thereof; or
 - (b) in which persons are employed in furnishing services and otherwise administering to the personal needs of individuals, such as a hairdressing establishment, a shoe shine shop, printing establishment and other similar uses.
- 9.111 SERVICE STATION shall mean a building or place where petroleum products and new supplies, parts and accessories are kept for sale to service motor vehicles, snowmobiles, farm implements and machinery and where minor and/or emergency repairs are performed to vehicles.
- 9.112 SETBACK shall mean the least horizontal distance between the street line and the nearest main wall of any building, structure, excavation or open storage on the lot and extending the full width or length of the lot.
- 9.113 SHORELINE shall mean any lot line or portion thereof which abuts a water body.
- 9.114 SIGN shall mean any structure, device, light or other object used to identify, advertise, attract attention to any object, product, commodity, profession, enterprise, industry or business.
- 9.115 SITE PLAN shall mean a scaled drawing showing the relationship between the lot lines and the uses, buildings or structures existing or proposed on a lot and including such details as parking areas, driveways, walkways, landscape areas, building areas, minimum yards, building heights, floor areas, densities and area for special uses.
- 9.116 STOREY shall mean that portion of a building between any floor and the floor, ceiling or roof next above.
- 9.117 STREET OR ROAD, PUBLIC shall mean a public highway, as defined by The Municipal Act and The Highway Traffic Act and shall exclude any private right-of-way or unopened road allowance or any street which is shown on a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under Section 29 of The Planning Act, R.S.O. 1970, or which has not been assumed by the Municipality.
- STREET ALLOWANCE shall have a corresponding meaning.
- 9.118 STREET ACCESS shall mean, when referring to a lot, that such lot has a lot line, or portion thereof, which is also a street line.

THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO

BY-LAW 11-07

**BEING A BY-LAW TO PERMIT AND CONTROL THE OPERATION OF
"ALL-TERRAIN VEHICLES" (ATV'S) ON HIGHWAYS UNDER THE
JURISDICTION OF THE CORPORATION OF THE TOWNSHIP OF
ADJALA - TOSORONTIO**
All-Terrain Vehicle Use By-Law

WHEREAS Section 191.8, subsection (3) of the Highway Traffic Act, as amended, authorizes the Council of a municipality to pass by-laws permitting the operation of off-road vehicles on any Highway within the municipality that is under the jurisdiction of the municipality, or on any part or parts of such Highway;

AND WHEREAS Ontario Regulation 316/03 made under the Highway Traffic Act, as amended defines an All-Terrain Vehicle and provides regulations governing the operation of All-Terrain Vehicles upon Highways;

AND WHEREAS the operation of off-road vehicles on highways is a privilege and not a right;

AND WHEREAS section 11(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, assigns spheres of jurisdiction and authorizes municipalities to pass by-laws respecting matters pertaining to Highways in their jurisdiction;

AND WHEREAS the Council of the Corporation of the Township of Adjala - Tosorontio deems it expedient to regulate the operation of All-Terrain Vehicles, being a class of Off-Road Vehicle as defined in section 1 of Ontario Regulation 316/03, on Highways within the jurisdiction of the municipality, or on any part or parts of such Highways;

AND WHEREAS the Council of the Corporation of the Township of Adjala - Tosorontio deems it expedient to permit the operation of all-terrain Vehicles on specified Highway under the jurisdiction of the Township of Adjala - Tosorontio for a trial period ending on March 31, 2012;

NOW THEREFORE the Council of the Corporation of the Township of Adjala - Tosorontio enacts as follows:

1. DEFINITIONS

- 1.1 "Municipality" – means the Township of Adjala - Tosorontio.
- 1.2 "All-Terrain Vehicle" or "ATV" – means an off-road vehicle that:
 - a) has four wheels, the tires of all of which are in contact with the ground,
 - b) has steering handlebars,
 - c) has a seat that is designed to be straddled by the driver, and
 - d) is designed to carry a driver only and no passengers.
- 1.3 "Core Services" – means accessing food, lodging, or fuel within the urban areas of the municipality.
- 1.4 "Highway"- includes any open and maintained road allowance under the sole jurisdiction of the Corporation of the Township of Adjala - Tosorontio including a common and public Highway, street, road, avenue, laneway or bridge, and includes the part which is actually used by the general public for the passage of vehicles and all of the area between the lateral property lines thereof and does not apply to highways under the jurisdiction of the Province or the County of Simcoe, unopened road allowances, private roads or boundary line roads.
- 1.5 "Off-Road Vehicle" – means an off-road vehicle within the meaning of the Off-Road Vehicles Act, as amended.



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Temporary All-Terrain Vehicles & Other Vehicles By-law no. 2013-199

BY-LAW NO. 2013 – 199

A by-law of the City of Ottawa to temporarily regulate the operation of All-Terrain Vehicles and Motorized Snow Vehicles on certain designated highways and unopened road allowances within Osgoode Ward (Ward 20) in the City of Ottawa.

WHEREAS the Section 191.8 of Highway Traffic Act authorizes a municipality to pass by-laws permitting and regulating the operation of off-road vehicles with three or more wheels and low pressure bearing tires on any highway or part of a highway under the jurisdiction of the municipality and further, to prescribe the rate of speed for such off-road vehicles as well as the specific months or hours during which they can be operated on a municipal highway or part of a highway;

AND WHEREAS Ontario Regulation 316/03, as amended, passed under the Highway Traffic Act, regulates the operation and requirements of All-Terrain Vehicles, which are class of off-road vehicles,

AND WHEREAS Section 7(2) of the Motorized Snow Vehicles Act also allows a municipality to pass by-laws regulating, governing or prohibiting the operation of Motorized Snow Vehicles within the municipality including any highways therein or any part or parts thereof;

AND WHEREAS Section 35 of the Municipal Act, 2001, allows a municipality to restrict the common law right of passage by the public on a highway within its jurisdiction;

AND WHEREAS Council deems it in the public interest to permit and regulate the operation of All-Terrain Vehicles and Motorized Snow Vehicles on certain designated highways and unopened road allowances within Osgoode Ward (Ward 20) for a temporary period and on a non-exclusive basis, for the purposes of evaluation, and to prohibit other motorized vehicles from these highways;

THEREFORE the Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. In this by-law:

- "All-Terrain Vehicle" means an off-road vehicle that,
- (a) has four wheels, the tires of all of which are in contact with the ground;
 - (b) has steering handlebars;
 - (c) has a seat that is designed to be straddled by the driver; and,

(d) is designed to carry a driver only and no passengers, and that in all respects meets the requirements of the Highway Traffic Act and the Off-Road Vehicles Act and any regulations passed thereunder, as amended and as may be replaced from time to time, and the expression "ATV" shall have the corresponding meaning;

"City" means the municipal corporation of the City of Ottawa or the geographic area of the City of Ottawa, as the context requires;

"Designated Highway" means a public highway or part thereof, under the jurisdiction of the City, that is indicated on Schedule "A" and shown on Schedule "C" as being permitted for use by All-Terrain Vehicles and Motorized Snow Vehicles under this by-law, as the case may be;

"Designated Unopened Road Allowance" means an unopened road allowance or part thereof, under the jurisdiction of the City, that is indicated on Schedule "B" and shown on Schedule "C" as being permitted for use by All-Terrain Vehicles and Motorized Snow Vehicles under this by-law, as the case may be;

"highway" includes a common or public highway, street, avenue, parkway, square, place, drive, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

"Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended,

"Motorized Vehicle" means an automobile, a motorcycle, a motor-assisted bicycle unless otherwise indicated in the Highway Traffic Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a power-assisted bicycle, an All-Terrain Vehicle, a Motorized Snow Vehicle, a farm tractor, a self-propelled implement of husbandry, or road maintenance equipment;

"Motorized Snow Vehicle" means a self-propelled vehicle designed to be driven primarily on snow;

"Motorized Snow Vehicles Act" means the Motorized Snow Vehicles Act, R.S.O. 1990, c.M.44, as amended, "municipal law enforcement officer" means a municipal law enforcement officer duty authorized by the Council of the City of Ottawa to enforce this by-law;

"Off-Road Vehicles Act" means the Off-Road Vehicles Act, R.S.O. 1990, c. O.4, as amended,

"police officer" means the Chief of Police or an officer of the Ottawa Police Service or other police service having jurisdiction in the area, who are duly appointed under the Police Services Act;

"Provincial Offences Act" means the Provincial Offences Act, R.S.O. 1990 c. P.33, as amended; and,

"unopened road allowance" means a highway under the jurisdiction of the City that has neither been opened for public travel nor assumed for maintenance purposes by the City.

INTERPRETATION

2. (1) This by-law includes the Schedules attached to it, and the Schedules are hereby declared to form part of the by-law.

(2) The headings and subheadings used in this by-law are inserted for convenience of reference only, form no part of this by-law, and shall not affect in any way the meaning or interpretation of the provisions of this by-law.

(3) Unless the context requires otherwise, references to items in the plural include the singular unless used with a number modifying the term, and words imparting the masculine gender shall include the feminine.

Corporation of the Township of McMurrich/Monteith

Bylaw 13 - 2014

Being a Bylaw to establish policies for the use of unopened road allowances for motor vehicle travel

WHEREAS the Township of McMurrich/Monteith is the owner of all road allowances within its jurisdiction;

AND WHEREAS the Township of McMurrich/Monteith, from time to time receives applications from ratepayers to use parts of original road allowances for motor vehicle passage purposes;

AND WHEREAS, Municipal consent is required to improve unopened road allowances;

AND WHEREAS the purpose of this By-law is to establish policies with respect to the requirements of the Township of McMurrich/Monteith, if Council approves of an unopened road allowance being used for vehicle purposes.

BE IT ENACTED as a By-Law of the Township of McMurrich/Monteith as follows:

1. General Policy

It is general policy of the Township of McMurrich/Monteith that unopened road allowances shall not be used for motor vehicle travel purposes, and that any cutting down of trees or grading or removing of rocks or fill on unopened road allowances is prohibited without the express approval of Council. Any unauthorized work will be considered trespassing and will be prosecuted accordingly.

2. Applications

If Council decides that an Application to use an unopened road allowance merits consideration, and approves of such use, the following are the conditions of approval;

2.1 Survey

Applicants are required to, at their expense; have an Ontario Licensed Surveyor survey the road allowance to be sure that the proposed use will not encroach on adjacent lands. A copy of the survey is to be provided to Municipal Office prior to commencement of work.

2.2 Applicant's Expense

All work shall be done at the Applicant's expense. The Applicant shall file a cost estimate prior to the work taking place and file security for the value of the work.

2.3 Outline of Proposed Work

The Applicant shall prepare, and submit to Council for approval, a summary of the proposed work program including width, and care to be taken with respect to any environmentally sensitive areas. The work shall be completed within one year with a possible extension of one additional year.

2.4 No Assumption by the Township of McMurrich/Monteith

Once the work is completed and motor vehicle access is possible, it is not a road which is "assumed" by the Township of McMurrich/Monteith.

By-Law for Unopened Road Allowance Agreement

Posted on **November 4, 2011** by **admin**

The Municipality of Gordon/Barrie Island

BY-LAW NO. 2009-37

BEING A BY-LAW to establish an unopened road allowance policy

WHEREAS the Corporation of the Municipality of Gordon/Barrie Island deems it desirable to establish said policy

THEREFORE the Corporation of the Municipality of Gordon/Barrie Island enacts as follows:

1. That the attached unopened road allowance policy be attached as Schedule "A" and form a part of this By-law

2. This by-law applies to persons who own property at the end of an unopened road allowance; and therefore wish to enter an agreement with the municipality to open the unopened road allowance to provide access to said property

3. This By-law shall come into effect on date of passing

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 1ST DAY OF DECEMBER 2009

THE MUNICIPALITY OF GORDON/BARRIE ISLAND

UNOPENED ROAD ALLOWANCE POLICY

UNOPENED ROAD ALLOWANCES

THE MUNICIPALITY OF GORDON/BARRIE ISLAND

Definition

In this report an unopened road allowance shall mean a road, street, lane or highway which has not been established as a public highway by a by-law of Council or otherwise assumed for public use by the Corporation.

Creation of Unopened Road Allowances

Unopened road allowances may be created by:

1. The registration of a plan of subdivision containing a dedication of roads, streets, lanes or highways shown on the plan as public highways.
2. Road allowances shown on original Crown surveys.
3. Road allowances dedicated by the Owner of land which dedication has not been accepted by the Corporation through establishing a public highway by a by-law or otherwise assuming the road for public use.

What Constitutes A Public Highway

Defined by the Ontario Municipal Act, Section 261:

Except in so far as they have been stopped up according to law, all allowances for roads made by the Crown surveyors, all highways laid out or established under the authority of any statute, all roads on which public money has been spent for opening then or on which statute labour has been usually performed, all roads passing through Indian lands, all roads dedicated by the owner of the land to public use, and all alterations and deviations of and all bridges over any such allowance for road, highway or road, are common and public highways. R.S.O. 1980, c. 302, s. 257.

Unopened road allowances are thereby, by statutory definition, common and public highways.

Ownership of Unopened Road Allowances