

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW 2021-085

A BY-LAW to amend By-Law 3810, being a by-law to establish and maintain clean and clear lands.

WHEREAS it is deemed necessary and expedient to amend By-Law 3810.

BE IT THEREFORE ENACTED by the Council of the Corporation of the Town of Tillsonburg as follows:

1. That section 2 subsection 2.1 Definitions be amended to delete the following terms:

“DERELICT” any vehicle, machinery, trailer, boat, or vessel;

- a) which has broken or missing parts of such sufficiency so as to render it incapable of being licensed to operate where such licensing as necessary in its current condition but shall not include a motor vehicle actively being repaired or restored by the owner or;
- b) which is in a wrecked dismantled, discarded, inoperative or abandoned condition

“DERELICT VEHICLE” means a motor vehicle as defined in the Highway Traffic Act that is:

- a) inoperative by reason of removed wheels battery motor transmission or other equipment necessary for its operation.
- b) not in roadworthy condition
- c) in a state of disrepair or unsightly by reason of missing door, glass or body

“NATURALIZED AREA” means a landscape area that has been deliberately implemented to produce ground cover which consists of one or more species of wildflowers, annuals, perennials, shrubs and grasses or a combination thereof

“WASTE MATERIAL” means material or substance that is unusable or unwanted effluent that, in the opinion of the By-Law Enforcement Officer but is not limited to:

- a) Broken or discarded material
- b) Disconnected appliances and /or parts of such appliances
- c) Indoor furniture

- d) Domestic Waste
 - e) Industrial waste
 - f) Inoperable/Derelict Vehicles/Parts
 - g) Material resulting from construction
 - h) Appears to be abandoned, worthless, worn out and of no practical value
2. That section 2 subsection 2.1 Definitions be amended to add the following terms:
- “BUILDING”** means any structure consisting of one or more of a wall, roof or floor, and used or intended to be used for the shelter, accommodation or enclosure of Persons, animals, or goods, but shall not include a lawful boundary wall or Fence.
- “DERELICT VEHICLE”** means any Motor Vehicle, tractor, trailer, truck camper, boat, demolition endurance vehicle, motorized snow vehicle, or any vehicle drawn, propelled or driven by any kind of power or any part thereof that is: inoperative by reason of removed wheels, battery, motor, transmission, or other equipment necessary for its operation;
- a) not in roadworthy condition
 - b) missing plates with valid registration for the current year;
 - c) in a state of disrepair or unsightly by reason of missing door, glass or other body parts.
- “GROUND COVER”** means organic or non-organic material applied to prevent soil erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.
- “LOT”** means:
- a) A parcel of land with a boundary defined by an original survey or by a registered plan of subdivision, unless such registered plan of subdivision is designed by a by-law passed pursuant to subsection 50(4) of the Planning Act, R.S.O. 1990, c.P.13; or
 - b) A parcel or tract of land with a different registered owner (or registered owners) of from adjacent lands.
- “LOT LINE”** means any boundary of a Lot or the vertical projection thereof.
- “NATURAL GARDEN”** means a defined area of vegetation that has been

deliberately planted or cultivated with species of wildflowers, shrubs, perennials, ornamental grasses or combination of them consistent with a maintained and natural landscape other than regularly mown grass but does not include a naturalized area.

“NATURALIZED AREA” means native natural areas that are not typically located in a developed portion of common yards; including but not limited to ravines, zoned open space, environmental protection or future development under the Zoning By-law.

“REAR YARD” means the area extending across the full width of the Lot between the rear Lot Line and the nearest part of any excavation, or main Building on the Lot.

“UNMAINTAINED” means failing to perform activities such as but not limited to: mowing, trimming, controlling pests and weeds, and removing debris from the yard.

“WASTE MATERIAL” means material or substance that is unusable or unwanted effluent that, in the opinion of the By-Law Enforcement Officer but is not limited to:

- a) Broken or discarded material
 - b) Disconnected appliances and /or parts of such appliances
 - c) Indoor furniture
 - d) Domestic Waste
 - e) Industrial waste
 - f) Inoperable/Derelict Vehicles/Parts
 - g) Material resulting from construction
 - h) Appears to be abandoned, worthless, worn out and of no practical value
 - i) Shopping Carts
3. That section 3 subsection 3.1.i. be replaced with the following: Unmaintained weeds, grass or ground cover that is more than 20 centimeters or (8 inches) in height
 4. That section 3 subsection 3.2. be amended to add the following point:
No fill shall be allowed to remain in an unleveled state on any property longer

than 10 days (10) days unless the property is:

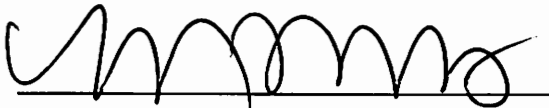
- a. A property on which a building permit or is in effect
 - b. A property being subdivided under subdivision agreement with the Town
 - c. Property upon which material is being stored with the approval of the Town of Tillsonburg in connection with a public works contract
 - d. Zoned for such use as per the Town of Tillsonburg's Zoning By-law
5. That section 4 be renamed Naturalized Area/Natural Gardens.
6. That section 4 subsection 4.1 be replaced with the following:
- All naturalized areas must be in accordance with the following requirements:
- i. Section 3.1 (i) of this By-law does not apply to a Naturalized Area
7. That section 4 be amended to add the following subsection:
- All Natural Gardens must be in accordance with the following requirements:
- i. Shall not be left in an unmaintained state
 - ii. Does not encroach above or onto any adjacent property
 - iii. Where any Natural Garden is located within a sight line triangle, as defined by the Zoning By-law, such Natural Garden complies with the maximum height regulations in the Zoning By-law respecting site triangles.
8. THAT these amendments to By-Law 3810 are hereby declared to be part of that By-Law as if written therein.
9. That this by-law shall come into force and take effect on the date it is passed.

READ A FIRST AND SECOND TIME THIS 9th day of AUGUST, 2021.

READ A THIRD AND FINAL TIME AND PASSED THIS 9th day of AUGUST, 2021.



MAYOR – Stephen Molnar



CLERK – Michelle Smibert