BY-LAW No. 2009-078

OF THE

CORPORATION OF THE TOWN OF COLLINGWOOD

Being a by-law to designate roadways as emergency fire routes along which no parking of vehicles shall be permitted.

WHEREAS section 7.1 of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, provides that a municipality may pass by-laws for designating private roadways as fire routes along which no parking of vehicles shall be permitted and providing for the removal and impounding of any vehicle or vehicles or left along any fire routes so designated at the expense of the owner thereof;

AND WHEREAS subsection 7.1(4) of the Fire Protection and Prevention Act, 1997 provides that a municipality may appoint an officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted in accordance with this section are being complied;

AND WHEREAS section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality to create offences and to establish fines for offences under by-laws;

AND WHEREAS sections 435 and 436 of the Municipal Act, 2001, provide for conditions governing powers of entry on land and the conduct of inspections;

AND WHEREAS the Council of The Corporation of the Town of Collingwood deems it expedient to provide for the designation of private roadways as emergency fire routes including the number and proximity of water hydrants to buildings.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1.Short Title

This by-law may be cited as the “Fire Route Designation By-law” and may be referred to internally herein as the “By-law”.

2.Definitions

“Authorized Sign” means a designated Fire Route sign which is used to regulate traffic and is set out in Schedule “B” to this By-law;

“Building” means a building as defined in the Building Code Act, 1992, S.O. 1992, c. 23, as amended, but does not include a building used exclusively for residential purposes containing four (4) or less Dwelling Units;

“Chief Fire Official” means the person appointed by the council to act as the fire chief for the Town as defined in the Fire Protection and Prevention Act, 1997, or a member or members of the Fire Department by the fire chief under Article 1.1.1.2. of Division C or a person appointed by the fire marshal under Article 1.1.1.1. of Division C of the O. Reg. 213/07 - Fire Code, as amended, or his or her designate;

“Dwelling Unit” means one (1) or more habitable rooms designed and intended for use by a single family and in which separate culinary and sanitary facilities are provided for the exclusive use of the family;

“Fire Department” means the fire department established by the Town;

“Fire Route” means an access route required for use by the Fire Department provided by means of a Private Roadway or yard;

“Hydrant” means any apparatus for drawing water directly from a main and which is used principally for firefighting purposes;

“Officer” means a municipal law enforcement officer appointed by by-law to enforce municipal by-laws, Chief Fire Official or a police officer;

“Property Owner” includes a person;

a.whose interest in land is such that he is deemed to be an owner under the appropriate land registrations system, and

b.who is or appears to be receiving rent or other compensation from the use of land by a third party whether he/she is receiving it on his/her own account or as agent, trustee or representative or like capacity;

“Private Roadway” means any private road, lane, ramp or other means of vehicular access to or egress from a Building or structure and it may include part of a parking lot, as defined in the Fire Protection and Prevention Act, 1997;

“Park” or **“Parking”** when prohibited, shall mean the standing of a vehicle, whether

occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

"Stand" or **"Standing"** when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;

"Stop" or **"Stopping"** when prohibited, means the halting of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic;

"Town" means The Corporation of the Town of Collingwood;

"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

3.General

3.1.The Chief Fire Official may require a Private Roadway or parking lot or part thereof in the Town to be established as a Fire Route. Where a Private Roadway or parking lot, or part thereof has been required to be established as a Fire Route under Section 3.2, it is hereby designated as a Fire Route. The Chief Fire Official is delegated the authority to amend Schedule 'C' to add, remove or modify established Fire Routes as required.

3.2.Where a Fire Route has been designated under this by-law, the Chief Fire Official may issue an order requiring the Property Owner:

i. to establish the Fire Route in accordance with the provisions of this By-law; and

ii. to erect and maintain an Authorized Sign at locations on the Fire Route approved by the Chief Fire Official.

3.3.Where a Property Owner requests a designation of a Fire Route under this By-law, the Property Owner shall:

i. file with the Fire Department (in triplicate) plans showing the proposed location of the Fire Route which shall meet the minimum requirements set out in Schedule "A" and Schedule "B" to this By-law for approval by the Fire Department;

ii. pay the Town a processing and inspection fee in accordance with the provisions of the Town's Fee and Service By-law, or any successor thereto; and

iii. purchase, erect and maintain all signs on which the Fire Route has been designated in accordance with the sign guidelines set out in this By-law in Schedule "A" and Schedule "B".

3.4. No person shall park, or stand, a vehicle along, in, or over, any properly signed Fire Route designated under this By-law.

3.5. Section 3.4 shall not apply to:

i. a money truck while actually engaged in the business of delivering or picking up money or other valuables;

ii. an emergency vehicle used by persons while actually engaged in their duties; and

iii. a vehicle used by an officer in the lawful performance to his/her duty.

4. Power of Entry and Inspection

4.1. An Officer may, at any reasonable time, enter and inspect any land or premises to determine whether the provisions of this By-law or any direction or order made under the By-law is being complied with.

4.2. A Property Owner shall permit an Officer to inspect any land, property or premises for the purposes of determining compliance with this By-law.

4.3. An Officer may be accompanied by a person under his or her direction.

5. Obstruction

5.1. No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer exercising a power or performing a duty under this By-law.

6. Administration and Enforcement

6.1. The Chief Fire Official may require a Private Roadway or parking lot or part thereof in the Town to be established as a Fire Route as indicated in Schedule "A" and Schedule "B":

i. where a Private Roadway or parking lot, or part thereof has been required to be established as a Fire Route under Section 6.1, it is hereby designated as a Fire Route; and

ii. where a Private Roadway is shown cross-hatched on Schedule “C” to this By-law it is designated as a Fire Route along which no parking or standing of vehicles shall be permitted.

6.2. Any Fire Route which has been designated under By-law 96-37 and through site plan development and any agreement entered into thereunder shall continue as a designated Fire Route under this By-law, but shall only be subject to the provisions of Section 3.4, 6.0 and 7.0 of this By-law.

6.3. A Property Owner who changes or fails to maintain a designated Fire Route set out in Schedule “C” to this By-law shall be subject to all provisions of this By-law notwithstanding any prior agreement to the contrary.

6.4. Where a Property Owner fails to erect or to maintain an Authorized Sign under this By-law, the Chief Fire Official or other employee designated by the Town may enter on the Property Owner’s land and may erect an Authorized Sign at the expense of the Property Owner and the costs incurred as a result thereof may be added to the tax roll and collected by the Town in the same manner as property taxes under the Municipal Act, 2001.

6.5. Where a Fire Route has been designated, constructed and signed in accordance with this By-law, if the Chief Fire Official deems it to be in the interest of the life safety requirements under the Fire Code, the Chief Fire Official may issue an order for any change to the designated Fire Route deemed necessary and the Property Owner shall carry out whatever construction or changes to an Authorized Sign as may be necessary.

6.6. The Property Owner shall maintain any Fire Route and Hydrant to the standards set out in Schedule “A” and shall remove any snow, ice or obstruction which may prevent the use of a Fire Route or Hydrant.

6.7. The Property Owner on which a Fire Route has been designated shall not permit or cause to be done anything that would cause a person to believe that Parking in designated Fire Route is permitted and shall not in any way obstruct or hinder the enforcement of this By-law.

6.8. An Officer or the Chief Fire Official may have a vehicle parked or standing in contravention of Section 3.4 of this By-law moved to and stored in another

location and all costs of removal and storage thereof shall be a lien upon the vehicle and may be enforced in the manner provided by section 4 of the Repair and Storage Lien Act, R.S.O. 1990, c. R. 25, as amended.

7.Fine for Contravention

7.1.Every person who contravenes any of provision of this By-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

7.2.Upon conviction, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may make an order prohibiting the continuation or repetition of the offence by the person convicted.

7.3.Any person may, upon presentation to the Town of a parking infraction notice issued for a parking, stopping or standing offence under the By-law, pay out of Court within 15 days, exclusive of Saturdays, Sundays and Holidays, from the date of issue of the said notice, the early voluntary payment and upon payment being made, no further proceedings shall be taken under this by-law in respect of the offence alleged in the said notice and if payment is not made the fine shall be recoverable under the provisions of the Provincial Offences Act.

7.4.Where a vehicle has been left in contravention of this By-law, the owner of the vehicle, even if the owner was not the driver of the vehicle at the time of the contravention of the By-law, is guilty of an offence and is liable to a fine in accordance with the provisions of the Provincial Offences Act, unless at the time of the offence the vehicle was in the possession of some person other than the owner without the owner’s consent.

8.Validity, Severability and Interpretation

8.1.Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

8.2. Whenever any reference is made in this By-law to a statute or regulation of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute or regulation and all successor legislation to such legislation.

8.3. Words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law otherwise requires.

9. Repeal

9.1. All by-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

10. Enactment

10.1. This By-law shall come into force and effect upon receipt of a set fine approval by the Regional Senior Justice of the Ontario Superior Court of Justice or his or her designate for the purpose of proceedings under Part I and Part II of the Provincial Offences Act

ENACTED AND PASSED this 13th day of July, 2009.

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Mayor's Signature

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Clerk's Signature

SCHEDULE 'A' TO BY-LAW 2009-078
MINIMUM FIRE ROUTE REQUIREMENTS

All new and binding fire access routes shall be constructed in accordance to the Ontario Building Code and maintained in accordance to the Ontario Fire Code, as amended by including the following requirements:

1. Be connected to a public thoroughfare by an entrance of at least six (6) meters in width.
2. Have a clear driving width not less than six (6) metres except for a controlled access.
3. Be constructed of hard surface material such as asphalt, concrete, or lockstone and designed to support a load of not less than 25,000 lbs (11,363 kg) per axle.
4. Have a change in gradient of not more than 1 in 12.5 over a minimum distance of fifteen (15) metres.
5. Be located not less than three (3) metres and not more than fifteen (15) metres, measured horizontally and at right angles from the face of the building.
6. Have an overhead clearance not less than five (5) metres.
7. Have a centre line radius of not less than twelve (12) metres with respect to any change in direction of the access route.
8. Have turn-around facilities for any dead end portion of the access route exceeding ninety (90) metres.
9. Be designed to provide access to the building face which contains the principle entrance when only one (1) building face is accessible.
10. Be located so as to provide access to the rear yard of residential occupancies such as townhouses at not more than ninety (90) metre intervals.
11. Be located not more than 45m measured horizontally from a principle entrance of each portion of a building which is completely cut off from the remainder of the building which is served by the fire access route
12. The control of entry to a fire access route may be provided with a chain barrier (chain links size not to exceed 3/8"). The chains shall be connected to posts on either side of the fire route and suitable signs shall be posted.

13. Unloading and loading zones in forming part of a designated route access shall be approved through the Chief Fire Official. These zones shall be clearly identified, signed and maintained in the site plan approval drawings.
14. Hydrant protection shall be provided for all buildings in accordance with the following standards:
    a. Private hydrants shall be located adjacent to any Fire Access Route and placed around the perimeter of the building so that no point on the building face is no more than 90m from a hydrant.
    b. All standpipe system and sprinkler system fire department connections shall be located not more than 45m from a hydrant.
    c. Wall hydrants will not be accepted and water mains supplying hydrants shall not pass through or under buildings.
    d. Hydrants hall be installed in accordance with National Fire Protection Association 24 Standard, as amended and located as per applicable site development agreements.

SCHEDULE ‘B’ TO BY-LAW 2009-078
FIRE ROUTE SIGNS

1. Fire route signs shall be permanently mounted on a rigid sign post, pole or building structure.
2. Fire route signs shall be erected at a height of between 1.9 metres and 2.5 metres as measured from the edge of the travelled portion of the designated route to the bottom edge of the sign.
3. Fire route signs shall be installed at a distance of between 0.3 metres and 3 metres from the travelled edge of the designated route.
4. Standard fire route signs shall be installed along the route at approximately 12 metre to 15 metre intervals or as frequently as is necessary to identify the route in the judgment of the Fire Chief Official.
5. Standard Signs Type FR-1, FR-2, FR-3, and FR-6, when required, shall be installed at a 45 degree angle in relation to the edge of the travelled portion of the designated route facing approaching traffic.
6. Standard Signs Type FR-4, FR-5, and FR-7 when required, shall be installed at a 90 degree angle in relation to the edge of the travelled portion of the designated route, in such a manner as to allow both of the sign faces to be visible to traffic.
7. Standard Sign Type FR-10, when, shall be installed on a 90 degree angle to the edge of the travelled portion of the designated route and shall be erected between 0.6 metres and 3.0 metres from the said travelled edge and shall be positioned between 3.0 metres and 10.0 metres from the property line, along the fire route at all vehicular access points.
8. Standard Sign Type FR-8 and FR-9, shall be installed on a 90 degree angle in relation of the travelled portion of the unloading and loading zone as part of the designated fire access route in such a manner as to allow both of the sign faces to be visible to traffic.

SCHEDULE 'C' TO BY-LAW 2009-078

LOCATION AND DESCRIPTION OF EXISTING FIRE ROUTES

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
1	A & P (Metro)	640 First Street	East Side (in front of building) posted from the north corner to south corner of building approximately 69 meters.	On building face
2	Blue Mountain Mall (Zellers, Canadian Tire,Price Chopper)	50 Mountain Road	Posted on North side. Posted North East corner closet to Mountain Road on South side, follow through to main entrance (closet to mountain Road) South West corner.	On building Face
3	Collingwood Collegiate Institute (CCI)	6 Cameron Street	The south entrance west from the westerly limit of Hurontario Street to the building on the north side of the access route approximately 70 meters.	Posted on both sides

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
	Collingwood Collegiate Institute (CCI)	6 Cameron Street	The north entrance from the west limit of Hurontario Street west approximately 84 meters around the loop on both sides to the intersection of south access route.	Posted on both sides
4	Collingwood Nursing Home	250 Campbell Street	East and West side of Campbell Street main entrance.	Posted on both sides
5	Collingate Mews	Condominium Development (Ontario Street)	Off of Ontario Street going North/ West through to Pretty River Parkway	Posted on both sides
6	Cranberry Inn	16 Keith Avenue Hwy 26 West	In front of hotel unites from the north side of the main entrance north approximately 80 meters to the north end of the hotel units	Posted on both sides
7	Cranberry Golf Atokia House	25 Harbour Street West	In front of building throughout circular drive	Posted on both sides
8	Days Inn	15 Cambridge Street	East Entrance of Cambridge street to the main entrance of building	Posted on south side

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
9	Dockside Condominiums	Off Hwy 26 Port Road	Port Road - currently has one sign at the west end and one sign at the south end approximately 61.6 meters apart	Both sides of roadway
	Dockside Condominiums	Off Hwy 26 Starboard Road	Currently only one sign at the east end of the road. Runs east from Dockside approximately 52 meters	Both sides of roadway
	Dockside Condominiums	Off Hwy 26 Dockside Drive	From the northerly limit of Hwy 26 north approximately 123 meters to the intersection of Lighthouse Lane. Posted on both sides of the roadway	Both sides of roadway
	Dockside Condominiums	Off Hwy 26 Lighthouse Lane	East from the intersection of the Dockside Drive approximately 68 meters to the visitor parking area. Currently only one sign at the north end	Both sides of roadway

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
	Dockside Condominiums	Off Hwy 26 Lighthouse Lane	West from Dockside Drive approximately 116 meters to the northerly limit (lake). Currently only two signs.	Both sides of roadway
10	Galleries Apartment	172 Eight Street	From the north side limit of Ninth Street to the south limit of Eighth Street on the west side (front of building) approximately 113 meters and around the main door entrance loop, approximately 50 meters	Both sides of roadway
	Galleries Apartment	172 Eighth Street	East side (back) of building. The south limit of Eighth Street to the north limit of Ninth Street, approximately 113 meters	East side of roadway

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
11	General Marine Hospital	459 Hume Street	From the easterly limit of Moberly Street east to and including the front entrance loop at the main entrance. Approximately 150 meters.	Posted on both sides and roadway
12	Home Depot	10 High Street	East Entrance off of High Street going west to end of parking lot and in front of building entrance	Both sides of roadway and in front of building
13	Jean Vanier High School	160 Collins Street	The north entrance from the easterly limit of Katherine Street around the loop(front entrance) approximately 110 meters to the easterly limit of Katherine Street at the south entrance of the loop	On building face

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
	Jean Vanier High School	160 Collins Street	The access route running south on the east side of the building from the southerly limit of Campbell Street to the south end of the building approximately 135 meters.	On building face
	Jean Vanier High School	160 Collins Street	The access route running west from the southwest corner of the building approximately 123 meters to the easterly limit of Katherine Street.	On building face
14	Habitat Apartments	173 Eighth Street	East side of building north from northerly limit of Eighth Street to north end of building 44 meters more or less	On building face
15	Loblaw	12 Hurontario Street	From the easterly limit of Pine Street to the Westerly limit of Hurontario Street, 100 meters more or less	On building face

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
16	Matthew Way Co-op	201 Matthew Way	The westerly limit of Raglan Road west on Mathew Way approximately 187 meters to the westerly limit of the co-op property	Posted on both sides
17	Rona	104 High Street	East and West side main entrance off Sixth Street. 1 posted approximately North Side entrance off High Street	Posted on face and on both sides
18	Rupert's Landing	Off Hwy 26 West (Ramblings Way)	Westerly side of Rupert's Tower (Front Entrance) from the north limit of the recreation center parking are 66.5m north to roadway curves	Posted on both sides
19	Shaw Square		The main entrance running north from the northerly limit of Tenth Street approximately 45 meters to the beginning of the parking area.	Posted on both sides of roadway

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
20	Sobeys	39 Huron Street	Entrance off Minnesota moving east along front entrance to end of building	On building face
21	Sunset Cove	Condominium Development (16 Ragland Street)	The front entrance loop off Raglan Street from the south driveway entrance at the easterly limit of Raglan Street approximately 66 meters around the loop to the north driveway entrance where it meets the easterly limit of Raglan Street	On building face
22	Sunset Manor	49 Raglan Street	The front entrance loop from the easterly end of the building south entrance, west approximately 63 meters around the entrance loop to the start of the parking lot area on the north side of the building.	On building face

	Name/Id of Area	Municipal Address/Street	Location Of the Route	Signs (Locations)
23	Vista Blue Condos	Condominium Development (Tenth Street)	The entrance from Tenth Street south to the southerly limit of the property approximately 85 meters.	Posted on both sides of roadway
	Vista Blue Condos	Condominium Development (Tenth Street)	The entrance from the easterly limit of High Street east approximately 88 meters to the intersection of the north, south access route.	Posted on both sides of roadway
	Vista Blue Condos	Condominium Development (Tenth Street)	The interior roadways running north approximately 36 meters from the main east, west access route and east, west approximately 43 meters.	Posted on both sides of roadway
24	Wal-Mart	10 Cambridge	East Entrance off of Cambridge to the end of the building	On building face
25	Whisper Woods	Condominium Development (Off Trafalgar Road, Condominium Corporation Road)	Southerly limit of Hwy 26 to the southerly limit of Whisper Wood approx. 302 meters	Both sides of street

Affidavit of Approval

Amendment No. 1 – Fire Route Designation By-law No. 2009-078

I, Trent Elyea, hereby approve the amended Fire Route Location Schedule, attached as Exhibit 'A' to this affidavit, replacing and updating the location and description of existing fire routes to the existing Schedule "C" of By-law No. 2009-078, being a by-law to designate roadways as emergency fire routes along which no parking of vehicles shall be permitted.

Declared before me at the Town of Collingwood, in the County of Simcoe, on this _____ day of _____, 2012.

_____

Commissioner of Taking Affidavits

_____

Chief Fire Official – Town of Collingwood