

**THE CORPORATION OF THE TOWN OF TILLSONBURG
BY-LAW NUMBER 3295**

A BY-LAW TO REGULATE THE USE OF LANDS, BUILDINGS AND STRUCTURES
IN THE TOWN OF TILLSONBURG.

The Corporation of the
Town of Tillsonburg
ENACTS as follows:

SECTION 1.0 APPLICATION, ADMINISTRATION AND ENFORCEMENT

1.1 APPLICATION

- 1.1.1 The provisions of this By-Law shall apply to all lands within the limits of the Corporation of the Town of Tillsonburg.
- 1.1.2 No *person* shall use any land, or *erect, alter* or use any *building, structure* or part thereof within the limits of the *Corporation* except in conformity with the provisions of this By-Law.
- 1.1.3 No *person* shall use any *building, structure* or part thereof, *erected, or altered* in contravention of this By-Law so long as such *building, structure* or part thereof, continues to contravene the provisions of this By-Law.
- 1.1.4 No *person* shall change the purpose of which any *lot, building or structure* is used or *erect, alter* or use any *building or structure* or sever any lands from any *existing lot* if the effect of such action is to cause the original, adjoining, remaining or new *building, structure* or lot to be in contravention of this By-Law.
- 1.1.5 Subsection 1.1.4 shall not apply to a *lot* reduced in area by the conveyance to or expropriation by the *Corporation* of the Town of Tillsonburg, or any other authority having the powers of expropriation.

1.2 ADMINISTRATION

This By-Law shall be administered and enforced by such *person or persons* as shall be appointed from time to time by by-law of the *Corporation* as “*Chief Building Official*”.

(Amended by By-Law 3646)

October/12

1.3 INSPECTION

The *Chief Building Official / Building Inspector* or an officer or employee of the *Corporation* acting under the direction of *Council* may enter upon any property or premises at any reasonable time for the purpose of administering or enforcing this By-Law.

(Amended by By-Law 3646)

1.4 APPLICATION FOR PERMITS

1.4.1 In addition to all the requirements of the Corporation's Building By-Law, or any other by-law of the *Corporation*, every application for a building permit shall be accompanied by a plan in duplicate, (a copy of which shall be retained by the *Corporation*), drawn to scale and showing the following:

1.4.1.1 The true dimensions of the lot to be built upon or otherwise used.

1.4.1.2 The proposed location, *height* and dimensions of any *building, structure* or use proposed for such *lot*.

1.4.1.3 The proposed location and dimensions of any *yards, setback, landscaped open space, off-street parking spaces* or off-street loading facilities required by this By-Law.

1.4.1.4 The location of all *existing buildings* or *structures* on the *lot* shown on the plan.

1.4.1.5 A statement signed by the owner, indicating the exact use proposed for each aforesaid *building, structure, or use*, and giving all information necessary to determine if such proposed or *existing building, structure* or *use* conforms with the requirements of this By-Law.

1.4.2 Notwithstanding the provisions of the Corporation's Building By-Law, or any other By-Law of the *Corporation*, no building permit or occupancy permit shall be issued where the proposed *building, structure* or *use* would be in violation of any of the provisions of this By-Law.

1.5 VIOLATIONS AND PENALTIES

Every *person* who uses any *lot*, or *erects*, or *alters* or uses any *building* or *structure* or any part of any *lot*, *building* or *structure* in a manner contrary to any requirements of this By-Law or who causes or permits such *use*, *erection*, or *alteration* or who violates any provision of this By-Law or causes or permits a violation, shall be guilty of an offence and upon conviction therefore shall forfeit and pay a penalty in accordance with the Planning Act, R.S.O. 1990, and every such penalty shall be recoverable under the Municipal Act and the Provincial Offenses Act, R.S.O. 1990.

1.6 VALIDITY

If any section, clause or provision of this By-Law, including anything contained in Schedules "A", "B", "C", or "D" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.7 REMEDIES

In case any *building* or *structure* is to be *erected*, *altered* reconstructed, extended or part thereof is to be used, or any *lot* is to be used, in contravention of any requirement of this By-Law, such contravention may be remedied at the expense of the *person* in default with the *Corporation* recovering the expenses pursuant to the provisions of the Municipal Act in that behalf.

1.8 REPEAL OF EXISTING BY-LAWS

By-Law #1994 of the Town of Tillsonburg and all subsequent amendments are hereby repealed.

1.9 MINOR VARIANCES TO THE ZONING BY-LAW

Notwithstanding Section 1.8, all minor variances granted for relief from the provisions of By-Law #1994 of the Town of Tillsonburg, The County of Oxford or the ~~Ontario Municipal Board~~ Ontario Land Tribunal (or its successor) shall remain in full force and effect and shall be considered minor variances to this By-Law and a building permit may be issued by the *Chief Building Official*, provided that the terms and conditions of any decision of the Committee of Adjustment, the County or the Ontario Land Tribunal (or its successor) ~~Ontario Municipal Board~~ have been complied with.

November 9/12