



# THE CORPORATION OF THE CITY OF WATERLOO

## BY-LAW NO. 2018 – 007

BEING A BY-LAW TO DESIGNATE FIRE ROUTES AND  
PROHIBIT OR REGULATE PARKING OR OBSTRUCTIONS  
WITHIN FIRE ROUTES WITHIN THE CITY OF WATERLOO

**WHEREAS** section 7.1 of the FPPA states that a council of a municipality may pass by-laws designating private roads as fire routes along which no parking of vehicles shall be permitted and providing for the removal and impounding of any vehicle parked or left along any of the fire routes at the expense of the owner of the vehicle;

**AND WHEREAS** section 7.1 of the FPPA further states that, subject to the restrictions set out therein, 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 that section are complied with;

**AND WHEREAS** the Building Code and Fire Code provide requirements for an access route for fire department vehicles;

**AND WHEREAS** the FPPA provides authority to issue orders requiring actions to be taken for fire safety purposes;

**AND WHEREAS** section 11(3)8 of the Municipal Act authorizes municipalities to pass by-laws respecting parking, except on highways;

**AND WHEREAS** section 436 (1) of the Municipal Act provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not a by-law of the municipality passed under the Municipal Act or an order made under Section 431 of the Municipal Act are being complied with;

**AND WHEREAS** section 428 of the Municipal Act provides that the owner of a vehicle is guilty of an offence even if the owner is not the driver of the vehicle, where a vehicle has been left parked, stopped or standing in contravention of a by-law, unless at the time of the offence the vehicle was in the possession of another person without the owner's consent;

**THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WATERLOO ENACTS AS FOLLOWS:**

**1. Definitions**

For the purposes of this by-law, the following terms shall have the corresponding meanings set out below. Terms not defined herein shall have the meaning set out in the Highway Traffic Act:

**“Access Route”** means an access route as required pursuant to the Building Code or the Fire Code, or any fire route required by the City in accordance with an order issued under the FPPA;

**“Building Code”** means O. Reg. 332/12, made under the Building Code Act, 1992, S.O. 1992, c. 23, as amended from time to time, or any successor thereof;

**“CFPO”** means the Chief Fire Prevention Officer of Waterloo Fire Rescue, or his/her designate;

**“Chief Building Official”** means the Chief Building Official of the City, or his/her designate;

**“Chief Fire Official”** means the Chief Fire Official of Waterloo Fire Rescue, or his/her designate;

**“City”** means The Corporation of the City of Waterloo;

**“City Vehicle”** means any vehicle or equipment operated by or on behalf of the City;

**“Council”** means the Council of the City;

**“Director”** means the Director of Municipal Enforcement Services for the City, or his or her designate(s);

**“Emergency Service Vehicle”** means any vehicle or equipment operated by or on behalf of Waterloo Fire Rescue, Waterloo Regional Police Service or an ambulance service;

**“Fees and Charges By-law”** means a by-law enacted by Council as amended from time to time, or any successor thereof, imposing fees and charges for services provided by the City;

**“Fire Code”** means O. Reg. 213/07 as amended from time to time, or any successor thereof;

**“Fire Route”** means any part or parts of a private roadway(s) designated as a fire route under this By-law in accordance with Schedule A or Schedule B hereto;

**“Fire Route Sign(s)”** means a sign, with the sign characteristics as depicted in Schedule “C” to this By-law, or as otherwise approved by the CFPO, which is to be placed or erected on or along a Fire Route for the purposes of identifying the Fire Route and/or regulating, warning or guiding traffic in relation to the Fire Route, and includes existing fire route signs, where permitted by the CFPO under this By-law, and signs replacing existing fire route signs;

**“FPPA”** means the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended from time to time or any successor thereof;

**“Highway Traffic Act”** means the Highway Traffic Act, R.S.O. 1990, c. H.8, and any regulations thereunder, as amended from time to time, or any successor thereof;

**“Municipal Act”** means the Municipal Act, 2001, S.O. 2001, c. 25, as amended from time to time or any successor thereof;

**“Municipal Law Enforcement Officer”** means an individual appointed by the City pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended from time to time or any successor thereof;

**“Object(s)”** includes, but is not limited to, any item such as, gates, fences, building materials, vegetation, unlicensed motor vehicle, debris or any form of obstruction.

**“Owner”** includes, in relation to Private Property, the registered owner of the property and any Person managing or having control over the property;

**“Person(s)”** includes a corporation;

**“Police Officer”** means a Police Officer, as defined by the *Police Services Act*, R.S.O. 1990, c. P.15, as amended;

**“Private Property”** means land not owned by the City;

**“Private Road”** means any private road, lane, ramp, or other means of vehicular access to or from a building or structure and may include part of a parking lot, but does not include a highway;

**“Stop”** means the halting of a motor vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer;

## 2. Scope

2.1. This by-law shall apply to all Private Property within the City.

### **3. General Prohibitions**

3.1 If a Fire Route Sign has been posted:

- a) No Person shall park or Stop a motor vehicle in a Fire Route;
- b) No Person shall place an Object in a Fire Route; and
- c) No Person shall interfere with, deface, cover or remove a Fire Route Sign except with the permission of the City

3.2 No Person shall display a sign of any kind purporting to identify a fire route, except along a Fire Route.

### **4. Exemptions**

4.1. This by-law shall not apply to Emergency Service Vehicles or City Vehicles.

### **5. Inspections**

5.1. A Municipal Law Enforcement Officer or a Police Officer may enter upon land and into structures at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a) this by-law;
- b) an order made under this by-law; or
- c) an order made under section 431 of the Municipal Act.

### **6. Work Order**

6.1. Where the Director has reasonable grounds to believe that a contravention of this by-law has occurred, the Director may make an order requiring the Person who contravened this by-law to do work to correct the contravention.

6.2. An order under section 6.1 of this by-law shall set out:

- a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
- b) the work to be done and the date by which the work must be done.

- 6.3. An order under section 6.1 of this by-law may require work to be done even though the facts which constitute the contravention of this by-law were present before this by-law came into force.
- 6.4. Any Person who fails to comply with an order under section 6.1 of this by-law is guilty of an offence.

## **7. Order to Discontinue Activity**

- 7.1. Where the Director has reasonable grounds to believe that a contravention of this by-law has occurred, the Director may make an order requiring the Person who contravened this by-law, or who caused or permitted the contravention, or the owner of the land on which the contravention occurred, to discontinue the contravening activity.
- 7.2. An order under section 7.1 of this by-law shall set out:
  - a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
  - b) the date by which there must be compliance with the order.
- 7.3. Any Person who fails to comply with an order under section 7.1 of this by-law is guilty of an offence.

## **8. Remedial Action**

- 8.1. If a Person fails to do a matter or thing as directed or required by this By-law, including to comply with an order under this by-law, the City may, in default of it being done by the Person directed or required to do it, do the matter or thing at the Person(s) expense. The City may recover the costs of doing a matter or thing from the Person directed or required to do it by action or by adding the costs to the tax roll for the property and collecting them in the same manner as property taxes.
- 8.2. The costs outlined in section 8.1 of this By-law shall include any fees and charges imposed by the City in accordance with this By-law, in relation to the matters identified in section 8.1, along with interest calculated at a rate of 15 per cent per annum, calculated for the period commencing on the first day the City incurs the costs and ending on the day the costs, including the interest, are paid in full.
- 8.3. The amount of the costs, including interest, constitutes a lien on the land upon the registration in the proper land registry office of a notice of lien. The

lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued to the date the payment is made. Upon receiving payment of all costs payable plus interest accrued to the date of payment, the City shall register a discharge of the lien in the proper land registry office.

## **9. Fire Route Designation**

- 9.1. Fire Routes are hereby designated as set out in Schedule A of this By-law.
- 9.2. Where any Access Route or fire route is approved or required by the Chief Building Official or the Chief Fire Official on Private Property, the Director may, by amending Schedule A to this By-law, designate all or part of such Access Route or fire route as a Fire Route under this By-law.
- 9.3. Where an Access Route or fire route is designated as a Fire Route under section 9.2 of this By-law, the Director shall issue a notice to the registered owner of the property advising of the designation and of the requirements of this By-law.
- 9.4. A notice under section 9.3 of this By-law shall be sent to the registered owner of the property and service shall be considered sufficient if provided by regular mail to the last known address of such owner.
- 9.5. Where a Fire Route has been designated under Section 9.2 of this By-law, and notice provided in accordance with this By-law, the Owner shall construct and maintain the Fire Route, and all required signage, in accordance with the approval and with this By-law.

## **10. Existing Fire Routes**

- 10.1. The existing fire routes approved by the City for the properties as set out in Schedule B are hereby continued and are designated as Fire Routes under this By-law.
- 10.2. Where, for any property not set out in Schedule B, an Access Route was approved by the City before the date of passage of this By-law, the Director may, by amending Schedule B to this By-law, designate or continue all or part of such Access Route as a Fire Route.
- 10.3. Where an Access Route is designated as a Fire Route under Section 10.2 of this By-law, the Director shall issue a notice to the registered owner of the property advising of the designation and of the requirements of this By-law.

- 10.4 A notice under section 10.3 of this By-law shall be sent to the registered owner of the property and service shall be considered sufficient if provided by regular mail to the last known address of such owner.
- 10.5 Where a Fire Route has been continued or designated under Section 10.1 or 10.2 of this By-law, the Owner shall maintain the Fire route, and all required signage, in accordance with the existing approval and with this By-law. To the extent of any conflict between the requirements of an approval existing prior to this By-law and the requirements of this By-law, the existing approval shall supersede.

## **11. Removal of Fire Route Designation**

- 11.1 Where a Fire Route is no longer required as determined by the Chief Fire Official and the Chief Building Official, or is replaced by a different Fire Route in accordance with this By-law, the Director may remove or modify the Fire Route designation for such property by amending Schedule(s) A or B, as the case may be.

## **12. Delegation of Authority**

- 12.1 The Director is hereby delegated authority to amend Schedules A and B of this By-law from time to time to add, modify or remove Fire Routes in accordance with this By-law.

## **13. Signage**

- 13.1 The Owner of Private Property upon which there is a Fire Route shall ensure that signage is erected and maintained that complies with the following requirements:
- a) A Fire Route Sign shall be posted every 20 meters, or less, along the length of the Fire Route;
  - b) A Fire Route Sign shall not be set back more than 5 metres from the edge of a Fire Route;
  - c) Notwithstanding subsections a) and b), the Director may require additional Fire Route Signs to be posted along the Fire Route;
  - d) Every Fire Route Sign shall have the characteristics as depicted in Schedule C to this By-law, or be as otherwise approved by the CFPO;
  - e) Every Fire Route Sign shall be posted such that the bottom of the sign is a minimum of 2.4 metres above grade and the top of the sign is no more than a maximum of 3.0 metres above grade;

- f) Every Fire Route Sign shall be maintained free of obstructions and shall be readable and clearly visible; and
  - g) Every Fire Route Sign shall be permanently affixed to an immovable object, such as a post or building wall, or such other object as may be approved by the CFPO.
- 13.2 Notwithstanding section 13.1, the CFPO, in his or her discretion, may permit the ongoing and continued use of fire route signs existing on the date of passing of this by-law, or on the date on which a property is added to Schedule B.
- 13.3 Reference to By-law No 78-34 on Fire Route Signs permitted under Section 13.2 shall be a reference to this By-law.

#### **14. Removal of Motor Vehicles**

- 14.1 In addition to any other penalties provided for in this by-law, a Police Officer or a Municipal Law Enforcement Officer may cause a motor vehicle parked or Stopped in contravention of this By-law to be moved and stored in a suitable place and all costs and charges for the removal, care and storage of the motor vehicle, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the *Repair and Storage Liens Act*, R.S.O. 1990, c. R.25, as amended from time to time, or any successor thereof.

#### **15. Enforcement**

- 15.1 This By-law may be enforced by a Municipal Law Enforcement Officer or a Police Officer.
- 15.2 University of Waterloo Special Constables and Wilfrid Laurier University Special Constables are hereby authorized to enforce this By-law on Private Property owned by the respective Universities.
- 15.3 Private property enforcement officers appointed by the City are hereby authorized to enforce this By-law on their respective Private Properties.

#### **16. Penalties**

- 16.1 Every Person who contravenes any of the provisions of this by-law is guilty of an offence.



- 16.2 Every owner of a motor vehicle parked or Stopped in contravention of this By-law is guilty of an offence, unless at the time of the offence the vehicle was in the possession of another Person without the owner's consent.
- 16.3 Every Person who is convicted of an offence under this By-law is liable to a maximum fine in accordance with the *Provincial Offences Act*, R.S.O. 1990, c. P. 13, as amended from time to time, or any successor thereof.

## **17. Fees & Charges**

- 17.1 Council may impose fees and charges to recover costs in relation to the administration and enforcement of this by-law through the Fees and Charges By-law.

## **18. Short Title**

- 18.1 This by-law may be referred to as the 'Fire Route By-law'.

## **19. Severability**

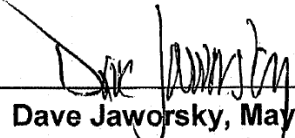
- 19.1 If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in full force and effect.


## **20. Effective Date and Repeal**

- 20.1 This By-law will come into force and effect on the date on which set fines for this By-law are approved and, as of the effective date of this By-law, By-Laws 2013-122 and 78-034, and any amendments thereto, are hereby repealed.
- 20.2 This By-law shall apply in addition to any requirements of, and shall not limit, any other City by-law or any federal or provincial statute or regulation.
- 20.3 Where the provisions of any other City by-laws are inconsistent with the provisions of this by-law, the provisions of this by-law shall prevail to the extent of the inconsistency. Where the provisions of this By-law are inconsistent with the requirements of any federal or provincial statute or regulation, the provisions of the federal or provincial statute or regulation shall prevail to the extent of the inconsistency.

Enacted this 26<sup>th</sup> day of February, 2018.

Approval	Date	Print Name	Initials
Community Services	Feb. 23/18	S. TURNER	ST
Legal	Feb. 23/18	S. Smith	SS-
Finance	N/A	N/A	N/A

  
 \_\_\_\_\_  
 Dave Jaworsky, Mayor

  
 \_\_\_\_\_  
 Olga Smith, City Clerk

SCHEDULE A  
FIRE ROUTES

## SCHEDULE B

## EXISTING FIRE ROUTES

ADDRESS	ADDRESS
400 Albert Street	100 Bluevale Street North
408 Albert Street	294 Bluevale Street North
410 Albert Street	314-320 Bluevale Street North
412 Albert Street	75 Bluevale Street North
412 Albert Street	289-301 Bluevale Street South
525 Albert Street	460 Brentcliffe Drive
651 Albert Street	755 Bridge Street
655 Albert Street	58 Bridgeport Road East
657 Albert Street	60 Bridgeport Road East
469-490 Albert Street	91 Bridgeport Road East
496-502 Albert Street	70-94 Bridgeport Road East
625-637 Albert Street	206 Candlewood Crescent
639-649 Albert Street	31 Caroline Street North
651-657 Albert Street	45 & 55 Caroline Street North
653 Albert Street	249 Cedarbrae Avenue
100 Allen Street East	520 Chesapeake Drive
31-45 Amos Avenue	80 Churchill Street
237 Auburn Drive	90-98 Churchill Street
316 Auburn Drive	6 Colby Court
100 Baffin Place	668 Colby Drive
590 Bearinger Road	691 Columbia Forest Boulevard
589 Beechwood Drive	55 Columbia Street East
693 Beechwood Drive	134 Columbia Street West
475-497 Beechwood Drive	143 Columbia Street West
523-525 Beechwood Drive	156 Columbia Street West
225 Benjamin Road	170 Columbia Street West
365 Bennington Gate	175 Columbia Street West
1 Blue Springs Drive	176 Columbia Street West
30 Blue Springs Drive	180 Columbia Street West
55 Blue Springs Drive	195 Columbia Street West
52-54 Blue Springs Drive	450 Columbia Street West
80 Bluevale Street North	450 Columbia Street West
	461 Columbia Street West

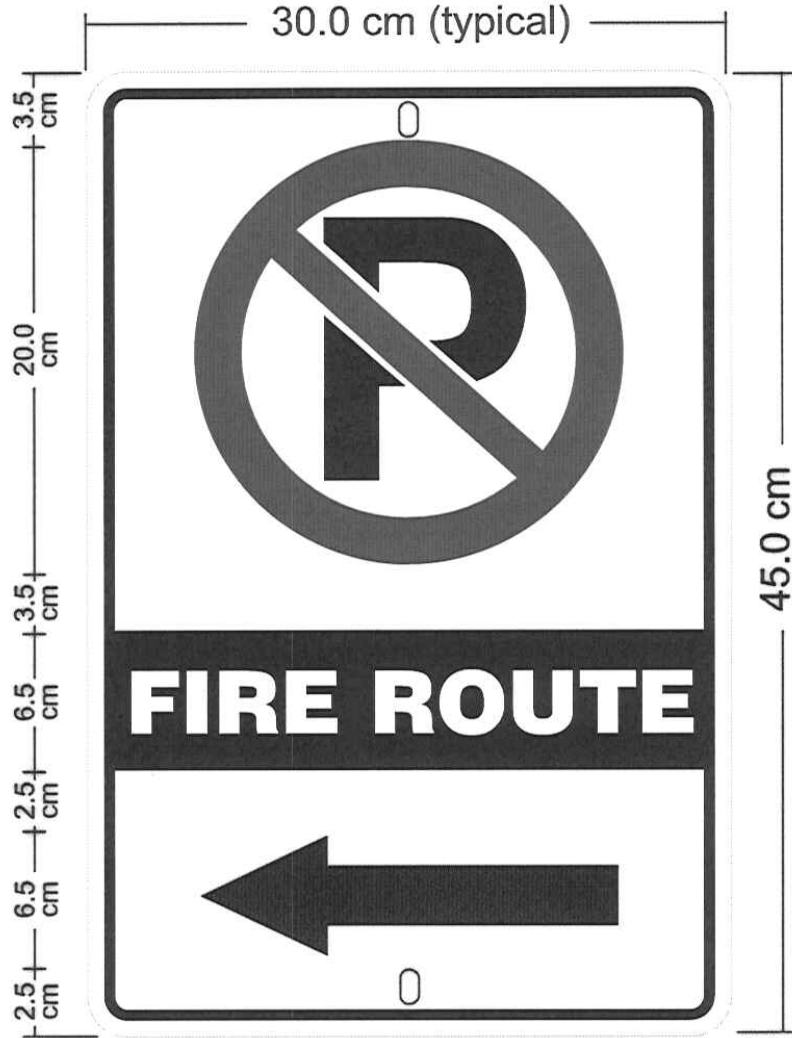
<b>ADDRESS</b>	<b>ADDRESS</b>
185 Columbia Street West	4 High Street
470 Columbia Street West	22 High Street
660 Conservation Drive	24 High Street
295 Dale Crescent	10 John Street West
555 Davenport Road	250 Keats Way
605 Davenport Road	300 Keats Way
615 Davenport Road	397 Keats Way
11 Devitt Avenue South	405 Keats Way
15 Dietz Avenue North	630 Keats Way
490 Dutton Drive	78 King Street North
55 Erb Street East	124 King Street North
154 Erb Street East	173 King Street North
201 Erb Street West	247 King Street North
201 Erb Street West	253 King Street North
285 Erb Street West	255 King Street North
302 Erb Street West	255 King Street North
305 Erb Street West	258 King Street North
325 Erb Street West	316 King Street North
384 Erb Street West	375 King Street North
450 Erb Street West	432 King Street North
634-636 Erb Street West	435 King Street North
235 Erb Street West	550 King Street North
326 Erb Street West	573 King Street North
360 Erbsville Road	583 King Street North
100 Father David Bauer Drive	620 King Street North
141 Father David Bauer Drive	527-533 King Street North
139 & 141 Father David Bauer Drive	500 King Street North
3&5 Father David Bauer Drive	600 King Street North
27 George Street	220
660 Glen Forrest Boulevard	15 King Street South
500 & 504 Glenelm Crescent	75 King Street South
20-60 Goldbeck Lane	130 King Street South
225 Harvard Place	185 King Street South
300 Hazel Street	436 Kingscourt Drive
55 Hickory Street East	446 Kingscourt Drive
7 Hickory Street West	456 Kingscourt drive

<b>ADDRESS</b>	<b>ADDRESS</b>
416 Kingscourt Drive	500 Parkside Drive
436 Kingsourt Drive	405 Pastern Trail
590 Kraus Drive	256 Phillip Street
611 Kumpf Drive	268 Phillip Street
617 & 619 Kumpf Drive	295 Phillip Street
525 Laurelwood Drive	305 Phillip Street
650 Laurelwood Drive	440 Phillip Street
710 Laurelwood Drive	440 Phillip Street
167 Lexington Court	451 Phillip Street
245 Lexington Road	455 Phillip Street
229 Lexington Road	460 Phillip Street
125 Lincoln Road	460 Phillip Street
125 Lincoln Road	667 Pinerow Crescent
145 Lincoln Road	97 Randall Drive
145 Lincoln Road	99 Randall Drive
155 Lincoln Road	101 Randall Drive
130-140 Lincoln Road	103 Randall Drive
150 Lincoln Road	109 Randall Drive
9 Lodge Street	332 Regina Street North
141 MacGregor Crescent	265 Regina Street North
62 Marshall Street	300 Regina Street North
341 Marsland Drive	325 Regina Street North
20 Mayfield Ave	338 Regina Street North
76-108 McDougall Road	350 Regina Street North
100 Milford Avenue	99 Regina Street South
91-97 Milford Avenue	285 Sandowne Drive
130 Moore Avenue South	279-285 Sandowne Drive
650 Mountain Maple Avenue	73 Schaefer Street
125 Northfield Drive	99 Seagram Drive
55 Northfield Drive East	200 Shakespeare Drive
283 Northfield Drive East	485 Thorndale Drive
255 Northlake Drive	57 Union Street East
400 Parkside Drive	32 University Avenue East
477 Parkside Drive	50 University Avenue East
519 Parkside Drive	65 University Avenue East
527 & 529 Parkside Drive	108 University Avenue East

**ADDRESS**

121 University Avenue East  
425 University Avenue East  
36-42 University Avenue East  
200 University Avenue East  
137 University Avenue West  
139 University Avenue West  
140-150 University Avenue West  
160-170 University Avenue West  
380 Weber Street North  
509 Weber Street North  
511 Weber Street North  
513 Weber Street North  
515 Weber Street North  
517 Weber Street North  
585 Weber Street North  
150 Westcourt Place  
150 Westcourt Place  
240 Westcourt Place  
265 Westcourt Place  
271 Westcourt Place  
271 Westcourt Place  
303 Westcourt Place  
1 Westmount Road North  
45 Westmount Road North  
50 Westmount Road North  
65 Westmount Road North  
55 William Street East  
619 Wild Ginger Avenue  
22 Willow Street  
4 & 6 Willow Street  
160-170 Wissler Road  
465 Woolwich Street

SCHEDULE C



REQUIRED FIRE ROUTE SIGNAGE

ITEM	COLOUR
“P”	Black
Circle & Slash	Red
Text (Fire Route)	White with red bar
Directional Arrow(s)	Black
Background	White