

**MUNICIPAL CORPORATION OF THE TOWNSHIP  
OF KILLALOE, HAGARTY AND RICHARDS**

**BY-LAW #21-2002**

**Being a by-law to amend by-law 07-2001, being a by-law under the Building Code Act 1992 – Respecting Building Permits and related matters, by adding a provision for sleep cabins.**

WHEREAS, Section 7 of the Building Code Act, 1992, authorizes a municipal council to pass by-laws concerning the issuance of building permits and related matters;

THEREFORE, the Council for the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

**1. Short Title:**

This by-law may be cited as the “Building Permit By-Law”.

**2. Definitions and Word Usage:**

In this by-law:

- (1)(a) “Act means the Building Code Act, 1992, as amended.
  - (b) “Applicant” means the owner of a building or property who applies for a permit or any authorized agent to apply for a permit on the owner’s behalf, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone acting under the authority of such person or corporation.
  - (c) “Authorized Agent” means a person who has been appointed in writing by the owner to act on behalf of the owner.
  - (d) “Building Code” means the regulation made under Section 34 of the Act.
  - (e) “Chief Building Official” means the Chief Building Official appointed by Council. This person may also be referred to as the “Building Inspector”.
  - (f) “Owner” means the registered owner of the land.
  - (g) “Permit Holder” means a person to whom the permit has been issued.
  - (h) “Farm Building” means a farm building as defined in the Building Code.
  - (i) “Temporary house trailer, mobile home and motor home” shall mean:
    - 1) a unit that has wheels with tires fully inflated with air and in good condition as required by the Highway Traffic Act
    - 2) a unit that is getting electricity from another sources by one extension cord at 110 volts only from a wall outlet from a nearby building, and not directly from a hydro pole.
    - 3) a unit that is not connected to any sewage system
    - 4) a unit that has no veranda and/or any other attachment to the body of it and the unit has it’s supports on the ground
    - 5) a unit that has no steps attached for exit or access except those supplied with the unit by the manufacturer.
  - (j) “Sleep Cabin” shall mean an accessory building (or part thereof) not over one storey in height, used for human habitation, that does not contain an area or facilities for the preparation or serving of food.
  - (k) “Township” shall mean the Township of Killaloe, Hagarty and Richards
- (2) Terms not defined in this by-law shall have the meaning ascribed to them in the Act or the Building Code.

**3. Classes of Permits:**

Classes of permits with respect to the construction and demolition of buildings shall be as set out in Schedule “A” to this by-law.

#### **4. Application for Permit:**

No person shall commence the excavation for, or the erection of any dwelling or building, or addition or renovation to an existing dwelling, building or structure until such person or his/her authorized agent, has obtained a building permit.

A Demolition Permit, attached hereto as Schedule "C", is required for the demolition of any building or structure that is 200 square feet or greater. Applications for a Building Permit or Demolition Permit shall be made in writing on forms available from the Building Inspector or from the Municipal Office.

Any person desiring to move a dwelling, building or structure from one location to another, shall first obtain the required permit(s) from the appropriate permit authorities.

Building Permits which are issued are restricted to the description of work as specified in Section 26 of the "Application to Permit", attached hereto as Schedule "B" to this by-law.

- 4.1 To obtain a permit the owner or his/her authorized agent shall file an application in writing by completing the prescribed forms available at the municipal office or from the building inspector.
- 4.2 Except as otherwise permitted by the Building Inspector, every application shall:
  - a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made;
  - b) describe the land on which the work is to be done, by a description that will readily identify and locate the building lot;
  - c) be accompanied by complete plans and specifications as described in Subsection 4.3;
  - d) state the valuation of the proposed work and be accompanied by the required fee;
  - e) state the names, addresses and telephone numbers of the owner, architect, engineer or other designer and constructor;
  - f) be accompanied, where applicable, by a written acknowledgement of the owner that he has retained the architect or professional engineer to carry out the field review of the construction, as described in Section 4.4 of this by-law, and;
  - g) be signed by the owner or his/her authorized agent, who shall certify the truth of the contents of the application.

#### **4.3 Plans, Specifications and Information**

- 4.3.1 Sufficient information shall be submitted with each application for a permit to enable the Building Inspector to determine whether or not the proposed work will conform with the Act, the Regulations thereunder and any other applicable law.
- 4.3.2 Plans shall be drawn to scale on paper, and shall be supplied in numbers as prescribed by the Building Inspector.
- 4.3.3 Plans, specifications and information furnished with the application shall be supplied in numbers as prescribed by the Building Inspector.
- 4.3.4 Unless otherwise permitted by the Building Inspector, site plans shall be referenced to a current plan of survey, certified by a registered Ontario Land Surveyor, and a copy of such survey shall be submitted.
- 4.3.5 If an addition includes bedroom(s) being added to an existing dwelling, the Sewage System Inspector must be notified.

- 4.3.6 The Building Inspector, before commencement of work, must approve any changes or revisions to the original plan(s).

#### 4.4 Approval in Part

- 4.4.6 When, in order to expedite work, a permit for a portion of the building is desired prior to the issuance of a permit for the whole project, application shall be made and fees paid for the complete project, and complete plans and specifications covering the portion of work for which immediate approval is desired shall be filed with the Building Inspector.

- 4.4.2 Should a permit be issued for part of a building, the holder of such permit may proceed but the municipality gives no assurances that permits required for the remainder of the project will be granted.

#### 4.5 Expiration of Permit

- 4.5.1 Any Building Permit issued under the provisions of this by-law shall expire when no building construction is started within 12 months from the date of issuance.

#### 4.6 Additional Requirements for Building Permit

- 4.6.1 Prior to the issuance of a Building Permit, the Building Inspector shall ascertain, through consultation with the Municipal Road Superintendent, that the subject lot fronts on an existing, maintained township road or highway.

- 4.6.2 Mandatory approval of the driveway entrance location by the Municipal Road Superintendent is required before a Building Permit is issued.

- 4.6.3 All driveway entrances must be approved by the Municipal Road Superintendent prior to the issuance of the Building Permit. All entrances shall require a culvert unless otherwise stated by Council. When a culvert is required, it shall be supplied and installed by the applicant for the Building Permit, to the Township's specifications.

- 4.6.4 The applicant or his/her agent shall, prior to the issuance of a Building Permit, make application and payment in the amount of \$50.00, to cover the cost of provision and installation by the municipal road department, of a 911 property identification sign, if required. All provisions of this section shall also apply to individual requests for 911 property identification signs that are made, but are not in conjunction with, the erection of a new building.

#### 4.7 Permit Exceptions:

- 4.7.1 Roofing, shingling, building cladding and the replacement of windows do not require a building permit.

- 4.7.2 Permit is not required for a "Temporary House Trailer, mobile home and motor home as described in section 2(1) (I)

### 5. Fees

- 5.1 Fees for a required permit shall be in accordance with Schedule "A" to this by-law.

- 5.2 Where the fees are based on the cost or valuation of the proposed work, such valuation shall mean the total cost of all work regulated by the permit including the cost of professional and related services.

- 5.3 The erection of a new outdoor toilet, or the relocation of an existing outdoor toilet requires a Building Permit, at no charge, regardless of the cost the building.

**6. Setback Requirements:**

6.1 No building, dwelling or structure shall be erected unless such building, dwelling or structure conforms to the setback requirements:

All Township of Killaloe, Hagarty and Richards Roads - 25 feet from the Front Property Line.

6.2 The following setbacks for outdoor toilets are required:

- 3 meters (10 feet) from side lot lines
- 15 meters (50 feet) from shoreline high water mark
- 30 meters (100 feet) from a dug well
- 15 meters (50 feet) from a drilled well

6.3 No building, dwelling or structure, addition, or any part thereof, may be closer than 2 meters to any side lot line, nor may it contravene the setback requirements of any other governing body.

6.4 Dwelling setback from water shall be at least 20.117 meters (66 feet) unless there is an established line of dwellings closer than this. If such a line exists, then the new dwelling may move up to but not exceed the established line.

6.5 Boathouses may be built to a line above the normal high water mark, as defined in zoning by-law 18-94 of the former Township of Hagarty and Richards. Boathouses shall not exceed 5.0 metres in height. Permission must be obtained from the Ministry of Natural Resources or other applicable authority, before building commences.

**7. Notifications:**

7.1 The owner or his/her authorized agent shall notify the Building Inspector at least two business days in advance of stages of construction specified in Section 7.2.

7.2 The Building Inspector shall make a minimum of five inspections for residential construction as follows:

- initial site inspection
- footing and foundation inspection prior to backfill
- framing and plumbing inspection
- insulation inspection
- final inspection

For all other building activity as outlined in Schedule "A" hereto attached and forming part of this by-law, the Building Inspector shall use his/her discretion to determine the number of inspections required.

**8. Minimum Lot Size and Number of Dwellings per Lot:**

The minimum lot size is one half acre. One dwelling per lot shall be permitted.

One sleep cabin per lot shall be permitted. A sleep cabin shall have a maximum net floor of 40 square metres. Any plumbing facilities must be connected to a sewage disposal system, approved by the appropriate septic approval authority.

Without prejudice to the operation of any other by-law, it shall be the duty of the Building Inspector, upon instructions from the Municipal Council for the Township of Killaloe, Hagarty & Richards, to take necessary measures to institute proceedings against any person who contravenes any of the provisions of this by-law.

Any person who contravenes any of the provisions of this by-law shall be liable, pursuant to the Provincial Offences Act, to a fine and costs.

This by-law repeals all building by-laws of the former Township of Hagarty & Richards and the former Village of Killaloe.

**9. Exceptions:**

Where this by-law contradicts the provisions of the Zoning By-law(s) and/or Official Plan of the former Township of Hagarty & Richards and/or the former Village of Killaloe, the provisions of the Zoning By-law(s) and/or Official Plan shall take precedence.

**10. Effective Date:**

This by-law shall come into force and effect upon final passing thereof.

Read a first and second time this 3<sup>rd</sup> day of September, 2002.

Read a third time and finally passed this 3<sup>rd</sup> day of September, 2002.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO/Clerk-Treasurer

**Schedule "A"**  
**to By-Law 21-2002**

<u>Classes of Permit</u>	<u>Fee</u>
a) Residential Buildings, Mobile Homes, Sleep Cabins and additions (living area)	\$0.15/sq. ft. minimum \$75.00
b) Commercial/Industrial Buildings or Structures including additions and renovations	\$0.20/sq. ft. minimum \$75.00
c) Garages, Carports, Sheds, Decks over 100 sq. ft.	\$0.10/sq. ft. \$50.00 minimum
d) Swimming Pools (fence required immediately)	\$ 50.00
e) Farms Buildings, including additions and renovations	\$0.08/sq. ft. \$50.00 minimum
g) Demolition Permit	\$ 20.00
h) Compliance Letter (Compliance with Building Code & Municipal by-laws)	\$ 25.00

---

Reeve

---

CAO/Clerk-Treasurer