

SECTION 3 – ADMINISTRATION, ENFORCEMENT AND ENACTMENT

3 ADMINISTRATION, ENFORCEMENT AND ENACTMENT

3.1 ADMINISTRATION

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This By-law shall be administered and enforced by such person or persons as may be appointed for such purpose by the Council of the Corporation of the Township of Thurlow from time to time, and known as the By-law Enforcement Officer.

3.1.2 BUILDING AND OTHER PERMITS

No building permit occupancy permit shall be issued where the proposed building, structure or excavation or where the proposed use or activity would be in violation of any of the provisions of this By-law. No such permit shall be deemed to authorize the violation of any provision of this By-law.

3.1.3 APPLICATION FOR PERMITS

In addition to all the requirements of the Building Code Act and regulations or any By-law of the Corporation, every application for a building permit shall be accompanied by a plan in duplicate, (one copy of which shall be retained by the By-law Enforcement Officer), drawn to scale and showing the following:

- a) The true dimensions of the lot to be built upon or otherwise used.
- b) The proposed located, height, floor area and dimensions of any building, structure, use or activity proposed for such lot.
- c) Proposed locations and dimensions of any yards, setback, landscaped open space, off-street parking space or off-street loading facilities required by this By-law.
- d) The location of all existing buildings or structures on the lot shown on the plan.
- e) A statement signed by the owner, or his duly authorized agent, disclosing the exact use proposed for each aforesaid building, structure, use or activity, and giving all information necessary to determine if such proposed or existing building, structure, use or activity conforms to the requirements of this By-law.

3.1.4 CERTIFICATE OF OCCUPANCY

Upon request, by an owner or authorized agent, a Certificate of Occupancy may be issued by the By-law Enforcement Officer to the effect that a proposed use or activity on the specified property complies with this By-law.

3.1.5 OCCUPANCY OF UNCOMPLETED DWELLING HOUSES

No dwelling house shall be used for human habitation until the Building Code Act, as amended, and the Regulations passed thereunder have been complied with and, in any event, not before the main side walls and roof have been erected; the external siding and roofing completed; and kitchen heating and sanitary conveniences have been installed and the structure rendered usable, safe and fit for human habitation.

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3.1.6 BUILDINGS OR STRUCTURES TO BE MOVED

In all Zones, no building or structure, residential or otherwise, normally requiring a building permit for construction, shall be moved within the area affected by this By-law without a permit issued by the Chief Building Official.

3.2 ENFORCEMENT

3.2.1 INSPECTION

The By-law Enforcement Officer, or any Officer or employee of the Corporation acting under the direction of the Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law, provided such entry is otherwise lawful.

OMB File No. R880022

3.2.2 VIOLATION AND PENALTIES

Every person who uses any lot, or erects or uses any building, structure or any part of any lot, building or structure in a manner contrary to any requirement of this By-law, or who causes or permits such use, activity or erection, or who violates any provisions of this By-law, or causes or permits a violation shall be guilty of an offence and upon conviction thereof shall forfeit and pay a penalty not exceeding the limits prescribed in Section 66 (1), (2), and (3) of the Planning Act, 1983 exclusive of costs, for each offence, and every such penalty shall be recoverable under the Municipal Act, R.S.O., 1980, as amended and the Provincial Offences Act, R.S.O., 1980, as amended.

3.2.3 CONTRAVENTION RESTRAINED BY ACTION

In the case where 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 restrained by action at the instance of any ratepayer or of the Corporation, pursuant to the provisions of the Municipal Act, as amended.

3.2.4 VALIDITY

If any section, clause or provision of this By-law, including anything contained on schedules 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 provisions, including anything contained on schedules 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.

3.3 ENACTMENT

3.3.1 ZONE SCHEDULES

The provisions of this By-law shall apply to all lands within the limits of the Corporation of the Township of Thurlow. For the purposes of this By-law such lands are divided into various Zones which are delineated on Schedules "A1" to "A6" attached hereto and forming part of this By-law:

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Low Density Residential Type 1 (R1) Zone
Low Density Residential Type 2 (R2) Zone
Medium Density (R3) Zone
High Density Residential (R4) Zone
Rural Residential (RR) Zone
Seasonal Residential (SR) Zone
Estate Residential (ER) Zone
Mobile Home Residential (MHR) Zone
Highway Commercial (C1) Zone
Rural Commercial (C2) Zone
General Commercial (C3) Zone
Local Commercial (C4) Zone
General Industrial (M1) Zone
Extractive Industrial (M2) Zone
Waste Disposal Industrial (M3) Zone
Community Facility (CF) Zone
Prime Agriculture (PA) Zone
Rural (RU) Zone
Hazard (H) Zone
Development (D) Zone

3.3.2 REPEAL OF OTHER ZONING BY-LAWS

All By-laws in force within the Corporation regulating the use of lands and the character, location, bulk, height, and use of buildings and structures, be and the same, are hereby amended insofar as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern.

3.3.3 ENACTMENT

1. This By-law shall come into force on the date of passing by the Council of the Corporation of the Township of Thurlow.
2. The Clerk is hereby authorized and directed to proceed with the giving of notice under Section 34 Subsection 17 of the Planning Act.

READ A FIRST TIME ON THE 12 DAY OF AUGUST 1987.

READ A SECOND TIME ON THE 12 DAY OF AUGUST 1987.

READ A THIRD TIME AND FINALLY PASSED ON THE 12 DAY OF AUGUST 1987.