

December 10 2011 ( actually Nov 10)

Ministry of Natural Resources

Bruce Mighton via bruce.mighton@ontario.ca

### **Re: Building Permits -- In-water development**

Since last spring, I have been attempting to obtain an answer from the Ministry of Municipal Affairs and Housing (MMAH) to the following question:

***For boathouse structures, one and two storey being built in water supported on and occupying provincial lands on Jack Lake within North Kawartha or Havelock Belmont Methuen Townships, are building permits required under the Ontario Building Code?***

This week I finally received a response this week from MMAH which

- encourages me to consult further with municipalities – which I have done and will continue to do –letter to both municipalities today
- suggest I consult with a solicitor – which I have done and will continue to do-letter to solicitor today
- **suggest I direct enquiries to MNR –which is purpose of this letter**
- encourage any further questions to Acting Manager in MMAH's Building and Development Branch- which I have done yesterday and will continue to do

I am generally aware of MNR's free use policy under the Public Land Act and even though I may disagree with it accept that it is current government policy.

**What I would like to learn more about, is the general practice related to building permits under the Ontario Building Code, for boathouses being built in Ontario under the free use policy. Municipal Affairs and Housing refuse to answer the question as to**

whether a building permit is required under the Ontario Building Code Act for in water boathouses.

But

Question #1

Is there any requirement under the free use policy that a building permit be obtained by an owner or contractor to build a boathouse structure of which the foundations are supported on the bottom of lakes owned by the province of Ontario?

Question #2

Is it the practice in the Muskoka area that such in water boathouses are constructed with building permits under the Ontario Building Code and inspected by the local municipality?

Question #3

When MNR allows a in-water boathouse to be built, such as recently in Jack Lake, does any government agency inspect the structure to ensure compliance with any codes or safety requirements?

I look forward to the answers

Ambrose Moran

I will be away starting early next week enjoying quality time in the south but available through e mail  
ambrose@ambrosemoran.com