

ADVISORY

PERMIT EXEMPTIONS FOR RESIDENTIAL ACCESSORY STRUCTURES

BUILDING CODE SERVICES



The Ontario Building Code (OBC) was amended to allow for the exemption of small accessory buildings to be constructed without the benefit of a building permit. Div. C Part 1, Sentence 1.3.1.1.(6) states that a shed is exempt from requiring a permit provided that it is not more than 15m² in gross area, not more than 1 storey in height, not attached to any other building on the lot, does not contain any plumbing and is used only for storage purposes.

It is the opinion of some municipalities across the province that applying this requirement exclusively to sheds is too restrictive and that it should apply to a wider scope of accessory buildings intended for low rise residential uses.

Building Code Services (BCS) has taken a position to expand the exemption for requiring a permit to include accessory structures other than sheds, provided the restrictions listed below have been met. However, BCS reserves the right to assess any structure on an individual basis to determine if the exemption can be applied or a permit is required for the structure's construction.

DEFINITIONS

Accessory Structure is not a defined term in the OBC or the Building By-law and is not adequately defined for the purposes of this advisory in the Zoning By-law. For the purposes of this advisory the term;

accessory structure means – a structure intended for low rise residential uses only, constructed of either wood, or is an unmodified premanufactured structure requiring assembly, that is not more than 15m² in gross area, and includes sheds, gazebos, pergolas, or other similar structures.

RESTRICTIONS

The exemption for the requirement to obtain a permit for the construction of sheds, gazebos, pergolas, or other similar structures will only apply to low rise residential installations. The exemption from obtaining a permit does not exempt the property owner / installer from meeting all applicable requirements outlined in the Zoning By-law that govern the placement and location of the accessory structure on a site.

The following restrictions will apply to the construction / installation of such structures.

The structure,

- shall be independent, and not attached to any other building or structure on the site,
- shall be used only for personal use ancillary to a principal residential building on the lot,
- shall not be more than 15m² in gross floor area,

- shall not more than 1 storey in height,
- shall not contain any plumbing, and
- shall not be heated.

EXCLUSIONS

This advisory deals exclusively with sheds, gazebos, pergolas, or other similar structures that are not more than 15m² in gross floor area. It is not intended to address the use, installation and regulation of shipping containers or tents which are addressed separately in other BCS documents.

OWNER RESPONSIBILITIES

Once installed on site, it is the property owner's responsibility to maintain the structure, which includes the monitoring of snow accumulation on the roof and the removal of accumulated snow that could compromise and potentially collapse the roof structure of the building.