



THE CORPORATION OF THE TOWN OF EAST GWILLIMBURY

BY-LAW NUMBER 2019-058

To Govern the Issuance, Administration, and Enforcement of Building Permits, Change of Use Permits, and Occupancy Permits

WHEREAS Subsection 3(1) of the *Building Code Act, 1992, S.O. 1992, Chapter 23*, as amended, provides that the Council of The Corporation of the Town of East Gwillimbury (the “Town”) is responsible for the enforcement of the *Building Code Act* within the geographic area of the Town;

AND WHEREAS Subsection 3(2) of the *Building Code Act, 1992, S.O. 1992, Chapter 23*, as amended, requires that the Town Council shall appoint a *Chief Building Official* and such *inspectors* as are necessary for the enforcement of the *Building Code Act* within the geographic area of the Town;

AND WHEREAS Section 7 of the *Building Code Act, 1992, S.O. 1992, Chapter 23*, as amended, authorizes Town Council to pass certain by-laws respecting classes of *building permits*, permit application documents, forms, setting and refunding of fees, interest and penalties, inspections, establishing and governing prescribed Inspection Programs, and other related matters;

AND WHEREAS Subsection 8(3.1) of the *Building Code Act, 1992, S.O. 1992, Chapter 23*, as amended, provides that Town Council may, in writing, delegate to the *Chief Building Official* the power to enter into agreements described in clause 8(3)(c) of the *Act*;

AND WHEREAS Section 446 of the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, provides that if a municipality has the authority under this or any other Act or under a By-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person’s expense:

NOW THEREFORE Town Council hereby enacts as follows:

1. SHORT TITLE

1.1. This By-law may be cited as “The Building By-law.”

2. ADMINISTRATION

- 2.1. Unless otherwise stated, the *Chief Building Official (CBO)* for the Town, and an assisting *Deputy Chief Building Official (DCBO)* acting on behalf and in the absence of the *CBO*, shall administer and enforce this by-law;
- 2.2. The authority to prescribe the building application forms is delegated to the *CBO*;
- 2.3. The *CBO* is hereby authorized to execute, on behalf of the Town, the written agreement referred to in Subclause 5.4(1)(c)(iv) of this By-law as part of a conditional *building permit* application; and
- 2.4. The *CBO* is hereby authorized to execute on behalf of the Town, the written spatial separation agreements with *owners* of the properties on which a required limiting distance is measured, as set out in Division B, Part 9, Sentences 9.10.15.2.(4) and Part 3, Sentences 3.2.3.1.(11) of the *Building Code*.

3. DEFINITIONS

- 3.1. For the purposes of this By-law the following definitions and interpretations shall govern:
 - (1) “Act” means the Ontario *Building Code Act, 1992, S.O. 1992, Chapter 23*, as amended;
 - (2) “Alternative Solution” means a substitute for an acceptable solution, proposed by an *applicant* pursuant to Article 1.2.1.1. of Division “A” of the *Building Code*;
 - (3) “Applicable Law” means the list found in Article 1.4.1.3. of Division “A” of the *Building Code*;
 - (4) “Applicant” means the *owner*, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation;
 - (5) “Architect” means the holder of a licence, a certificate of practice, or a temporary licence under the *Architect’s Act*;

- (6) “As constructed plans” mean construction plans and specifications that show the building and the location of the building on the property as the building has been constructed;
- (7) “Building” means:
- (a) a structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto,
 - (b) a structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto,
 - (c) plumbing not located in a structure,
 - (d) a *sewage system*, or
 - (e) structures designated in the *Building Code*;
- (8) “Building Code” means regulations made under Section 34 of the Ontario *Building Code Act, 1992, S.O. 1992, Chapter 23*, as amended;
- (9) “Building Permit” means the permission or authorization issued in writing by the CBO under Subsection 8(1) of the *Act*, to perform *construction* or *demolition* of a building or part of it in the Town as regulated under this By-law, the *Act*, the *Building Code*, and may include a staged *building permit* as set out in Subsection 4.2 herein;
- (10) “BCIN” means a *Building Code Identification Number*, in good standing, issued by the Ministry of Municipal Affairs and Housing of Ontario to “Registered” entities as defined in Division “C” Sentences 3.1.1.2.(1), 3.2.3.1.(1), 3.3.2.1.(1), and 3.4.2.1.(1) of the *Building Code*;
- (11) “Business Day” means all days of the week other than Saturday, Sunday, statutory holidays, and all other days when the offices of the Town are not open for the transaction of business with the public;
- (12) “Change of Use Permit” means the permission or authorization issued in writing by the CBO under Subsection 10(1) of the *Act*, to change the use of a building or part of it, where no construction or demolition is proposed;

- (13) “Chief Building Official” means the person appointed by By-Law by Town Council for the purpose of administration and enforcement of the *Act*,
- (14) “Complete Application” means an application for a *building permit* under Subsection 8(1) of the *Act* that meets the requirements set out in Sentence 1.3.1.3.(5) of Division C of the *Building Code* for applications where the *CBO* is required to make a decision within the prescribed time period;
- (15) “Construct” means to do anything in the erection, installation, extension or material alteration or repair of a *building* and includes the installation of a pre-fabricated or relocated building, and “construction” has a corresponding meaning;
- (16) “Construction Value” means the value prescribed by the *CBO* to represent the total value of work, services, and material associated with the construction for which a *building permit* is applied;
- (17) “Demolish” means to do anything in the removal of a building or any material part thereof and “demolition” has a corresponding meaning;
- (18) “Demolition Plan” means a report prepared by a *Professional Engineer* conforming to the requirements of *O.Reg. 260/08*, as amended, under the *Professional Engineers Act*;
- (19) “Deputy Chief Building Official” means the person appointed by By-Law by Town Council, acting in the capacity of the *CBO* from time-to-time, in the absence of the *CBO*, for the purpose of administration and enforcement of the *Act* in respect of Section 1.1.(6)(b) and (c) of the *Act*,
- (20) “electronic submission” means the filing of a *building permit*, *change of use permit*, *occupancy permit*, or *alternative solution* application, including all required forms, documents and drawings, submitted through an electronic application procedure approved by the *CBO*;
- (21) “Fee(s)” means all fees, collected by the Town, pertaining to the construction or demolition of a *building* or part thereof, change of use of a building, and other services, unless otherwise stated, and listed in Schedule “C” of this By-Law;
- (22) “Gross Floor Area” means the aggregate of the areas of each floor of a *building*, measured between the exterior faces of the exterior walls of the *building*, or where there are common walls between uses or buildings, measured to the centre-line of a common wall, and excludes floors in unfinished cellars and basements;

- (23) “Inspector” means a person, appointed by By-law by Town Council under Subsection 3(2) of the *Act* to carry out those duties as described in Subsection 1.1(7) of the *Act*, listed in Schedule “A” of this By-Law;
 - (24) “New Development” means development within the Settlement Area Boundary as identified in the Town’s Official Plan and/or registered plans of subdivision;
 - (25) “New Residential Development” means the development to which residential development charges are applicable;
 - (26) “Occupancy Permit” means the permission or authorization given in writing by the *CBO* to occupy a *building* or part of it, in the Town as regulated under this By-law, and the *Building Code*;
 - (27) “Owner” means the registered owner of the land, a lessee, a mortgagee in possession, upon which is located or will be located, the *building* or part thereof;
 - (28) “Permit Holder” means the *owner* or authorized agent of the *owner* to whom a *building permit* or *change of use permit* has been issued, or where a *building permit* has been transferred, the transferee;
 - (29) “Pre-application review” means the review of forms, documents, and drawings which precedes the acceptance of a *building permit* application to determine if it meets submission requirements;
 - (30) “Professional Engineer” means the holder of a licence, a Certificate of Authorization, or a temporary licence under the *Professional Engineer’s Act*;
 - (31) “Sewage System” means a sewage system as defined in Article 1.4.1.2 of Division A of the *Building Code*;
- 3.2. Any word or term not defined in this By-law shall have the meaning ascribed to it in the *Act* or the *Building Code*.

4. CLASSES OF PERMITS

- 4.1. The classes of *building permits* required for construction and demolition, *change of use permits*, and *occupancy permits* of *buildings*, and their respective *fees*, are as set out in Schedules “B” and “C” to this By-law. In addition, a staged *building permit* or conditional *building permit* may be issued;

- 4.2. Staged *building permits* are required for a *new residential development* under the provisions of a subdivision agreement, and a *new development*. A staged *building permit* requires a complete plans examination confirming compliance with the *Act, Building Code, and applicable law*. Staged *building permits* will be issued for the following phases of construction:
- (a) Stage 1: completion of the footings and supported foundations; and
 - (b) Stage 2: completion of the remainder of the *building*.
- 4.3. A certified survey showing the location of the foundation on the lot and the elevation of the top of the foundation wall is required after installation of the foundation, to satisfy completion of Stage 1 for staged *building permits*;
- 4.4. Conditional *building permits* may be issued at the discretion of the CBO under Subsection 8.(3) of the *Act*;
- 4.5. On completion of the construction of any *building*, the CBO may require the *applicant* to file a set of *as constructed plans* and a survey of the *building*.

5. REQUIREMENTS FOR A BUILDING PERMIT APPLICATION

5.1. General Application Requirements for All *Building Permit* Applications

- (1) Every *building permit* application and revision to a *building permit* must meet the requirements of this Section and shall:
- (a) be made by an *applicant*, accompanied by acceptable proof of ownership or corporate identity, unless such proof is determined by the CBO to be unnecessary;
 - (b) be submitted to the CBO on completed forms and Schedules prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the CBO;
 - (c) be accompanied by the payment of the required *fees* calculated in accordance with Subsection 11.1 herein and Schedule “C” of this By-law;

- (d) be accompanied by the required plans, specifications, information, and documentation prescribed in Section 9 herein and Schedule “B” of this By-law;
 - (e) unless otherwise determined by the *CBO*, not be accepted until a *pre-application review* has been completed to the satisfaction of the *CBO* or designate; and
 - (f) be a *complete application*, unless an *applicant* has signed a waiver and acknowledges that the *building permit* application is not a *complete application*, in which case the *CBO* may accept said application and process as time and workloads permit. However, under no circumstances will a *building permit* be issued until the application has been rendered complete or meets all the requirements for consideration as a conditional *building permit* in Subsection 5.4 of this By-law. Incomplete applications, where accepted, are not subject to the time-frames set out in the *Building Code*.
- (2) A *building permit*, including a conditional *building permit* and a revision to a *building permit*, that is issued for part of a *building* should not be construed as authorizing construction beyond for which approval was given, nor that approval will necessarily be granted for the entire *building* or project;
- (3) Where an application for a building permit to construct includes a partial demolition or a major renovation that impacts more than 50% of the existing gross floor area of the building, a separate building permit to demolish shall first be obtained
- (4) Where the *CBO* determines that a third-party peer review is required to determine if compliance with the *Act* or *Building Code* is achieved, the *CBO*, shall:
- (a) Notify the *applicant* that the *building permit* application will be referred to a third party and that additional *fees* calculated in accordance with Schedule “C” of this By-law will be added to the building permit *fee*;
 - (b) Obtain confirmation from the *applicant* for the reliance on a third-party and the added *fees*; and
 - (c) Where the *applicant* does not confirm or approve the reliance on a third-party within the specified time, the *CBO* may abandon the *building permit* application.

- (5) The *applicant* for a *building permit*, regardless of whether they are the *owner*, may make a written request to the *CBO* to have the submitted application withdrawn. A *fee* refund applicable to a withdrawn application shall be granted in accordance with Subsection 11.2 herein; and
- (6) Where a *building permit* application does not contain sufficient information to enable the *CBO* to determine whether the proposal will contravene the *Act*, the *Building Code*, or any other *applicable law*, the application is deemed to be incomplete and may be refused.

5.2. Supplementary Application Requirements for a *Building Permit* to Construct

- (1) Every application for a *building permit* under Subsection 8(1) of the *Act* to construct a building or part thereof, shall;
 - (a) identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof, for which the application for a *building permit* to *construct* is made;
 - (b) describe the subject land in a way that it is readily identifiable and the site of the proposed work is easily distinguished, and if requested, submission of a legal survey;
 - (c) for *new development*, refer to a current plan of survey certified by a registered Ontario Land Surveyor, and a copy of the plan of survey shall be filed with the *CBO* or designate;
 - (d) for additions, identify and describe in detail the existing *sewage system*, its location, and its capacity; and
 - (e) identify and describe in detail any structural effect the proposed work may have on any land, *building* or structure abutting the subject land;

5.3. Supplementary Application Requirements for a *Building Permit to Demolish*

- (1) Every application for a *building permit* under Subsection 8(1) of the *Act to demolish a building* or part thereof, shall;
 - (a) identify and describe in detail the work to be done and the existing use and occupancy of the *building*, or part thereof, for which the application for a *building permit to demolish* is made, and the proposed use and occupancy of that part of the *building*, if any, that will remain upon completion of the *demolition*;
 - (b) for *demolition* within the scope of Sentence 1.2.2.3.(1) of Division C of the *Building Code* or as determined by the *CBO*, be accompanied by a *demolition plan*, describing the structural characteristics of the building and the method of *demolition* of the building;
 - (c) be accompanied by proof, satisfactory to the *CBO*, that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone, telecommunication, or other utilities and services.

5.4. Supplementary Application Requirements for a Conditional *Building Permit*

- (1) Every application for a *building permit* under Subsection 8(3) of the *Act* for a conditional *building permit* for a building or part thereof, shall;
 - (a) comply with Subsections 5.1 to 5.3 herein and provide plans and specifications in accordance with Section 9 for proposed works within the scope of the requested conditional *building permit*, forming a subset of the application for a *building permit* to construct;
 - (b) be submitted after ten (10) *Business Days* have elapsed from the time the associated application for a *building permit* to construct was submitted;

- (c) be accompanied by:
 - (i) an executed form, available from the *CBO*, requesting consideration for a conditional *building permit* and all reasons why the *applicant* believes that unreasonable delays in construction would occur if a conditional *building permit* is not issued;
 - (ii) a written acknowledgement from the *applicant* of the state of any outstanding approvals which must be obtained in respect of a *building permit* to satisfy *applicable laws* and the time period in which such approvals shall be obtained by the *applicant*;
 - (iii) a written acknowledgment from the *applicant* that the conditional *building permit* is not a substitute for a *building permit* required under Subsections 5.2 to 5.3 herein and that the *applicant* is not absolved of its roles and responsibilities under the *Act*;
 - (iv) a written agreement, in a form provided by the *CBO*, executed by the *applicant*, the *owner*, and such other necessary persons as the *CBO* may require;
 - (v) by the non-refundable *fees* calculated in accordance with Schedule "C" of this By-law, in addition to the required *building permit fees*;
 - (vi) all securities and performance deposits that the *CBO* requires, to form part of the written agreement in Subsection 5.4.(1)(c)(iv);
 - (vii) a written acknowledgement from the *applicant* that the agreement referenced in Subsection 5.4.(1)(c)(iv), may be registered against the land.
- (2) Where an *applicant* requests revisions to a conditional *building permit* that has been issued, an application for a new conditional *building permit* application is required;
- (3) The *CBO* shall not, by reason of the issuance of the original conditional *building permit*, be under any obligation to grant any additional permits;

5.5. Dormant *Building Permit* Application

- (1) An application for a *building permit* shall be deemed to be dormant where,
 - (a) the application remains inactive or incomplete according to Subsection 5.1 for five (5) months after it was submitted; or,
 - (b) five (5) months have elapsed after the *applicant* was notified that the proposed *construction* or *demolition* will not comply with the *Act* or the *Building Code*, or will contravene any other *applicable law*.
- (2) Where an application is deemed to be dormant, the application will be removed from the active roster and retained until either,
 - (a) the *applicant* has chosen to reactivate the application or;
 - (b) the application has been deemed abandoned in accordance with Section 5.7(1).

5.6. Reactivation of a Dormant *Building Permit* Application

- (1) Where an *applicant* has chosen to continue with the processing of a dormant *building permit* application, and where the dormant application has not been abandoned, the *applicant* shall pay the required *fee* as set out in Schedule “C” to reactivate.

5.7. Abandoned *Building Permit* Application

- (1) An application for a *building permit* shall be deemed to have been abandoned by the *applicant* where,
 - (a) the application fails to meet the minimum submission requirements as set out in Subsection 5.1. within six (6) months after it was submitted; or
 - (b) six (6) months have elapsed since the *applicant* was notified that the proposed, *construction*, *demolition* or change of use will not comply with the *Act* or the *Building Code* or will contravene any other *applicable law*; or
 - (c) six (6) months have elapsed since the *applicant* was notified that a *building permit* was available to be issued.

- (2) Where an application is deemed abandoned, all submitted plans, specifications and documents shall be disposed of, and a refund in accordance with Subsection 11.2. herein, will be issued.

6. REQUIREMENTS FOR A CHANGE OF USE PERMIT APPLICATION

- 6.1. Every application for a *change of use permit* must meet the requirements of this Section and shall:
- (a) be made by an *applicant*, accompanied by acceptable proof of ownership or corporate identity, unless such proof is determined by the *CBO* to be unnecessary;
 - (b) be submitted to the *CBO* on completed forms and Schedules prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the *CBO*;
 - (c) be accompanied by the non-refundable payment of the required *fees* calculated in accordance with Schedule “C” of this By-law;
 - (d) be accompanied by the required plans, specifications, information, and documentation prescribed in Section 9 herein and Schedule “B” of this By-law;
 - (e) identify and describe in detail the existing and proposed use and occupancy of the *building*, or part thereof, for which the application for a *change of use permit* is made;
 - (f) unless otherwise determined by the *CBO*, not be accepted until a *pre-application review* has been completed to the satisfaction of the *CBO*;
- 6.2. Where six (6) months have elapsed since the application for a *change of use permit*, it shall be deemed abandoned and all submitted plans, specifications, and documents shall be disposed of;
- 6.3. After the issuance of a *change of use permit*, should the *permit holder* need to make any material change to any plan, specification, document, or other information on the basis of which the *change of use permit* was issued, the *permit holder* shall:
- (a) acknowledge that the *change of use permit* issued under Section 6 herein is revoked; and

- (b) obtain a *building permit* to construct in accordance with Section 5 herein.

6.4. A *change of use permit* is not transferrable.

7. REQUIREMENTS FOR AN OCCUPANCY PERMIT APPLICATION

- 7.1. Every application for an *occupancy permit* of a building not fully completed, for other than a dwelling in a house, under Subsection 1.3.3. of Division C of the *Building Code* shall,
 - (a) be made by an *applicant*, accompanied by acceptable proof of ownership or corporate identity, unless such proof is determined by the *CBO* to be unnecessary;
 - (b) be submitted to the *CBO* on completed forms and Schedules prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the *CBO*;
 - (c) be accompanied by the non-refundable payment of the required *fees* calculated in accordance with Schedule “C” of this By-law
 - (d) be accompanied by *as constructed plans*, based on the *building permit* plans, which show the areas of the proposed occupancy and measures undertaken to restrict access to areas of the *building* which are unfinished;
 - (e) identify and describe in detail the proposed occupancy, the proposed date of such occupancy, and the *building* or part thereof for which the application for an *occupancy permit* is made; and
- 7.2. Where an application for an *occupancy permit* relates to the partial occupancy of a *building* prior to its completion, a separate application is required for each stage of occupancy;
- 7.3. Where an inspection under an *occupancy permit* fails or more than six (6) months have elapsed since the issuance of an *occupancy permit*, the *applicant* shall reapply for a new *occupancy permit*, even if there is no change in the proposed areas to be occupied.
- 7.4. An *occupancy permit* is not transferrable.

8. REVISION, TRANSFER, WITHDRAWAL, OR REVOCATION OF A BUILDING PERMIT

8.1. Revision to a *Building Permit*

- (1) After the issuance of a *building permit*, should the *permit holder* need to obtain an authorization to make any material change to any plan, specification, document, or other information on the basis of which the *building permit* was issued, the *permit holder* shall, before making the material change, obtain a revised *building permit* by:
 - (a) submitting to the *CBO* completed forms and Schedules prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the *CBO*;
 - (b) revised plans, specifications, information, and documentation that describe and capture all of the proposed material changes in accordance with Section 9;
 - (c) where the *CBO* determines that the proposed material changes are significant or that the proposed material changes become subject to *applicable law*, the *permit holder* shall apply for a new *building permit* application in accordance with Section 5; and,
 - (d) pay the *fees* calculated in accordance with Schedule “C” of this By-law, that correspond with the scope of the proposed revision or for a new *building permit*.

8.2. Transfer of a *Building Permit*

- (1) If the *owner* of the land changes after a *building permit* has been issued, a *building permit* may be transferred to the new *owner* (the “*transferee*”) of the lands, in which case the *transferee* shall:
 - (a) complete an application on a form prescribed by the *CBO*;
 - (b) include a written statement from the current *permit holder* authorizing the transfer of the *building permit* to the *transferee*;
 - (c) state the name, address, telephone number of the proposed *transferee*;
 - (d) include proof of ownership of the lands by the *transferee* satisfactory to the *CBO*;

- (e) confirm that the work to be done and the existing and proposed use and occupancy of the *building* or part thereof, for which the application for the transfer of the *building permit* is made, is the same as that identified and described on the application of the *building permit*;
 - (f) state the name, address, telephone number and facsimile number of the proposed designer, *Architect* and/or *Professional Engineer*, and their *BCIN*, where they are different from those identified in the application for the *building permit*, and a written confirmation from the designer, *Architect* and/or *Professional Engineer(s)*, that they have been retained to undertake general review of the *construction* or *demolition* where required under the *Building Code*;
 - (g) include, where the proposed *transferee* is a builder as defined in the *Ontario New Home Warranties Plan Act*, the proposed *transferee's* registration number;
 - (h) be accompanied by the payment of the *fee* calculated in accordance with Schedule "C"; and
 - (i) be signed by the proposed *transferee* who shall certify as to the truth of the contents of the application.
- (2) Upon the issuance of transfer of a *building permit* to the *transferee*, the *transferee* shall be deemed to be the *permit holder* and the original *permit holder* shall have no further rights or obligations under the *building permit* save and except for any obligations set out in any agreements entered into pursuant to Subsection 5.4(1)(c)(iv).

8.3. Withdrawal of a *Building Permit*

- (1) A person to whom a *building permit* has been issued may make a written request to the *CBO* to have the *building permit* withdrawn provided that;
 - (a) no work has commenced in respect of the *building* for which the *building permit* was issued; and
 - (b) the written request is received by the *CBO* before the *building permit* has been abandoned pursuant to Subsection 5.7;
- (2) A *fee* refund for a withdrawn *building permit* shall be granted in accordance with Subsection 11.2 of this By-law.

8.4. Revocation of a *Building Permit*

- (1) Prior to revoking a *building permit*, the *CBO* may give written notice of an intention to revoke the *building permit* to the *permit holder* at the *permit holder's* address shown on the application or to such other address as the *permit holder* has provided to the *Town* for that purpose;
- (2) Following issuance of the notice described in Sentence 8.4.(1), the *building permit* may be revoked immediately or after a period prescribed by the *CBO*, provided the grounds for revocation still exist, and all submitted plans, specifications, documents and other information submitted by the *permit holder* may be disposed of or, upon written request from the *permit holder*, returned to the *permit holder* along with a refund in accordance with Subsection 11.2. herein;
- (3) Notice under Subsection 8.4.(1)) shall be given to the *permit holder* either personally or by registered mail, and where notice is by registered mail, it shall be deemed to have been served on the fifth day after the day of mailing;
- (4) The *permit holder* may, within the period prescribed by the *CBO* in Subsection 8.4.(2) submit a written request for deferral of revocation of a *building permit* to the *CBO* stating the reasons why the *building permit* should not be revoked, accompanied by the payment of the required *fees* calculated in accordance with Schedule "C"; and,
- (5) Where a deferral by the *CBO* is granted, the *CBO* may extend the *building permit* for up to six (6) months. No more than two (2) deferral requests may be granted to extend the *building permit* for a maximum of eighteen (18) months from the date of issuance.

9. PLANS, SPECIFICATIONS, AND DOCUMENTS

- 9.1. As part of the application for a *building permit* or *change of use permit*, and in addition to the requirements of Sections 5 and 6 herein, every *applicant* shall submit two copies of the following to the *CBO*:
 - (1) plans, specifications, documents, forms, and such other information as prescribed in Schedule "B" or any other information as may be deemed necessary by the *CBO* to determine whether the proposed *construction, demolition, or change of use* of a building conforms to the *Act*, the *Building Code*, and any other *applicable law*;

- (2) identify and describe in detail any structural effect the proposed work may have on any land, *building* or structure abutting the subject land; and
- (3) where a site plan is required, the site plan shall reference a current plan of survey certified by a registered Ontario Land Surveyor and shall include:
 - (a) legal description, lot size, location, and dimensions of the property;
 - (b) setbacks from existing and proposed *buildings* to property boundaries and to each other;
 - (c) location and dimensions of any proposed and all existing *building(s)* including the elevations of proposed and existing service connections;
 - (d) existing and proposed elevations of the work site plotted on a contour grid as required by the *Town's* Community Infrastructure and Environmental Services Department;
 - (e) the center line and any elevations of any streets abutting the subject land;
 - (f) existing rights of way, easements and municipal services;
 - (g) describe any encroachments onto other properties, including municipal, regional, and provincial lands, including encroachments for temporary work (e.g. hoarding, excavation, shoring, and site servicing); and
- (4) where the application for a *building permit* to construct a *sewage system* is made, in addition to the requirements for a site plan in Subsection 9.1.(3) herein, the site plan shall depict the following:
 - (a) the location of items listed in column 1 of Tables 8.2.1.6.A, 8.2.1.6.B, and 8.2.1.6.C of Division B of the *Building Code*;
 - (b) the location of the proposed *sewage system*;
 - (c) the location of any unsuitable soil, disturbed or compacted areas, or slopes greater than 4:1;
 - (d) proposed access routes for system maintenance;
 - (e) depth to bedrock;

- (f) depth to zones of soil saturation;
- (g) soil properties, based on a site evaluation, including soil permeability; and
- (h) grade conditions, including the potential for flooding.

9.2. As part of the application for a *building permit* or *change of use permit* and in addition to the requirements of Sections 5 and 6 of this By-law, where applicable, every *applicant* shall submit to the *CBO* the following approvals and confirmations:

- (1) for a *building permit* to be considered a *complete application* for the purposes of satisfying the requirement in Subclause 1.3.1.3.(5)(f)(iv) of Division C of the *Building Code*, every *building permit* application shall be accompanied by the approval documents issued by the agencies responsible for the *Applicable Law* listed in the *Building Code*, where those agencies issue approval documents and the law applies to the construction or demolition being proposed;
- (2) approval from the Regional Public Health Unit for projects involving facilities to be used in the preparation of food for the general public. It is the responsibility of the *applicant* to obtain and provide this approval with their application;
- (3) confirmation from the *Town's* Community Parks, Recreation, and Culture Department that, for development where tree preservation provisions have been incorporated into the subdivision agreement, that the provisions have been adequately satisfied in the planning of the project. It is the responsibility of the *applicant* to obtain and provide this confirmation with their application;
- (4) confirmation from the *Town's* Community Infrastructure and Environmental Services Department that development lot grading approval has been granted for individual lots. It is the responsibility of the *applicant* to obtain and provide this confirmation with their application;
- (5) confirmation from the *Town's* Community Infrastructure and Environmental Services Department, Region of York Transportation and Work Department, or the Ministry of Transportation that for development where entrance approval (temporary and permanent) is required from the road to the property, approval has been obtained. It is the responsibility of the *applicant* to obtain and provide this confirmation with their application;

- (6) confirmation from the *Town's* Planning Branch that for development where site plan approval is required, that the approval has been obtained. It is the responsibility of the *applicant* to obtain and provide this confirmation with their application;
- (7) approval from the *Town's* Community Infrastructure and Environmental Services Department of a satisfactory lot grading review for all *new development*, except for those proposing interior alterations only; and
- (8) approval from the *Town's* Emergency Services Department where the application is for an industrial, institutional, commercial *building*, accessory apartment, or as determined by the *CBO*. It is the responsibility of the *applicant* to obtain and provide this approval with their application.

9.3. Plans, specifications and other documents submitted by an *applicant* shall:

- (1) be fully coordinated among design disciplines and intended for construction, demolition or change of use;
- (2) be fully dimensioned and drawn to a suitable scale that clearly depicts the proposed construction, demolition or change of use;
- (3) be submitted on paper or other suitable and durable material;
- (4) contain information and text that is clear and legible;
- (5) show the existing and proposed use of each room or floor area in the building(s);
- (6) construction details specific to the proposed project, to the satisfaction of the *CBO* or designate, which may include those listed in Schedule "B"; and
- (7) where the *Building Code* requires that an *Architect* or *Professional Engineer*, or both, be retained to undertake the general review of the *construction* or *demolition* of a *building*, the *applicant* shall submit a signed statement by an *Architect*, *Professional Engineer*, or both, in which they agree to undertake the general review. Upon completion of such project, final reports shall be submitted to the *CBO*.

9.4. On completion of the *construction* of a *building* the *CBO* may require the *applicant* to submit a set of *as constructed plans*, including a plan of survey showing the location of the *building*.

- 9.5. On a date to be determined by the *CBO*, the requirements for two copies of plans and specifications in Subsection 9.3(3) of this By-law may be substituted with an *electronic submission* process;
- 9.6. Plans and specifications submitted in accordance with this By-law or otherwise required by the *Act* become the property of the Town and will be disposed of or retained in accordance with relevant legislation or By-law.

10. REQUIREMENTS FOR NOTICE OF INSPECTIONS

- (1) Inspection notices required by the *Building Code* and this By-law shall be made in writing or by using the *Town's building permit* inspection request line, which has been prescribed for this purpose;
- (2) The *permit holder* shall notify the *CBO* by 3:30PM, the day prior to the need for the inspection, for each prescribed inspection required by Articles 1.3.5.1 and 1.3.5.2 in Division C of the *Building Code* and any additional required notices under Subsection 10.(3) in this By-law;
- (3) In addition to the notices prescribed by the *Building Code*, the *permit holder* shall also give notice to the *CBO* of the following stages of construction:
 - (a) commencement of construction of,
 - (i) masonry fireplaces and masonry chimneys;
 - (ii) factory-built fireplaces and allied chimneys; or
 - (iii) stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys;
 - (b) substantial completion of interior finishes;
 - (c) substantial completion of heating, ventilating, air-conditioning and air-contaminant extraction equipment; and,
 - (d) Completion of the *construction* or *demolition* work no more than two (2) *Business Days* after that date.
- (4) A notice pursuant to this section of the By-law is not effective until notice is actually received by the *CBO*; and,

- (5) Upon receipt of proper notice, the *Inspector* shall perform an inspection to which the notice relates within two (2) *Business Days* for a *building* inspection and within five (5) *Business Days* for a *sewage system* inspection, in accordance with the time periods stated in Article 1.3.5.3. of Division C of the *Building Code* and Subsection 11(4) of the *Act*.
- (6) Where six (6) months has passed since the issuance of a *building permit* or *change of use permit*, and notification has not been received for an inspection, and a request for an extension has not been received, upon confirmation that construction has not commenced, the *building permit* or *change of use permit* shall be revoked in accordance with Subsection 8.4;

11. BUILDING PERMIT AND INSPECTION FEES, AND REFUNDS

11.1. Building Permit and Inspection Fees

- (1) The required application *fees* shall be determined in accordance with Schedule “C” to this By-law;
- (2) Where it is determined that the required *fees*, or part of the *fees*, must be calculated on a *construction value* basis calculated in accordance with Schedule “C” of this By-law, the *construction value* may include the cost of all professional and related services in respect of the proposed *construction* or *demolition* as determined by the *CBO*;
- (3) In addition to the *building permit fees*, when a peer review is required to determine compliance with the objective code provisions of the *Building Code*, or other *Building Code* related peer review, the cost of the peer review shall be borne by the *applicant*. An administration *fee*, calculated in accordance with Schedule “C” of this By-law, shall also apply;
- (4) In addition to the *building permit fees*, where an *applicant* significantly revises proposed materials, systems, or a building design after examination of a previous submission has already been undertaken, but before the *building permit* is issued, a re-examination *fee* shall be calculated in accordance with Schedule “C” to this By-law;
- (5) In addition to the *building permit fees*, where an *applicant* applies for a conditional *building permit*, a non-refundable *fee* shall be calculated in accordance with Schedule “C” to this By-law;

- (6) The total *fee* payment shall be paid at the time of *building permit* issuance. The total *fee* will be based on the *fee* schedule valid on the date of *building permit* issuance. The *fee* collected shall be the greater of the minimum *fee* or the *fee* calculated using the *fee* multiplier. If the difference between the *fee* deposit and the *fee* due at the time of issuance is less than \$25.00, the outstanding amount will be deemed to be \$0. Any overpayment will be refunded to the person who supplied the deposit, unless otherwise directed in writing by that person;
- (7) Notwithstanding the enforcement requirements of the *Act*, where a *building permit* application has been received, and where *construction* has commenced in advance of the issuance of a *building permit*, the *applicant* shall pay the required surcharge as set out in Schedule "C";
- (8) The *occupancy permit* fee for a dwelling in a house is included in the *building permit* fees;
- (9) Where the *inspector* has conducted two previous inspections for the same stage of construction, either at the request of the *permit holder* or the *owner*, the person requesting an additional inspection thereafter shall pay, in advance of the inspection, a *fee* calculated in accordance with Schedule "C" for this and any future inspection for the same stage of construction;
- (10) Where a *permit holder* requests an inspection outside of regular working hours, and the *CBO* agrees to provide such service, a non-refundable *fee* calculated in accordance with Schedule "C" shall be collected; and,
- (11) Where a written request from a *permit holder* for a six month deferral is received and granted by the *CBO*, a non-refundable *fee* calculated in accordance with Schedule "C" shall be collected.

11.2. Refunds

- (1) In the case of withdrawal or refusal of an application for a *building permit*, or where a *building permit* application has been deemed to be abandoned as set out in Subsection 5.7 herein, upon written request, the *CBO* will determine the amount of *fees*, if any, which are refundable;

- (2) Subject to Sentence (1) above, the amount of *fees* refundable shall be calculated as a percentage of the total *building permit fee* as follows:
- (a) 75% of all *building permit fees* paid in full or due under this By-law if the application is withdrawn prior to any *building permit* review;
 - (b) 60% of all *building permit fees* paid in full or due under this By-law if the application is withdrawn after commencement of the review and prior to *building permit* issuance;
 - (c) 55% of all *building permit fees* paid in full or due under this By-law if the *building permit* has been denied and the *applicant* does not amend the plans to bring them into compliance with the requirements within the specified time period;
 - (d) 55% of all *building permit fees* paid in full or due under this By-law if the *building permit* has been issued, but before *construction* or *demolition* commences, the *CBO* revokes a *building permit* or grants a request to revoke a *building permit* no later than six (6) months after the date the *building permit* was issued;
 - (e) No refund shall be made if *construction* or *demolition* has commenced;
 - (f) No refund shall be made where the amount is equal to or less than the minimum *building permit fee*; or
 - (g) No refund shall be made where an inspection required under the *Building Code* or this By-law has not been arranged, and six (6) months or more have elapsed after the date the notice was issued or the inspection was required.

12. OTHER SERVICES

12.1. Alternative Solution

- (1) Where the prescriptive requirements or acceptable solutions of Division B of the *Building Code* are not met, the *applicant* may apply to obtain, and the *CBO* may approve, an *alternative solution* under Section 2.1 of Division C of the *Building Code*.

- (2) An *alternative solution* may only be proposed at the time of *building permit* application or subsequent to the *Town's* review of the *building permit* application submissions, in which case the *applicant* shall submit:
 - (a) a completed application on a form prescribed by the *CBO*;
 - (b) identification of the prescribed acceptable solutions under Division B of the *Building Code*, and their objective and functional statements under Division A of the *Building Code*;
 - (c) a description of the proposed *alternative solution* for the material, system or *building* design for which authorization is sought;
 - (d) supporting evaluation and assessment demonstrating that the proposed material, system or *building* design will provide an equivalent level of performance to the requirements of the *Building Code*;
 - (e) the qualifications of the designer responsible for the evaluation and assessment of the *alternative solution*; and
 - (f) payment of the required non-refundable *fees* calculated in accordance with Schedule "C" of this By-law, in addition to the required *building permit* application *fee* in Section 5 herein.
- (3) The *CBO* may accept or reject any proposed *alternative solution* and may impose conditions or limitation on their use;
- (4) An *alternative solution* that is accepted under this section shall be applicable only to the location described in the application and is not transferable to any other location or *building permit*;
- (5) If more than one *alternative solution* is proposed, each *alternative solution* shall be a separate application and shall have separate *fees* applied; and
- (6) If the *CBO* determines that a third party review is required to evaluate an *alternative solution* application, the *applicant* shall be notified, and the *applicant* shall provide:
 - (a) a written acknowledgment, within two weeks of notification from the *CBO*, that the *alternative solution* will be referred to a third party for review; and
 - (b) a written acknowledgment to add the non-refundable *fees* of the third party review, calculated in accordance with Schedule "C" of this By-law, to the *building permit fee*.

12.2. Maintenance Inspection Program

- (1) In accordance with Section 7 of the *Act* and as required by Article 1.10.2.2. in Division C of the *Building Code*, the *CBO* is delegated the authority to develop and administer the *Town's On-Site Sewage System* Maintenance Program. Details of the Program are set out in Schedule "D" of this By-law;
- (2) Existing on-site *sewage systems*, described in the *Town's On-Site Sewage System* Maintenance Program, must be inspected in the timeframes set out in Article 1.10.2.4. of Division C of the *Building Code*. Program *fees* for municipal inspections and administration are set out in Schedule "C" of this By-law.

12.3. Special Investigation

- (1) Where an *inspector* or the *CBO* is notified by the *Town's* Municipal Clerk, a Police force, or Emergency Services, to attend, inspect, or review a *building* or site to determine its adequacy for structural or health and safety requirements, the *inspector* or *CBO* may:
 - (a) In accordance with Subsection 15.9(1) of the *Act*, conduct a special investigation, without a warrant, to determine if the *building* is unsafe;
 - (b) be accompanied by any professional necessary to adequately determine the condition of the *building* or site;
 - (c) if an order is required, register such orders with the proper land registry office; and
 - (d) apply a non-refundable special investigation *fee*, calculated in accordance with Schedule "C" of this By-law, at the time of *building permit* application or registered as a priority lien against the property, as permitted by Subsections 15.9(10) and 15.10(10) of the *Act*.

13. FENCING CONSTRUCTION SITES

- 13.1. Where, in the opinion of the *CBO*, a *construction* or *demolition* site presents a particular hazard to the public, the *CBO* may require the erection of such fencing as is deemed appropriate to the circumstances but not limited to the standard stated in Section 13.4.
- 13.2. In considering the hazard presented by a *construction* site, the necessity for fencing, and its *construction*, the *CBO* shall have regard for;
- (1) the proximity of the *construction* site to other occupied *buildings*;
 - (2) the proximity of the *construction* site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;
 - (3) the hazards presented by the *construction* activities and materials;
 - (4) the feasibility and effectiveness of site fencing, and
 - (5) the duration of the hazard.
- 13.3. Where there is fencing on or adjoining a *construction* site erected prior to the application for a *building permit* in respect of that site, such fencing may be deemed to be in compliance with this By-law provided it is extended along the entire perimeter of the *construction* site as determined by the *CBO* and the extended fencing is erected in accordance with this By-law.
- 13.4. Every fence required under this By-law shall be a minimum 4' high and located on the perimeter of the *construction* site as determined by the *CBO*, or designate, and constructed as follows:
- (1) if of chain link construction, the chain link shall be fastened to a 1 ½" diameter metal bar which is securely fastened to metal posts which is not over 10 feet on center and embedded into the ground to provide a rigid support. The chain link mesh shall have a maximum 1 ½" opening;
 - (2) if of wood construction, the exterior face shall be ½ inch exterior grade plywood, oriented strand board or equivalent material that will not provide footholds for climbing. The facing shall be supported by 2 inch X 4 inch nominal size posts spaced at not more than 4 feet on center and embedded into the ground to provide a rigid support;

- (3) if the fence is of the snow fence or plastic mesh type, the fencing should be securely fastened to T-bar posts which are not over 8 feet on centre, and embedded into the ground to provide a rigid support. The fence is to be wired through the top and bottom and secured to each post; and,
- (4) other materials or methods may be substituted provided that there is an equivalent barrier between properties and an equivalent degree of safety provided.

13.5. The fence may provide for openings sufficient to accommodate construction vehicles, machines and any other equipment providing services to the construction site provided that these openings are closed off when the site is shut down.

14. SEVERABILITY

14.1. In the event that any portion of this By-law is declared by a court of competent jurisdiction to be invalid, it shall not affect the validity of this By-law as a whole or any other part thereof, other than the provision declared to be invalid.

15. MISCELLANEOUS

15.1. All schedules to be and form a part of this By-law.

16. OFFENCES AND PENALTIES

16.1. Every person or corporation who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided in section 36 of the *Act*; and,

16.2. Orders may be registered on title, as permitted by the *Act*. Fees associated with registering an order on title shall be calculated in accordance with Schedule "C".

17. REPEAL

17.1 By-law 2016-51, as amended, is hereby repealed on the date this By-law comes into force.

17.2 By-law 2018-73, as amended, is hereby repealed on the date this By-law comes into force.

18. EFFECTIVE DATE

18.1 This By-law comes into full force and effect on the day passing.

ENACTED and PASSED this 7th day of May, 2019.

Virginia Hackson, Mayor

Fernando Lamanna, Municipal Clerk

LIST OF SCHEDULES TO THIS BY-LAW:

SCHEDULE "A"	APPOINTMENTS
SCHEDULE "B"	CLASSES OF BUILDING PERMITS
SCHEDULE "C"	FEES
SCHEDULE "D"	SEPTIC SYSTEM MAINTENANCE PROGRAM

SCHEDULE "A" to By-law No. 2019-058

APPOINTMENTS

Item	Municipal Title	MMAH Registration	Name
1	Chief Building Official (Acting)	Chief Building Official	András Szönyi
2	Deputy Chief Building Official (Acting)	Supervisor	Walied Zekry
3	Inspector	Inspector	Carmelo Malandrino
4	Inspector	Inspector	Larry Callicragas
5	Inspector	Inspector	James Wong
6	Inspector	Inspector	Mike Ridgwell
7	Inspector	Inspector	Hailey Authier
8			
9			
10			
11			
12			

Schedule B^{1, 2, 3.} to By-law No. 2019-058 Page 1 of 3

Documents & Drawings Required For A *Complete Application* (Paper or Digital Media)

Row	Class of <i>Building Permit</i>	Documents and Drawings Required
1 (a)	<p><i>Building Permit to Construct</i></p> <ul style="list-style-type: none"> • New Buildings <p><u>Applies to:</u></p> <p>Residential buildings</p> <ul style="list-style-type: none"> • Detached Houses • Semi-detached Houses • Duplex/Triplex/Fourplex or Townhouses with partywalls 	<p>Documents</p> <ol style="list-style-type: none"> a. Approval documents required by an applicable law b. TARION 'Declaration of Applicant for Building Permit' c. Heat loss/heat gain/duct calculations (per dwelling unit) d. Energy Efficiency Design Summary Form * e. Residential Mechanical Ventilation Summary f. Municipal water and sewage connection permit g. Deed of the property <p>Drawings</p> <ol style="list-style-type: none"> a. Site Plan b. Municipally Approved Site Grading Plan c. Architectural Drawings (including block floor plans for each floor, block roof plans and block elevations for townhouse blocks) d. Structural Drawings e. Roof truss / Pre-engineered floor system shop drawings (including block plans for townhouse blocks) f. HVAC Drawings g. Identification of fire-break lots h. On-site <i>Sewage System</i> Drawings (including On-site <i>Sewage System</i> Statement of Design)
1 (b)	<p><i>Building Permit to Construct</i></p> <ul style="list-style-type: none"> • Additions/Alterations • Accessory Buildings <p><u>Applies to:</u></p> <p>Residential buildings as in Row 1(a)</p>	<p>Documents</p> <ol style="list-style-type: none"> a. Approval documents required by an applicable law b. Heat loss/heat gain/duct calculations c. Energy Efficiency Design Summary Form * d. Residential Mechanical Ventilation Summary <p>Drawings</p> <ol style="list-style-type: none"> a. Site Plan b. Municipally Approved Site Grading Plan c. Architectural Drawings d. Structural Drawings e. HVAC Drawings f. On-site <i>Sewage System</i> Drawings (including On-site <i>Sewage System</i> Statement of Design)

Row	Class of <i>Building Permit</i>	Documents and Drawings Required
2(a)	<p>Building Permit to Construct</p> <ul style="list-style-type: none"> • New Buildings • Additions <p><u>Applies to:</u></p> <p>All non-residential buildings</p> <p>Residential buildings</p> <ul style="list-style-type: none"> • Apartment Buildings • Duplex/Triplex/Fourplex or Townhouses without partywalls • Other residential not identified in Row 1(a) <p>Mixed use buildings</p>	<p>Documents</p> <ol style="list-style-type: none"> a. Approval documents required by an applicable law b. Commitment to General Reviews by Architects and Engineers * c. Subsurface investigation report d. Heat loss/heat gain/duct calculations e. Plumbing Data Form * f. Energy Efficiency Design Summary Form * g. Construction Fire Safety Plan (mid-rise wood building construction) h. Municipal water and sewage connection permit <p>Drawings</p> <ol style="list-style-type: none"> a. Site Plan b. Municipally Approved Site Servicing / Site Grading Plan c. Architectural Drawings d. Structural Drawings e. HVAC Drawings f. Plumbing Drawings g. Electrical Drawings h. Fire Protection System Drawings i. On-site Sewage System Drawings (including On-site Sewage System Statement of Design)
2(b)	<p>Building Permit to Construct</p> <ul style="list-style-type: none"> • Alterations • Tenant Improvements / Fit-up <p><u>Applies to:</u></p> <p>All non-residential buildings</p> <p>Residential buildings not described in Row 1(a) or 1(b)</p>	<p>Documents</p> <ol style="list-style-type: none"> a. Approval documents required by an applicable law b. Commitment to General Reviews by Architects and Engineers* c. Heat loss/heat gain/duct calculations d. Plumbing Data Form * <p>Drawings</p> <ol style="list-style-type: none"> a. Site Plan b. Key Plan c. Architectural Drawings d. Structural Drawings e. HVAC Drawings f. Plumbing Drawings g. Electrical Drawings h. Fire Protection System Drawings i. On-site Sewage System Drawings (including On-site Sewage System Statement of Design)

Row	Class of <i>Building Permit</i>	Documents and Drawings Required
3	<p><i>Building Permit to Construct</i></p> <ul style="list-style-type: none"> • Tents/Air Supported Structures • Mechanical Only <i>Permits</i> • Plumbing Only <i>Permits</i> • Designated Structures • Farm Buildings • Green energy projects (solar, wind, geothermal etc.) • Other than Rows 1(a), 1(b), 2(a), 2(b) and 4 	<p>Documents</p> <ul style="list-style-type: none"> a. Approval documents required by an applicable law b. Documents from Rows 1(a) to 2(b) or other documents which are applicable to the scope of work proposed and required by the <i>chief building official</i> to determine compliance with the <i>Building Code</i> and other applicable law <p>Drawings</p> <ul style="list-style-type: none"> a. Drawings from Rows 1(a) to 2(b) which are applicable to the scope of work proposed and required by the <i>chief building official</i> to determine compliance with the <i>Building Code</i> and other applicable law
4	<p><i>Building Permit for Change of Use</i></p> <p><u>Applies to:</u></p> <p>All buildings</p>	<p>Documents</p> <ul style="list-style-type: none"> a. Approval documents required by an applicable law b. Commitment to General Reviews by Architects and Engineers* <p>Drawings</p> <ul style="list-style-type: none"> a. Site Plan b. Key Plan c. Architectural Drawings d. HVAC Drawings
5	<p><i>Building Permit to Demolish</i></p> <p><u>Applies to:</u></p> <p>All buildings</p>	<p>Documents</p> <ul style="list-style-type: none"> a. Approval documents required by an applicable law b. Commitment to General Reviews by Architects and Engineers* c. Completed Utilities sign-off form * <p>Drawings</p> <ul style="list-style-type: none"> a. Site Plan b. Demolition Plan (where required)
6	<p><i>Conditional Building Permit</i></p> <p><u>Applies to:</u></p> <p>All buildings</p>	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law checklist b. Approval documents required by an applicable law c. Construction Schedule d. Letter of Intent and Justification e. Letter of Credit f. Securities g. Deed of the property

Notes:

1. Documents marked with an asterisk (*) are available from the *Chief Building Official*.
2. The *Chief Building Official* may waive the requirement for any specified documents or drawings where the scope of work, applicable law or building code does not, in the opinion of the chief building official, necessitate its submission.
3. The *Chief Building Official* may require additional documents and drawings to be produced where it is deemed necessary to ensure compliance with the *Act*, *applicable law*, and the *Building Code*.

SCHEDULE "C"

FEES

1. FEES

- 1.1 Unless otherwise noted, all fees shall be paid in full at the time of application.
- 1.2 More than one fee and surcharge may apply.

2. CALCULATION OF *BUILDING PERMIT FEES*

- 2.1 *Building Permit* fees shall be calculated on the basis of:
 - 2.1.1 the flat rate where indicated in Table 1 of this Schedule;
 - 2.1.2 the product of the applicable fee multiplier and unit of measure in Table 1 of this Schedule; or
 - 2.1.3 where no unit of measure is applicable, the rate specified in Table 1 of this schedule, for every \$1,000 of construction value.
- 2.2 When calculating fees based on floor areas, floor area is measured to the outer face of exterior walls and to the centreline of party walls or demising walls, except when calculating interior partition work. When measuring floor area for interior partitioning, corridors, lobbies, washrooms, lounges, and other similar facilities are to be included and classified according to the major occupancy classification for the floor area with which they are associated. Where these areas are constructed in a shell-only building, fees shall be calculated at the applicable partitioned rate in Table 1.
- 2.3 When measuring floor area, no deductions shall be allowed for floor openings required for such facilities as stairs, elevators, escalators, shafts and ducts. Interconnected floor spaces and atriums above their lowest level may be deducted from measured floor area.
- 2.4 For any permit application for a class of permit described under Section B of Table 1, floor area used for the calculation of fees shall be the lesser of :
 - 2.4.1 the area contained within a single rectangle encompassing all of the proposed work, or
 - 2.4.2 the actual area of the tenant space;
- 2.5 The occupancy classifications used in this By-law are based on the *Building Code* occupancy classifications. For mixed occupancy classifications, the total payable fee shall be calculated by applying the fee multiplier for each

occupancy prescribed in Table 1 to the floor area measured for each individual occupancy and taking the sum of the fees calculated for each occupancy.

- 2.6 For *building permits* for change of use, the fee multiplier for the proposed occupancy applies.
- 2.7 Where a *change of use permit* is denied, the fees paid may be credited to a *building permit* which incorporates the construction required to accommodate the change of use.
- 2.8 Except for temporary buildings on construction sites for office or sales purposes, fees for temporary buildings, including tents, apply to buildings erected for less than 30 days.

3. ADMINISTRATIVE FEES

- 3.1 Where administrative services are provided, the fees calculated in accordance with Table 1 shall apply.
- 3.2 Where an administrative service fee is not available in Table 1, the fees required by the *Town's* General Fees By-law may apply.

SCHEDULE C - TABLE 1 - Calculation of Fees						
1	2	3	4	5	6	7
Class of Building Permit, Service, Occupancy Classification and Work Description			By-Law	Minimum	Units	Multiplier
Section A: CONSTRUCTION of new buildings, additions to existing buildings, including Mezzanines or new intermediate floors						
1	Group A: Assembly	Single detached portable classroom	5.1.(1)(c)		Each	\$345
2		Multiple attached portable classrooms (Port-a-pack)			Per Classroom	\$400
3		All Other Assembly Occupancies		\$222.00	sq. ft.	\$1.20
4	Group B: Institutional	All Institutional Occupancies		\$442.00	sq. ft.	\$1.10
5	Group C: Residential	Single Detached. CSA. Semi or Townhouse with partywalls		\$194.00	sq. ft.	\$1.45
6		Duplex or Triplex or Townhouse, without partywalls		\$194.00	sq. ft.	\$1.75
7		Park Model Trailers (CSA Z241)			Each	\$400.00
8		Hotels & Motels		\$194.00	sq. ft.	\$1.45
9		Multi-residential Apartment buildings		\$194.00	sq. ft.	\$1.45
10		Unfinished Basement		\$194.00	sq. ft.	\$0.30
11		Finished Basement and ICF Basements		\$194.00	sq. ft.	\$0.60
12		Attached or semi-detached garage or carport		\$194.00	sq. ft.	\$1.45
13		Detached carport or garage		\$179.00	sq. ft.	\$1.10
14		Accessory utility building (ie. Garden shed, Gazebo)		\$179.00	sq. ft.	\$1.10
15		Unenclosed deck or porch		\$179.00	sq. ft.	\$0.70
16		Enclosed or partially enclosed deck, porch, or Sunroom		\$194.00	sq. ft.	\$1.45
17	Group D: Business and Personal Services	Shell Only (including unfinished basement)		\$327.00	sq. ft.	\$0.85
18		Partitioned/Finished, and Mezzanine		\$327.00	sq. ft.	\$1.10
19		Sales Trailer (Wheels on, readily moveable)			Each	\$345
20	Group E: Mercantile	Shell Only (including unfinished basement)		\$327.00	sq. ft.	\$0.85
21		Partitioned/Finished, and Mezzanine		\$327.00	sq. ft.	\$1.10
22	Group F: Industrial	Shell Only (including unfinished basement)		\$327.00	sq. ft.	\$0.70
23		Partitioned/Finished, and Mezzanine		\$327.00	sq. ft.	\$0.95
24		Gas Station/Canopy, Car Wash		\$327.00	sq. ft.	\$0.85
25		Parking Garage (underground, open air)		\$327.00	sq. ft.	\$0.95
26		Repair garage		\$327.00	sq. ft.	\$1.10
27		Rack Storage Systems		\$327.00	sq. ft.	\$0.75

"Schedule C" to By-law No. 2019-058 Page 4 of 7

1	2	3	4	5	6	7
Class of Building Permit, Service, Occupancy Classification and Work Description			By-Law	Minimum	Units	Multiplier
Section A: CONSTRUCTION of new buildings, additions to existing buildings, including Mezzanines or new intermediate floors						
28		Farm Building		\$327.00	sq. ft.	\$0.40
29	Designated Structures	Communication Tower Mechanical Building or Dish Antenna >5sm			Each	\$202
30		Crane Runway			Each	\$350
31		Exterior Storage Tank (not regulated by TSSA)			Each	\$350
32		Pedestrian Bridge appurtenant to a building		\$350.00	lin. ft.	\$3.00
33		Demountable Structures		\$350.00	sq. ft.	\$0.75
34		Retaining Wall		\$179.00	lin. ft.	\$5.00
35		Permanent Wall and Ground Sign > 7.5m High			Each	\$250
36	All Occupancies	Fabric Covered Building or Air Supported Structure		\$490.00	sq. ft.	\$0.50
37		Tents - less than 30 days			Each	\$228
38		Moving or Relocating Building (including new foundations)			Per Building	\$695
39		Shoring		\$350.00	lin. ft.	\$1.10
40		Underpinning		\$350.00	lin. ft.	\$1.10
Section B: ALTERATION or repair to existing building and CHANGE OF USE						
41	Group A: Assembly	All		\$441.00	sq. ft.	\$0.35
42	Group B: Institutional	All		\$441.00	sq. ft.	\$1.10
43	Group C: Residential	Accessory dwelling unit		\$441.00	sq. ft.	\$1.10
44		Below grade stair			Each	\$300
45		All other Residential Occupancy work	5.1.(1)(c), 6.1.(c)	\$194.00	sq. ft.	\$0.60
46	Group D: Business and Personal Service	All		\$441.00	sq. ft.	\$0.40
47	Group E: Mercantile	All		\$441.00	sq. ft.	\$0.40
48	Group F: Industrial	All		\$441.00	sq. ft.	\$0.40
49	All Occupancies	Demising wall (to create multiple units)			Each	\$350.00
50		Electromagnetic Locking Device (each)			Each	\$200.00
Section C: DEMOLITION (complete or partial)						
51	Single, Semi or Townhouse with partywalls	Single/Semi-detached/accessory	5.1.(1)(c)		Per House	\$179
52	All Other Occupancies	All Buildings			Each	\$350

1	2	3	4	5	6	7
Class of Building Permit, Service, Occupancy Classification and Work Description			By-Law	Minimum	Units	Multiplier
Section D: MECHANICAL and FIRE PROTECTION WORK						
53	Single, Semi or Townhouse with partywalls	HVAC - New, Alterations, Extensions <=500 sq.ft. Building Area	5.1.(1)(c)		Flat	\$160
54		HVAC - New, Alterations, Extensions >500 sq.ft. Building Area			Flat	\$320
55	All Other Occupancies	HVAC - New, Alterations, Extensions <= 2500 sq.ft. Building Area			Flat	\$500
56		HVAC - New, Alterations, Extensions >2500 sq.ft. Building Area			Flat	\$800
57		Commercial Exhaust Hoods and Suppression Systems			Flat	\$310
58		Fire Alarm System			Flat	\$310
59		Replacement Annunciator/Control Panel only			Flat	\$310
60		Sprinkler System			Flat	\$310
61		In-rack sprinkler system			Flat	\$310
62		Standpipe system			Per Riser	\$310
63		Emergency power			Flat	\$600
64		Emergency lighting (per storey)			Per Storey	\$150
65		Solid Fuel Burning Applicane or Chimney			Flat, each	\$175
Section E: PLUMBING						
66	Single, Semi or Townhouse with partywalls	Service Connection (per lot)	5.1.(1)(c)		Flat	\$250
67		Plumbing Works (Fixtures, appliances, drains) for New Dwelling			Per Dwelling	\$450
68		Repairs to Plumbing Works in Existing Dwellings		\$105.00	Per fixture	\$22.50
69	All Other Occupancies	Fixture, appliance, floor drain, backflow preventer, roof hopper			Each	\$22.50
70		Water, service, and Inside and outside drains - New Building			Lin. Ft.	\$1.50
71		Water, service, and inside and outside drains - Repair:				
72		100mm (4") or less	5.1.(1)(c)		Flat	\$50
73		150mm (6")			Flat	\$75
74		200mm (8")			Flat	\$100
75		250mm (10")			Flat	\$125
76		300mm (12") or greater			Flat	\$150
77	All Occupancies	Conversion from septic system to sewer			Each	\$250
78		Manhole, catch basin, or area drain		Each	\$42	
79		Minimum Building Permit Fee for Plumbing Works Only		\$105.00		

"Schedule C" to By-law No. 2019-058 Page 6 of 7

1	2	3	4	5	6	7
Class of Building Permit, Service, Occupancy Classification and Work Description			By-Law	Minimum	Units	Multiplier
Section F: ON-SITE SEWAGE SYSTEMS (Proposed separately or in conjunction with other construction)						
80		New System, Building <= 2,000 sq.ft.	5.1.(1)(c)		Each	\$950
81		Surcharge on New System, Building > 2,000 sq.ft.			sq.ft.	\$0.65
82		Alterations to Leaching Bed only			Each	\$600
83		Alteration to Septic Tank or Minor Repair to Part of a System			Each	\$400
84		Review of Clearances Only			Each	\$200
Section G: GREEN ENERGY SYSTEMS (Proposed as stand alone work)						
85		Solar domestic hot water systems (serving individual dwellings)	5.1.(1)(c)		Flat	\$350
86		Solar hot water systems (serving all other buildings)			Flat	\$500
87		Solar photovoltaic systems (serving individual dwellings)			Each array	\$350
88		Solar photovoltaic systems (serving all other buildings)			Each array	\$500
89		Geothermal Systems			Each	\$500
90		Wind Turbine >3kW, <=10kW			Each	\$350
91		Wind Turbine >10kW			Each	\$1,850
Section H: MISCELLANEOUS AND OTHER SERVICES						
92		Covenants Agreement (Limiting Distance)	2.4		Flat, each	\$3,000.00
93		Reactivation of a building permit application	5.6.(1)		Each	\$75.00
94		Occupancy Permit (other than residential with partywalls)	7.1.(c)		Per Application	\$200.00
95		Revision to a buiding permit	8.1.(1)(d)	\$100.00	10% of building permit fee	
96		Transfer of a building permit	8.2.(1)(h)		Each	\$230.00
97		Work without a gross floor area or not identified above	11.1.(2)		Per \$1,000 CV	\$19.00
98		Peer Review	11.1.(3), 12.1(6)		Consultant Fee + \$600 Admin	
99		Supplementary (re)submissions during a permit application	11.1.(4)	\$100.00	Per hour	\$185.00
100		Conditional building permit (Securities may also be required)	11.1.(5)		Each	\$3,000.00
101		Surcharge for constructing without a permit (based on fees above)	11.1.(7)		Each	100%
102		Reinspection due to defective work	11.1.(9)		Each	\$50.00
103		Non-working hours inspeciton	11.1.(10)		Per hour	\$185.00
104		Six-month building permit extension	11.1.(11)		Each	\$75.00
105		Alternative solution review fee	12.1.(2)(f)		Each	\$500 + \$185/hr

"Schedule C" to By-law No. 2019-058 Page 7 of 7

1	2	3	4	5	6	7
Class of Building Permit, Service, Occupancy Classification and Work Description			By-Law	Minimum	Units	Multiplier
Section H: MISCELLANEOUS AND OTHER SERVICES						
106		Certified model (Single Detached Residential only)		\$194.00	sq. ft.	\$0.50
107		Model home			Each	\$500.00
108		Preliminary zoning compliance review letter			Each	\$50.00
109		Sewage system compliance letter			Each	\$50.00
110		Lawyer compliance letter (Building, Plumbing, Zoning, Sewage)			Each	\$150.00
111		Sewage system maintenance inspection program - inspection	12.2.(2)		Each	\$600.00
112		Sewage system maintenance inspection program - administration	12.2.(2)		Each	\$150.00
113		Special Investigation Fee - Residential (maximum \$5,000)	12.3.(1)(d)		Per hr/person	\$185.00
114		- Non-Residential (maximum \$12,000)	12.3.(1)(d)		Per hr/person	\$185.00
Section I: ADMINISTRATIVE						
115		Statistics Canada Monthly Report			Each	\$20.00
116		Copies of surveys (up to 11"x17" in size)			Each	\$50.00
117		Copies of surveys (greater than 11"x17" in size)			Each	\$75.00
118		Copies of sewage system plan			Each	\$50.00
119		Agency approval letter (Liquor License, Daycare, Lodging)			Each	\$110.00
120		Fees for registering and de-registering orders on title			Each	\$110.00

APPENDIX D – SEWAGE SYSTEM MAINTENANCE INSPECTION

1. Introduction

The *Building Code Act, 1992* (BCA) and the *Ontario Building Code*, Ontario Regulation 332/12 regulate the design, construction and renovation of treatment systems which are located wholly on the property which they serve (i.e. “on-site”) and have a design sewage capacity of 10,000 litres/day or less. Such systems typically provide treatment for smaller buildings such as houses, cottages, and small businesses.

The Building Code, O. Reg. 332/12, as amended, establishes and governs mandatory on-site *sewage system* maintenance inspection programs, to be administered in certain areas by local enforcement bodies having jurisdiction. The *Building Code* also governs discretionary on-site *sewage system* maintenance inspection programs established by local enforcement bodies.

2.1 Mandatory Inspections

The OBC prescribes that all *sewage systems* that are located wholly or partly within 100 metres of each of the following features be inspected for compliance with the requirements of Section 1.10 of Division C and Section 8.9. of Division B of the Building Code:

- a. Lake Simcoe shoreline;
- b. any river or stream in the Lake Simcoe watershed that continually flows in an average year;
- c. any lake or pond in the Lake Simcoe watershed that is connected on the surface to a river or stream described in (a) and (b);
- d. any other lake or pond in the Lake Simcoe watershed that has a surface area greater than 8 hectares; and
- e. proximity to Vulnerable Areas within Source Protection Area.

The Source Water Protection Plan of the South Georgian Bay Lake Simcoe Protection Region (SWPP) came in to effect on July 1, 2015. The Building Code prescribes that all septic systems wholly or partly located within a vulnerable area in a source protection area are required to be regularly inspected for compliance with the requirements of Division B, Section 8.9. of the OBC.

All residential properties having a Vulnerability Score of 10, as determined by the SWPP are considered to be within the vulnerable area. Non-residential properties, with specific contaminants having a Vulnerability score of 8 to 10, as determined by the SWPP are considered to be within the vulnerable area.

Sewage System Maintenance Inspection

2.2 Discretionary Inspections

The Building Code allows for properties located outside of the Mandatory Inspection area to be subject to a *Sewage System* Maintenance Inspection Program.

3. Authority for Inspections

Sewage system maintenance inspections are generally intended to determine whether a sewage system is in substantial compliance with the operation and maintenance requirements outlined in Division B, Section 8.9. of the *Building Code*.

All septic systems located in areas subject to the *Sewage System* Maintenance Inspection Program as described in Section 1.10 of Division C of the *Building Code* shall be inspected every five years from the date of construction or from the date of the most recent maintenance inspection.

All septic system inspections shall be completed by inspectors with a *BCIN* in good standing, having qualifications for *On-Site Sewage Systems*, and shall submit a Certificate to the attention of the Chief Building Official. The Certificate shall be in a form prescribed by the Ministry of Municipal Affairs. The owner may retain their own qualified inspectors to complete the Certificate.

4. Fees

A *Sewage System* Maintenance Inspection Program fee for affected properties shall be assessed as per Schedule “C” of the Building By-law. The fee is to be added to the tax roll during the year in which the property is to be inspected.

If the owner does not retain a qualified inspector, the Corporation may conduct an inspection, and in addition to the *Sewage System* Maintenance Inspection Program administration fee, a surcharge shall apply, calculated in accordance with Schedule “C” of the Building By-Law. The surcharge is to be added to the tax roll during the year in which the property is to be inspected.

5. Notification

The Corporation will provide an initial notification to all the property owners deemed to be part of the *Sewage System* Maintenance Inspection Program and every 4.5 years thereafter. Other properties may be added to the *Sewage System* Maintenance Inspection Program over time.

Sewage System Maintenance Inspection

6. Enforcement

If the *Building Code* or the *Act* is contravened or signs of possible future problems are detected, the inspector will follow-up on those matters with the owner.

If an inspector finds that an on-site *sewage system* is malfunctioning or failing or has malfunctioned or failed, the Inspector will assess the severity of the matter. The inspector may require additional inspections, investigations, tests, reports or other services at the owner’s cost to determine the condition of an on-site *sewage system*.

The inspector may issue an Order in accordance with the *Act* and the *Building Code* to notify the owner of the problem and provide direction to the owner to correct the deficiency. Where an on-site *sewage system* is beyond repair, a new system may need to be constructed.

Non-functioning *sewage systems* may cause bacterial contamination of our local water supply, which in turn may lead to illness, or in rare cases, even death. A building may be considered to be an Unsafe Building, as defined in Sentence 15.9(3) of the *Act*, if a sewage system is not maintained or operated in accordance with the *Act*, and the *Chief Building Official* may prohibit occupancy.