

THE CORPORATION OF THE TOWN OF BANCROFT

BY-LAW NO. 08-2025

Being a By-Law Respecting Building Permit Classes,
Applications, Fees and Notices Required for Inspection

WHEREAS Section 7 of The Building Code Act, S.O. 1992, as amended, authorizes the Council of a Municipality to pass by-laws concerning the issuance of permits including permits in respect of any stage of construction or demolition;

AND WHEREAS Section 7 of The Building Code Act, S.O. 1992, as amended, authorizes the Municipality to require payment of fees and authorizes the prescription of said fees for various purposes as described in the Act.

AND WHEREAS Section 7 of The Building Code Act, S.O. 1992, as amended, authorizes the Municipality to require payment of interest and other penalties for unpaid fees as well as provide for refunds of fees under particular circumstances;

AND WHEREAS the Municipality is responsible for the enforcement of the Act in the Municipality;

NOW THEREFORE the Council of the Corporation of the Town of Bancroft hereby enacts as follows:

1.0 DEFINITIONS

In addition to those definitions found in the Ontario Building Code Act the following definitions shall apply for the purpose of this by-law:

“Act” means the Building Code Act, 1992, S.O. c.23 as amended;

“As Constructed Plans” means plans as defined in the Act;

“Building” means a building as defined in Section 1(1) of the Act;

“Building Code” means the regulation made under Section 34 of the Act;

“Chief Building Official” means the Chief Building Official appointed by Council under Section 3 of the Act;

“Inspector” means an inspector appointed under Subsection 3(2) of the Act;

“Municipality” means the Town of Bancroft;

“Permit” means permission or authorization given in writing by the Chief Building Official to perform work regulated by the Act and Building Code, or to change the use of a building or occupy a building or part of a building regulated by the Act;

“Plumbing” means plumbing as defined in Section 1(1) of the Act;

“Principal Authority” means the Corporation of the Town of Bancroft.

2.0 CLASSES OF PERMITS

2.1 The classes of permits prescribed by Council to be used in the municipality with respect to the construction, demolition and change of use of buildings and the prescribed permit fees shall be set out in Schedule “A” to this by-law.

3.0 PERMIT ADMINISTRATIVE PROCEDURES

3.1 After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued, must be given in writing, to the Chief Building Official together with the details of such change, which is not to be made without his or her written authorization.

3.2 When, to expedite work, the approval of a portion of work is desired by the applicant, a request shall be made in writing to the Chief Building Official to be approved on a case-by-case basis.

Complete plans and specifications covering the entirety of the building or project shall be filed with the Chief Building Official.

Where a permit is issued for part of a building or project, this shall not be construed to authorize construction beyond the plans for which approval was given, nor that approval will necessarily be granted for the entire building or project.

3.3 Subject to provisions outlined in Subsection 8(10) of the Act as it may be amended from time to time, the Chief Building Official, has the authority to revoke a permit issued under the Act.

4.0 APPLICATION REQUIREMENTS

4.1 All applications for building permits shall be made in the prescribed Provincial permit application form and bear the signature of the landowner or their agent. Agent(s) require authorization from the owner to act on their behalf in writing.

4.2 The prescribed form to apply for a permit is available at the Town of Bancroft Municipal office.

4.3 Every applicant shall submit plans, specifications, documents and other information to enable the Chief Building Official sufficient information, in their sole opinion, to determine whether the proposed construction, demolition, or change of use conforms to the Act, the Building Code, and any other applicable law.

4.4 The Chief Building Official shall determine the number of copies of plan, specifications, documents and other information required to be furnished with an application for Permit having regard for the requirements of any Act, regulation or by-law respecting the examination or circulation of the application.

4.5 All site plans submitted as part of an application for a Permit must be referenced to and accompanied by, a current plan of survey certified by a registered Ontario Land Surveyor. This requirement may be waived by the Chief Building Official if he is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code, and any other applicable law. All site plans shall include:

4.5.1 lot size and dimensions of the property;

4.5.2 setbacks from existing and proposed buildings to property boundaries and to each other

4.5.3 existing and proposed ground levels or grades, elevations of proposed footings and tops of foundations

4.5.4 existing rights of way, easements and municipal services

5.0 DEMOLITION PERMITS

5.1 All applications for such permits shall be submitted to the Chief Building Official and contain the following information:

5.1.1 be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, electric, telephone or other utilities and services; and

5.1.2 include complete plans and specifications, documents and other information as described in this by-law for the work to be covered by the permit.

6.0 CONDITIONAL PERMITS

6.1 All applications for such permits shall be submitted to the Chief Building Official and shall contain the following information:

6.1.1 a written statement from the applicant explaining the reasons why the applicant believes that unreasonable delays in construction would occur if a Conditional Permit is not granted;

6.1.2 a written acknowledgement from the applicant of the necessary approvals which must be obtained in respect of the proposed construction and the time period in which such approvals are proposed by the applicant; and,

6.1.3 a written agreement, between the applicant and the Chief Building Official, executed by the applicant, the owner and all other persons that the Chief Building Official considers appropriate for the purposes set out in clause 8(3)(c) of the Act;

7.0 CHANGE OF USE PERMITS

7.1 A Change of Use Permit is a permit respecting a change in use of a building or part of a building which results in an increase in hazard as determined by the Chief Building Official in accordance with the Building Code.

7.2 Every application for a change of use Permit issued under subsection 10(1) of the Act shall be submitted to the Chief Building Official, and must:

7.2.1 describe the building or part of a building in which the use is to be changed, by a description that will readily identify and locate the building;

7.2.2 identify and describe in detail the existing and proposed use of the building or parts of the building in which the application for a Permit is made;

7.2.3 include plans and specifications which show the current and proposed use of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code including, floor plans, details of wall, floor and roof assemblies identifying required fire resistance rating and load bearing capacities;

7.2.4 be accompanied by the required fee;

7.2.5 state the name and address and telephone number of the Owner, and,

7.2.6 be signed by the Owner or his or her authorized agent, who shall attest or affirm the truth of the contents of the application.

8.0 AS CONSTRUCTED PLANS

8.1 The Chief Building Official may require that a set of as constructed plans of a building or any class of buildings be filed with the Chief Building Official on completion of construction under such conditions as may be prescribed in the Act.

9.1 EQUIVALENTS

9.1 Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a permit was issued, contains an equivalent material, system or building design for which authorization under Section 9 of the Act is requested, the applicant shall provide the following information to the Chief Building Official:

9.1.1 description of the proposed material, system or building design for which authorization under Section 9 of the Act is requested;

9.1.2 any applicable provisions of the Building Code;

9.1.3 evidence that the proposed material, system or building design will provide the level of performance require by the Building Code.

9.2 The permit shall indicate whether the Chief Building Official has allowed the use of the proposed material, system or building design and if allowed the reasons

why the Chief Building Official was of the opinion that the material, system or building design will provide the level of performance required by the Building Code.

10.0 PRESCRIBED FORMS

10.1 The forms prescribed for use as applications for permits, for orders and for inspection reports shall be as set out in the Act.

11.0 REGISTERED CODE AGENCIES

5.1 Under Section 4.1(1) of the Act, the Municipality may enter into agreements with registered code agencies authorizing the agency to perform the functions specified in the agreement in respect of the construction of any building or class of building specified in the agreement.

5.2 The Municipality may appoint the agency to perform specified functions in respect of the construction of a building or class of buildings.

5.3 The Municipality may delegate, in writing, to the Chief Building Official, the authority to make appointments described above, and may impose conditions or restrictions with respect to the delegation.

5.4 An appointment of a registered code agency may authorize the agency to perform all of the applicable functions described in Section 15.15 of the Act:

5.4.1 before a permit is issued under Section 8 of the Act;

5.4.2 after a permit is issued under Section 8 of the Act; or

5.4.3 both before and after a permit is issued under Section 8 of the Act.

5.5 The Municipality that appoints a registered code agency shall give the director of Ministry of Municipal Affairs and Housing such information as may be prescribed by the Ontario Building Code.

12.0 FEES

12.1 The fees payable for the various classes of permits shall be those set out in Schedule "A" attached and are due upon submission of an application for a Permit

12.2 Transfer of Permits requires fees as per Schedule "A" attached and new owners must assume all responsibility for the ownership of the property.

13.0 REFUND OF FEES

13.1 Where there is a request from the permit holder for refund of the permit fee due to non-commencement or abandonment of work, the Chief Building Official

shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule “B”.

14.0 NOTICES

14.1 The person to whom a permit is issued under Section 8 of the Act shall notify the Chief Building Official or, where a registered code agency is appointed under the Act in respect of the construction which the notice related, at least two (2) working days prior to covering any stage of construction as specified in subsection 2.4.5.1 of the regulations made under the Act.

14.2 The time periods exclude Saturdays, Sundays, holidays and all other days when the offices of the principal authority are not open for the transaction of business with the public.

14.3 The principal authority requires additional notices as specified in Subsection 2.4.5.2 of the Act for the commencement of construction of:

14.3.1 fireplaces and chimneys,

14.3.2 factor-built fireplaces and allied chimneys,

14.3.3 stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys.

14.4 The principal authority requires additional notices as specified in Subsection 2.4.5.2 of the regulations relating to the completion and availability of drawings of the building as constructed.

15.0 PENALTY

15.1 Under clause 36(1) of the Act, contravention of a by-law passed under the Act constitutes an offence. Subsection 36(3)-(5) of the Act provides penalties for this offence.

16.0 SEVERABILITY

16.1 If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-Law and it is hereby declared that the remainder of the By-Law shall be valid and shall remain in force.

17.0 SHORT TITLE

17.1 This By-Law shall be referred to as the “Building By-Law”.

18.0 INTERPRETATION

18.1 Any reference in this By-Law to any statutes, regulations or By-Laws shall be deemed to be a reference to such statutes, regulations, or By-Laws, as amended, restated, or replaced from time to time.

19.0 GENDER

19.1 In this By-Law any words imparting the masculine gender shall include the feminine gender and neutral gender and vice versa and words imparting the singular shall include the plural where the context requires.

20.0 HEADINGS

20.1 The headings used in this By-Law are included solely for the convenience of reference and are not to be considered part of this By-Law and are not intended to be full or accurate descriptions of the contents of any section, clause, or provision of this By-Law.

21.0 SCHEDULES

21.1 Schedule "A" shall be attached to By-Law 08-2025, being a schedule describing permit fees and shall be considered to form part of this By-Law.

21.2 Schedule "B" shall be attached to By-Law 08-2025, being a schedule describing refundable fees and shall be considered to form part of this By-Law.

22.0 EFFECTIVE DATE

THAT this By-Law shall be effective as of March 01, 2025, and upon being enacted all former By-Laws or policies governing such allowances, including By-Law 26-2007, are hereby repealed.

15.0 AUTHORIZATION

THAT the Mayor and Clerk be and are hereby authorized to sign this By-Law and affix the corporate seal thereto. Read a first, second and third time, and be finally passed, signed, sealed, and numbered By-Law 08-2025, on this 11th day of February 2025

PAUL JENKINS, MAYOR

AMBER WANNAMAKER, CLERK

TOWN OF BANCROFT
SCHEDULE "A" to BY-LAW 08-2025

BUILDING DEPARTMENT	
Administrative Fee applied to all Permits - \$150.00	
FARM, COMMERCIAL AND INDUSTRIAL	
CONSTRUCTION TYPE	AMOUNT OF FEE OR CHARGE
• New Building Construction • Additions • Renovations & Interior Fit Ups • Repairs • Alterations • Accessory Structures	\$0.60 per square foot
RESIDENTIAL BUILDING FEES AND NEW ADDITIONAL DWELLING UNITS AS DEFINED	
CONSTRUCTION TYPE	AMOUNT OF FEE OR CHARGE
• Residential Buildings • Seasonal Dwellings • Guest Dwellings • Additions • Area includes all floors above grade measured between the outside surfaces of exterior walls and the centre line of party walls, whether finished or unfinished. • Openings between storeys below are not deducted from the floor area.	Above Grade - \$1.15 per square foot Below Grade - \$1.00 per square foot
ACCESSORY STRUCTURES AND RENOVATION AND DEMOLITION FEES	
CONSTRUCTION TYPE	AMOUNT OF FEE OR CHARGE
Renovations, Enlargements and Extensions	<u>Beginning March 01, 2025</u> 1.5% of Construction Value <u>After January 01, 2026</u> 2% of Construction Value
Garages, Decks, Porches, Accessory and Detached Buildings	\$0.70 per square foot
Plumbing	\$150 per unit, plus \$10.00 per new, additional or relocated fixture.
Swimming Pools	\$150.00
Roof Mounted Solar Panels	\$150 + 2% of Construction Value
Communication Towers, Wind Turbines etc.	\$150 + 2% of Construction Value
Solid wood burning appliance and chimneys - installation/replacement	\$150.00
SEWAGE SYSTEMS	
SYSTEM TYPE	AMOUNT OF FEE OR CHARGE
Class 2 Sewage System (Grey Water)	<u>Beginning March 01, 2025</u> \$500.00
Class 3 Sewage System (Cesspool)	<u>After January 01, 2026</u> \$600.00
Class 4, 5 Sewage System Daily Flow Less than 4500L	\$700.00

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Class 4, 5 Sewage System Daily Flow 4500L - 10,000L	
Repair to Sewage System (Tank or Bed)	\$325.00
DEMOLITION	
Demolition Permit	\$200.00
ADMINISTRATIVE FEES	
TYPE OF FEE OR CHARGE	AMOUNT OF FEE OR CHARGE
Septic Permit Search	\$100.00
Consultation for Change of Use First hour - no charge	\$100.00 per hour or part thereof
Change of Use Permit Where no construction is carried out	\$200.00
Construction or Demolition without a Permit (at the discretion of the CBO)	<u>Value of Construction ≤ \$50,000</u> \$500 <u>Value of Construction ≥ \$50,000</u> \$1000
Additional Inspection - Includes Re-Inspections - Includes Failure to Appear - Includes Work Not Completed for Inspection	\$200.00
Building Permit Renewal	\$150.00
Occupancy Permit	\$150.00
Orders registered or removed from title	Owner responsible to pay all registration costs plus a 10% administration fee
NOTES: - The administration fee shall apply to all permits. - There shall be no refunds for any permit type. - All construction values are as estimated by the Chief Building Official, at their sole discretion.	

TOWN OF BANCROFT
SCHEDULE "B" to BY-LAW 08-2025

BUILDING DEPARTMENT Refund Schedule applied to all Permits	
STATUS OF PERMIT APPLICATION	PERCENTAGE OF FEES ELIGIBLE FOR REFUND
Application filed, but no processing or review of plans submitted has occurred	90%
Application filed, but plans have been reviewed and permit issued	60%
For all flat rate or basic fee permits	0%
ADDITIONAL DEDUCTIONS	
Additional deduction for each field inspection that has been performed	5%