



BY-LAW NO. 2024-045

**A BY-LAW OF THE CORPORATION OF THE TOWN OF
BRACEBRIDGE BEING A BY-LAW RESPECTING
CONSTRUCTION, DEMOLITION AND CHANGE OF USE
PERMITS, INSPECTIONS AND ADMINISTRATION**

WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992 c.23, empowers Council to pass certain by-laws respecting construction, conditional permits, sewage systems, demolition and change of use permits and inspections;

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 (hereinafter referred to as the "Municipal Act") provides that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

AND WHEREAS Section 11 of the Municipal Act provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein;

AND WHEREAS Section 398.2(2) of the Municipal Act provides that fees or charges imposed in accordance with this By-law constitute a debt owed to the municipality for which the Treasurer may add the outstanding fees or charges, including interest on the unpaid balance, to the tax roll for the property owned by the persons responsible for paying the fees and charges, and the amount shall be collected in the same manner as municipal taxes;

AND WHEREAS Section 2 of the Trespass to Property Act, R.S.O. 1990, c. T.21, as amended, makes it an offence for every person who is not acting under right or authority conferred by law and who, without the express permission of the occupier, the proof of which rest on the defendant, enter on premises when entry is prohibited under the Act or engages in an activity on the premises when the activity is prohibited under the Act or does not leave the premises immediately after he or she is directed to do so by the occupier of the premises or a person authorized by the occupier;

AND WHEREAS Section 5 of the Trespass to Property Act, R.S.O. 1990, c. T.21, as amended, allows a Municipality as "occupier" to post signs, prohibiting activities within an area;

AND WHEREAS by motion 24-PD-035, the Council of The Corporation of the Town of Bracebridge deems it expedient to enact a by-law respecting construction, demolition and change of use permits, inspections, and administration;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 This By-law may be cited as the "Building By-law".

2. DEFINITIONS

2.1 In this By-law,

2.1.1 **Act** means the Building Code Act, 1992 S.O. 1992 as amended.

2.1.2 **Additional Inspection** means an inspection deemed necessary by the Chief Building Official (applicable to existing buildings or defective/deficient new buildings, to pay for the additional inspections that are required as a result of poor construction, or to evaluate existing projects for renovation or addition where applicants may be unsure of requirements).

2.1.3 **As Constructed Plans** means as constructed plans as defined in the Building Code.

2.1.4 **Building** means a building as defined in Section 1(1) of the Act.

2.1.5 **Building Code** means the regulations made under Section 34 of the Act.

2.1.6 **Chief Building Official** means the Chief Building Official appointed by By-law of The Corporation of the Town of Bracebridge for the purposes of enforcement of the Act.

2.1.7 **Construct** as defined in Section 1(1) of the Act.

2.1.8 **Conditional Permit** as set out in Section 8(3) of the Act.

2.1.9 **Corporation** means The Corporation of the Town of Bracebridge.

2.1.10 **Farm Building** means a farm building as defined in the Building Code.

2.1.11 **Floor Area** means the aggregate of the floor area measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, and in the case of a dwelling, excluding any porches, basements or cellars.

2.1.12 **Owner** includes the registered owner of a property, a lessee, tenant, mortgagee in possession, or person otherwise in charge of any property, acting as the authorized agent of the owner.

2.1.13 **Permit** means written permission or written authorization from the Chief Building Official to perform work regulated by this By-law and the Act.

2.1.14 **Permit Maintenance Fee** is an annual fee for a permit issued under the Building Code that remains open after three (3) years from the date of issuance until such time the permit is closed.

2.1.15 **Plumbing** means plumbing as defined in Section 1(1) of the Act.

- 2.1.16 **Qualified Designer** means Qualifications as set out in the Building Code Division C-Part 3.
- 2.1.17 **Revised Drawings** means building drawing/plans that have been submitted with changes to the original drawings/plans that have been approved.
- 2.1.18 **Remedy Unsafe** permit means a permit that has become necessary due to a building or property being determined to be unsafe by the Chief Building Official. The permit fee for this class of permit includes the cost of any enforcement required to obtain compliance.
- 2.1.19 **Sewage System** means a sewage system as defined in the Building Code.
- 2.1.20 **Special Inspection** means an inspection that is requested and carried out that may or may not be in connection with a building permit, at the discretion of the Chief Building Official and/or on permits greater than 3 years old.
- 2.1.21 **Temporary Construction Uses** means a tool shed, construction trailer, trailer mobile camper, or other building or structures incidental to construction that may be erected on the lot where construction is taking place provided that a building permit has been issued and remain until the structure has been completed to become able to be occupied to the maximum of 12 months with a security deposit.
- 2.1.22 **Tent** means every kind of temporary shelter that is not permanently affixed to the site and that is capable of being easily moved.

3. CLASSES OF PERMITS

- 3.1 Classes of permits with respect to the construction, demolition and change of use of buildings and permit fees shall be as set out in Schedule "A" to this By-law.

4. ADMINISTRATION FEES

- 4.1 Administration fees in respect to additional cost(s) above the fees for building permits shall be as set out in Schedule "B" to this By-law.

5. REQUIREMENTS FOR APPLICATIONS

- 5.1 The Application:
- 5.1.1 To obtain a permit, the owner or an agent authorized by the owner, shall file with the Chief Building Official, an application in writing by completing a prescribed form by the Ministry of Municipal Affairs and Housing.
- 5.2 Permit application requirements (identified in Schedule "C" to this By-law).
- 5.2.1 Where application is made for a building permit under Subsection 8(1) of the Act, the application shall:
- 5.2.1.1 Be in a form prescribed by the Minister;
- 5.2.1.2 Identify and describe in detail the work, use and occupancy for which the building permit application is made;

- 5.2.1.3 Identify and describe in detail the existing use and the proposed use for the premises;
- 5.2.1.4 Identify the subject municipal address and legal description;
- 5.2.1.5 Be accompanied by the plans, specifications, documents and other information necessary for the complete review of the building permit submission, as required by the Chief Building Official and in accordance with 5.5 including all architectural, structural, mechanical, plumbing and electrical drawings and details, including shoring drawings and details, where the construction method will require such systems;
- 5.2.1.6 Where required by the Chief Building Official, be accompanied by a code compliance report prepared by an architect or professional engineer;
- 5.2.1.7 Where required by the Chief Building Official, be accompanied by a geotechnical report prepared by a professional engineer;
- 5.2.1.8 Where required by the Chief Building Official, be accompanied by a report from a professional engineer with respect to the impact of vibration from the proposed construction methods and the measures to be employed to mitigate such impacts;
- 5.2.1.9 Be accompanied by the full building permit fees required by this article;
- 5.2.1.10 State the names, addresses, telephone numbers and email addresses of the owner, applicant, architect, engineer, or other designer for the work applied for;
- 5.2.1.11 If Subsection 1.2.2 of Division C Part 1 of the Building Code applies, be accompanied by a signed acknowledgement of the owner on the form prescribed, that an architect or professional engineer or both have been retained;
- 5.2.1.12 If Subsection 1.2.2 of Division C Part 1 of the Building Code applies, be accompanied by a signed statement from the architect or professional engineer or both on the form prescribed, undertaking to provide a general review;
- 5.2.1.13 Include where applicable, the registration number of the builder or vendor as provided in the Ontario New Home Warranties Plan Act;
- 5.2.1.14 State the estimated valuation of the proposed work, including material, labour and related direct cost associated with the work, exclusive of the cost of the land;
- 5.2.1.15 State the erection and removal date for all temporary buildings; and
- 5.2.1.16 Be accompanied by documentation that confirms or demonstrates compliance with any required applicable law as set out in sentence 1.4.1.3 of Division A Part 1 of the Building Code.

- 5.2.1.17 As part of the first building permit application on each lot within a newly created plan of subdivision, the application shall include a lot grading and building siting control plan prepared by a professional engineer.
- 5.2.1.18 If required by subsection 5.6 a Lot grading plan prepared by:
 - 5.2.1.18.1 An Ontario Land Surveyor;
 - 5.2.1.18.2 An engineer registered as a member of the Professional Engineers of Ontario;
 - 5.2.1.18.3 An architect registered as a member of the Ontario Association of Architects;
 - 5.2.1.18.4 A member of the Ontario Association of Landscape Architects;
 - 5.2.1.18.5 A certified member of Association of Architectural Technologists of Ontario;
 - 5.2.1.18.6 A certified member of Ontario Association of Certified Engineering Technicians and Technologists; or
 - 5.2.1.18.7 Any other professional deemed qualified by the Chief Building Official to prepare a lot grading plan.
- 5.2.2 Where application is made for a demolition permit under Subsection 8(1) of the Act, the application shall:
 - 5.2.2.1 Shall contain the information required by clauses 5.2.1; and be accompanied by the information set out in Schedule "G" to this By-law unless the building to be demolished is a house;
 - 5.2.2.2 If Article 1.2.2 of Division C Part 1 of the Building Code applies, be accompanied by structural design characteristics of the building and the method and time schedule of demolition; and
 - 5.2.2.3 If Sentence 1.2.2.3 of Division C Part 1 of the Building Code applies, be accompanied by confirmation on a form prescribed by the Chief Building Official that a professional engineer has been retained to undertake the general review of the demolition.
- 5.2.3 Where application is made for a conditional permit under Subsection 8(3) of the Act, the application shall:
 - 5.2.3.1 Contain the information required by clauses 5.2.1;
 - 5.2.3.2 Contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require;
 - 5.2.3.3 State the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;

- 5.2.3.4 State the necessary approvals, which must be obtained in respect of the proposed building, and the time in which such approvals will be obtained;
- 5.2.3.5 State the time in which plans and specifications of the complete building will be filed with the Chief Building Official;
- 5.2.3.6 Be subject to the registered owner and such other person as the Chief Building Official determines entering into an agreement as provided in Subsection 8(3) of the Act; and
- 5.2.3.7 Pay the additional fees and provide the required securities, as set out in Schedule "A" to this By-law.

5.3 Change of Use Permits

- 5.3.1 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 shall:
 - 5.3.1.1 Describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;
 - 5.3.1.2 Identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
 - 5.3.1.3 Include plans and specifications which show the current and proposed occupancy of all parts of the building and the site, where appropriate; and which contain sufficient information to establish compliance with the requirements of the Building Code, including floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capacities;
 - 5.3.1.4 Be accompanied by the required fee;
 - 5.3.1.5 State the name, address and telephone number of the owner; and
 - 5.3.1.6 Be signed by the owner or their authorized agent who shall certify the truth of the contents of the application.

5.4 Sewage Systems

- 5.4.1 Every application for a sewage system permit shall be submitted to the Chief Building Official and contain the following information:
 - 5.4.1.1 The information required by Section 5.2
 - 5.4.1.2 A site evaluation which shall include all of the following items, unless otherwise specified by the Chief Building Official:
 - 5.4.1.2.1 The date the evaluation was done;
 - 5.4.1.2.2 Name, address, telephone number and signature of the person who prepared the evaluation;
 - 5.4.1.2.3 A site plan conforming to subsection 5.5.4 showing:

5.4.1.2.3.1 The legal description, lot size, property dimensions, existing rights-of-way, easements of municipal/utility corridors;

5.4.1.2.3.2 The location of the proposed sewage system;

5.4.1.2.3.3 The location of any unsuitable, disturbed or compacted areas; and

5.4.1.2.3.4 Proposed access routes for system maintenance.

5.4.1.2.4 depth to bedrock;

5.4.1.2.5 depth to zones of soil saturation;

5.4.1.2.6 soil properties, including soil permeability; and

5.4.1.2.7 soil conditions, including the potential for flooding.

5.5. Plans and Specifications

5.5.1 Sufficient information shall be submitted with each application for a permit, to enable the Chief Building Official to determine whether or not the proposed construction, demolition or change of use will conform to the Act, the Building Code or any other applicable law.

5.5.2 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 revised drawings with the details of such change which is not to be made without their written authorization.

5.5.3 Required Drawings and Plans as outlined in Schedule "C" and forms submitted as part of an application under Section 5 shall be legible and be drawn to scale, in an electronic format conforming to all applicable guidelines as prescribed by the Chief Building Official.

5.5.4 Site plans shall:

5.5.4.1 Be accurately drawn to scale and dimension, and when required by the Chief Building Official to demonstrate compliance with the Act, the Building Code or other applicable law, a copy of a survey prepared by an Ontario Land Surveyor shall be submitted:

5.5.4.2 Show lot size and the dimensions of the property lines and setbacks to any existing or proposed buildings and sewage systems;

5.5.4.3 Show existing and finished ground levels or grades;

5.5.4.4 Show existing rights-of-way, easements and municipal services.

- 5.6. Multiple dwelling units:
 - 5.6.1 For all applications relating to, or forming part of, the construction of more than one detached, semi-detached, triplex, fourplex or townhouse dwelling, or new or replacement foundations relating to the foregoing;
 - 5.6.2 Take the format of a Lot Grading and Drainage Plan;
 - 5.6.3 Be referenced to a current plan of survey prepared and certified by an Ontario Land Surveyor, and a copy of the survey shall accompany the site plan submission; and
 - 5.6.4 Include the information outlined in 5.5.4;
- 5.7. Lot Grading and Drainage Plan process:
 - 5.7.1 Initial Lot Grading and Drainage Plan, as described in 5.6 shall be submitted at time of permit application;
 - 5.7.2 Upon the completion of a foundation the applicant shall submit to the Chief Building Official a Foundation Control Certificate prepared by an Ontario Land Surveyor certifying the location and elevation of the top of the foundation wall and confirming general conformity with the approved site grading plan, prior to a framing inspection being undertaken; and
 - 5.7.3 At time of occupancy inspection, if site grading is not in general compliance with the approved Lot Grading and Drainage Plan, the Chief Building Official may require submission of an As-constructed Lot Grading and Drainage Plan.
 - 5.7.4 Verification by an Ontario Land Surveyor of By-law compliance may be required before proceeding past foundation stage, if required by the Chief Building Official.

6. ALTERNATIVE SOLUTION

- 6.1. Where the prescriptive requirements or acceptable solutions of Division B of the Building Code are not met, the Chief Building Official may approve an alternative solution under Division C, Part 2 of the Building Code.
- 6.2. An alternative solution proposal may be requested for a system or building design at the time of permit application, or if a material change is necessary to a plan, specification, document or other information on the basis of which a permit is issued.
- 6.3. The applicant, with or without their approved representative, shall submit a completed "Application for an Alternative Solution" on the form available from the Chief Building Official that includes:
 - 6.3.1 A description of the applicable objectives, functional statements and acceptable solutions;

- 6.3.2 A description of the proposed material, system of building design for which authorization is sought;
 - 6.3.3 Supporting documentation demonstrating that the proposed material, system or building design will provide the level of performance required by the Building Code; and
 - 6.3.4 Payment of the required fee as set out in Schedule "B" .
- 6.4 Alternative Solutions that are accepted under this Section shall be applicable only to the location described in the application and are not transferable to any other permit.
 - 6.5 After reviewing the documentation filed with the application for approval of an alternative solution, the Chief Building Official may require the applicant to obtain a Peer Review of the application, at the applicants sole expense, if deemed necessary by the Chief Building Official to evaluate the proposed alternative solution.
 - 6.6 Where the Chief Building Official requires a Peer Review of the Alternative Solution Application the Chief Building official may identify specific questions required to be addressed and considered in the Peer Review.

7. PERMIT TRANSFER FEE

- 7.1. If land changes ownership after a building permit has been issued, a building permit may be transferred to the new owner following the payment of the Permit Transfer Fee as set out in Schedule "B" to this By-law.
- 7.2. When a building permit is transferred, the new owner assumes all responsibility and may be required to provide additional information and, if necessary, proof of engagement of a design professional.
- 7.3. Changes made to plans submitted for the original building permit may require payment of an additional fees.

8. PAYMENT OF FEES

- 8.1 Fees for a required permit shall be as set out in Schedule "A" to this By-law and are due and payable upon submission of an application for a permit.
- 8.2 Where the fees payable in respect of an application for a construction or demolition permit issued under Subsection 8(1) of the Act, or a conditional permit under Subsection 8(3) of the Act, are based on the cost of valuation of the proposed work, the cost of valuation of the proposed work shall mean the total cost of all work regulated by the permit, including the cost of all material, labour, equipment, overhead and professional and related services, provided that where application is made for a conditional permit, fees shall be paid for the complete project.
- 8.3 Where a permit was issued and remains open after three (3) years and where inspections remain outstanding, a request for the final inspection must be accompanied by the fee as set out in Schedule "B" to this by-law.

- 8.4 The Chief Building Official may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee in Subsection 8.2 above, and where disputed, the applicant shall pay the required fee under protest, and, within six (6) months of completion of the project to the maximum of 36 months from the date the permit was issued, shall submit an audited statement of the actual costs, and where the audited costs are determined to be less than the valuation, the Chief Building Official may issue a refund.

9. PERMIT MAINTENANCE FEE

- 9.1 Where the Chief Building Official confirms that a Building Permit remains open after three (3) years, the Town shall send to the current property owner, an invoice for the Permit Maintenance Fee as set out in Schedule "B" to this by-law;
- 9.2 Annual invoicing shall continue until such time as the permit(s) is revoked, closed or cancelled.

10. POSTING OF PERMITS

- 10.1 All Permits are required to be posted in a location that is visible from the road on the property in respect of which the permit was issued. The fee for failure to post is set out in Schedule "B" to this By-law.

11. REFUNDS

- 11.1 In the case of withdrawal of an application or the abandonment of all or a portion of the work, or the non-commencement of any project, 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" to this By-law.

12. COLLECTION

- 12.1 In addition to every other remedy available at law, fees that are due and unpaid may be added to the tax roll of the property owner who is responsible for paying the fee and may be collected in the like manner as municipal taxes.

13. NOTICE AND REQUIREMENTS FOR INSPECTIONS

- 13.1 The owner, builder or authorized agent shall notify the Chief Building Official at least two (2) business days in advance for an inspection under the Building Code.
- 13.2 In addition to the prescribed notice contained in Div. C Part 1 1.3.5.1 of the Building Code, additional notices 1.3.5.2 (1)(c), (d), (e), (f), and (g) and occupancy permit 1.3.3.1. along with notification of completion 1.3.3.3. are required.
- 13.3 Required building and plumbing inspections as listed in Schedule "D" to this By-law.
- 13.4 Required Septic Inspections as listed in Schedule "E" to this By-law.
- 13.5 Notice may be given in one of the following ways;
- 13.5.1 Phone message at (705) 645-5264 ex 3543;
- 13.5.2 Email to building@bracebridge.ca;
- 13.5.3 Online through the Building Services Branch's electronic building permit application and tracking portal;

13.5.4 In person at the Municipal Office, Planning and Development Counter.

14. AS CONSTRUCTED PLANS

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

15. FENCING AT UNSAFE BUILDING, CONSTRUCTION AND DEMOLITION SITES

15.1 Where in the opinion of the Chief Building Official, a construction or demolition site presents a particular hazard to the public, the Chief Building Official may require the erection of such fencing as he or she deems appropriate to the circumstances.

15.2 In considering the hazard presented by the construction of demolition site, the necessary fencing and height and characteristics of such fencing, the Chief Building Official shall have regard for:

15.2.1 the proximity of the building site to other buildings;

15.2.2 the proximity of the construction or demolition site to lands accessible to the public;

15.2.3 the hazard presented by the construction or demolition activities and materials;

15.2.4 the feasible and effectiveness of such fences; and

15.2.5 the duration of the hazard.

16. ENFORCEMENT (OFFENCES)

16.1 No person shall:

16.1.1 Construct a building without a permit contrary to Section 8(1) of the Act;

16.1.2 Cause construction of a building without a permit contrary to Section 8(1) of the Act;

16.1.3 Demolish a building without a permit contrary to Section 8(1) of the Act;

16.1.4 Cause demolition of a building without a permit contrary to Section 8(1) of the Act;

16.1.5 Change plans without authorization contrary to Section 8(12) of the Act;

16.1.6 Construct a building not in accordance with plans contrary to Section 8(13) of the Act;

16.1.7 Change the use of a building without a permit contrary to Section 10(1) of the Act;

16.1.8 Occupy a building newly erected without notice or inspection contrary to Section 11(1) of the Act;

16.1.9 Obstruct or remove posted order without authorization contrary to Section 20 of the Act;

- 16.1.10 Furnish false information on an application for a permit contrary to Section 36 (1)(a) of the Act;
 - 16.1.11 Commence demolition before a building has been vacated contrary to Div. C sentence 1.3.1.1(4) of the Building Code;
 - 16.1.12 Fail to post a permit on the construction site contrary to Div. C article 1.3.2.1 of the Building Code;
 - 16.1.13 Fail to post a permit on the demolition site contrary to Div. C article 1.3.2.1 of the Building Code;
 - 16.1.14 Occupy an unfinished building without a permit contrary to Div. C sentence 1.3.3.1(1) of the Building Code; and
 - 16.1.15 Fail to provide notification of construction phase contrary to Div. C sentence 1.3.5.1(1) of the Building Code.
- 16.2 No Person Shall Fail to Comply with:
- 16.2.1 An order made by an inspector contrary to Section 12(2) of the Act;
 - 16.2.2 An order not to cover made by an inspector contrary to Section 13(1) of the Act;
 - 16.2.3 An order to uncover made by an inspector contrary to Section 13(6) of the Act; 4
 - 16.2.4 A stop work order made by the Chief Building Official under Section 14(1) of the Act;
 - 16.2.5 An order to remedy an unsafe building made by an inspector under subsection 15.9(4) of the Act;
 - 16.2.6 An order prohibiting use or occupancy of an unsafe building made by the Chief Building under subsection 15.9(6) of the Act; and
 - 16.2.7 An order to repair a dangerous building made by the Chief Building Official under subsection 15.10(1) of the Act.

17. PENALTIES

- 17.1 Every Person who contravenes any provision of this by-law or the Act or is party to such with Section 36 of the Act is guilty of an offence;
- 17.2 Every person who hinders or obstructs a person lawfully carrying out the enforcement of this by-law is guilty of an offence;
- 17.3 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended. The Chief Judge of the Ontario Court of Justice shall be requested to establish set fines as set out Schedule "H" to this By-law.
- 17.4 For the purpose of this by-law, each day of a continuing offence shall be deemed to be a separate offence;

17.5 In addition to the penalties prescribed in section 17.1 and 17.2 of this by-law, the Chief Building Official may apply under subsection 36(1) and or 38(1) of the Act for additional penalties and/or a minimum fine of no less than \$250 up to a maximum fine of Ten Thousand Dollars (\$10,000.00) or the maximum fine applicable pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P33; and

17.6 No Part of this by-law shall come into force and take effect until Schedule "H" to this By-law is approved and filed by Regional Senior Justice, pursuant to Provincial Offences Act Part Offences Act Part 1.

18. VALIDITY AND SEVERABILITY

18.1 Every provision of this By-law is declared severable from the remainder and if any such provision of this By-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of the By-law.

19. FORCE AND EFFECT

19.1 This By-law shall come into force and effect on immediately upon passing, or as otherwise outlined in section 17.6 of this By-law, whichever is later.

20. REPEAL OF BY-LAWS

20.1 Upon the date this by-law comes into force and effect, By-law 2020-073 is hereby repealed.

READ AND PASSED THIS 14TH DAY OF AUGUST, 2024.

Mayor, Rick Maloney

Deputy Clerk, Tina Arbuckle

SCHEDULE "A"**Classes of Permits and Permit Fees**

Type of Structure	Rate to Determine Fee	Minimum Fee
Dwellings, Sleeping Cabins, Commercial	\$1.55 per sq. ft. of finished floor area. Includes plumbing and HVAC.	\$310.00
Residential Below Grade Floor Area, or Below Grade Crawl Space Area	\$.55 per sq. ft. of below grade or crawl space floor area. Includes plumbing and HVAC.	
Boathouses	\$.75 per sq. ft. of total floor area (enclosed dock and slip area considered as floor area)	\$310.00
Garages, Storage Sheds or Similar Structures	\$.75 per sq. ft. of total floor area;	\$250.00
Repairs or Renovations	\$.75 per sq. ft. of area of repair or renovation	\$250.00
New or Renewal of Foundation	\$11.30 per \$1,000 construction value	\$360.00
Docks	\$.55 per sq.ft of total dock area	\$250.00
Decks	\$.55 per sq.ft of total deck area	\$250.00
Plumbing (Stand Alone)	\$10.00 per fixture unit	\$200.00
Demolition Permits		\$200.00 (Part 9) \$300.00 (Part 3)
Conditional Building Permit	\$20 per \$1,000 of value or part thereof plus a refundable security deposit to be determined by the Chief Building Official.	Minimum Deposit \$1,000.00
Change of Use Permit	Flat Rate	\$250.00
Wood Appliances/Chimney	Flat Rate	\$200.00
Septic	Flat Rate for New/Change of Classification/Repair, Alter or Enlarge	\$450.00
	Flat Rate – Tank only	\$200.00
	Flat Rate – Holding Tank	\$200.00
	Flat Rate – Septic – Grey Water	\$200.00
Temporary Permit	Flat Rate – Tents or Temporary Structures	\$150.00

Type of Structure	Rate to Determine Fee	Minimum Fee
Securities	Securities for Conditional Permits	As per CBO
Water/Sewer Connection	Flat Rate	\$200.00
Backflow Preventer	Flat Rate	\$200.00
Other Work Requiring Permits Not Otherwise Listed Above	\$11.30 per \$1,000 of cost of construction work	\$200.00

SCHEDULE “B”**Administration and Refund Fees**

Type of Structure	Fees Details	Minimum Fee
Alternative Solutions (Part 9 Residential Buildings)	Flat Rate + All Peer Review Costs	\$500.00
Alternative Solutions (All Other Buildings)	Flat Rate + All Peer Review Costs	\$2000.00
Constructing without a Permit Administration Fee	Flat Rate	Double the Permit Fee
Electronic Payment Fee	Determined based on cost	Cost Recovery
Failed or Not Ready for Inspection	If greater than 2 inspections required	\$100.00 per inspection
Failure to Post Permit	Administration Fee for failure to post Building Permit	\$100.00
Final/Occupancy letters within 48 hours of inspection		\$120.00
Inspection for a permit greater than 3 years old	Part 3 Buildings	\$250.00
	Part 9 Buildings	\$200.00
Liquor License Existing Permit	Review of Existing Permit	\$75.00
Liquor License New Permit	Review of New Permit	\$150.00
Permit Maintenance Fee (applied 3 years after permit issuance if still open)	Annual Fee - Commercial	\$250.00 per year
	Annual Fee - Dwellings and Additions	\$200.00 per year
	Annual Fee - Accessory Structures	150.00 per year
	Annual Fee – Decks, Docks, Septic	\$100.00 per year
Permit Transfer Fee	Flat Fee	\$200.00
Refunds	No review done	65% refund
	Reviewed	45% refund
	After 6 Months of Issuance	No refund
	After any Building Inspection carried out	No refund
Revised Drawings	After review has been completed	\$100.00 per hour

SCHEDULE "C"

List of Plans or Working Drawings To Accompany Applications For Permits

1. Property Site Plan (including all current and proposed structures, setbacks from all property lines and showing location of power lines)
2. Floor Plans
3. Foundation Plans
4. Framing Plans
5. Roof Plans
6. Reflected Ceiling Plans
7. Sections and Details
8. Building Elevations
9. Electrical Drawings
10. Heating, Ventilation and Air Conditioning Drawings (heat loss calculations)
11. Septic Details
12. Plumbing Drawings

NOTE:

The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for permit.

SCHEDULE "D"**List of Required Building and Plumbing Inspections**

1. Footing forms completed and NO concrete
2. ICF forms completed with re-bar NO concrete
3. Water/Sewer connection (open trenches)
4. Backflow Preventer Installation
5. Backfill - parging, damp proofing and drainage completed (no fill)
6. Framing completed
7. Plumbing – potable, drains, vents, sewer and main (rough-in with test)
8. Heating and ventilation (rough-in)
9. Substantial completion of fire separations and closers and fire protection systems (when required)
10. Solid fuel burning appliances and chimney (rough-in)
11. Insulation, vapour barrier and air barrier when completed before covering
12. Occupancy inspection (not completed but safe to occupy)
13. Final Inspection

SCHEDULE "E"

List of Required Septic Inspections

1. Subgrade prior to installation (all excavation completed prior to any fill).
2. Substantial completion of the sewage system before backfilling (stone exposed, graphs and weigh slips to be on site).
3. Final (grading and erosion protection completed).

SCHEDULE "F"

Other Required Permits

1. Plumbing new, additional or changes
2. Replacing or upgrading vapour barrier/insulation
3. Replace or repair foundation drainage and damp-proofing
4. Upgrading or replacing heating system
5. Interior/Exterior renovation (structural).

SCHEDULE "G"**DEMOLITION PERMIT APPLICATION INFORMATION****1. REQUIRED INFORMATION****1.1 Details and particulars in respect of the proposed demolition which state:**

- 1.1.1 Whether there is compliance with Regulation 347 made under the Environmental Protection Act, R.S.O. 1990, c. E.19.
- 1.1.2 Whether the present owner has or any past owners had generators or a waste generator number.
- 1.1.3 Whether there are hazardous or controlled products, as defined in the Workplace Hazardous Materials Information System (WHMIS).
- 1.1.4 Whether there is a list of designated substances, including asbestos, as required under section 30 of the Occupational Health and Safety Act, R.S.O. 1990, c. O.1.
- 1.1.5 Whether there are any fluid storage tanks, above or below grade, on site.
- 1.1.6 Whether the structure to be demolished is insulated with urea formaldehyde.
- 1.1.7 Whether the structure contains polychlorinated biphenyls (PCBs) as defined under the Environmental Protection Act, R.S.O. 1990, c. E.19, Regulation 362.
- 1.1.8 Whether the structure contains chlorofluorocarbon (CFC) bearing refrigerant equipment.
- 1.1.9 The nature of the past and present uses of the premises.
- 1.1.10 The precise nature of the waste, as defined under the Environmental Protection Act, R.S.O. 1990, c. E.19, and regulations made under that Act that will be generated by the demolition of the structure and the method of waste disposal.
- 1.1.11 The method of demolition and whether the method for handling air and dust emissions, recognizing on-site sources, complies with sections 6 and 11 of Regulation 346 made under the Environmental Protection Act, R.S.O. 1990, c. E.19.
- 1.1.12 What the final grading will be.
- 1.1.13 The post-closure plans.
- 1.1.14 The proposed enclosure of the land.
- 1.1.15 The size of the property on which the structure to be demolished is located.
- 1.1.16 Whether there will be discharge of contaminated waters resulting from either a dewatering process, storm runoff or other discharge

SCHEDULE “H”**SET FINE AMOUNTS****Provincial Offences Act – Part I**

Item	Short Form Wording	Building By-law Section Defining the Offence	Set Fine
1	Property owner - Construct building without permit	16.1.1	\$250.00
2	Property owner - Cause construction of building without permit	16.1.2	\$250.00
3	Property owner - Demolish building without permit	16.1.3	\$150.00
4	Property owner - Cause demolition of building without permit	16.1.4	\$150.00
5	Property owner - Change plans without authorization	16.1.5	\$150.00
6	Property owner - Construct building not in accordance with plans	16.1.6	\$150.00
7	Property owner - Change the use of building without permit	16.1.7	\$250.00
8	Property owner - Occupy newly erected building without notice or inspection	16.1.8	\$250.00
9	Property owner - Obstruct or remove posted order without authorization	16.1.9	\$300.00
10	Property owner - Furnish false information on permit application	16.1.10	\$300.00
11	Property owner - Commence demolition before building vacated	16.1.11	\$300.00
12	Property owner - Fail to post permit on construction site	16.1.12	\$150.00
13	Property owner - Fail to post permit on demolition site	16.1.13	\$150.00
14	Property owner - Occupy unfinished building without permit	16.1.14	\$300.00
15	Property owner - Fail to provide notification of construction phase	16.1.15	\$150.00
16	Property owner - Fail to comply with order to comply	16.2.1	\$400.00
17	Property owner - Fail to comply with order not to cover	16.2.2	\$400.00
18	Property owner - Fail to comply with order to uncover	16.2.3	\$400.00
19	Property owner - Fail to comply with stop work order	16.2.4	\$400.00
20	Property owner - Fail to comply with order to remedy unsafe building	16.2.5	\$400.00
21	Property owner - Fail to comply with an order prohibiting use or occupancy of unsafe building	16.2.6	\$400.00
22	Property owner - Fail to comply with order to repair dangerous building	16.2.7	\$400.00
23	Property owner - Hinder or obstruct person lawfully carrying out enforcement duties	17.2.	\$400.00
24	Builder - Construct building without permit	16.1.1	\$500.00
25	Builder - Cause construction of building without permit	16.1.2	\$500.00
26	Builder - Demolish building without permit	16.1.3	\$300.00

Item	Short Form Wording	Building By-law Section Defining the Offence	Set Fine
27	Builder - Cause demolition of building without permit	16.1.4	\$300.00
28	Builder – Change plan without authorization	16.1.5	\$300.00
29	Builder - Construct building not in accordance with plans	16.1.6	\$300.00
30	Builder - Change the use of building without permit	16.1.7	\$500.00
31	Builder - Occupy newly erected building without notice or inspection	16.1.8	\$500.00
32	Builder - Obstruct or remove posted order without authorization	16.1.9	\$500.00
33	Builder - Furnish false information on permit application	16.1.10	\$500.00
34	Builder - Commence demolition before building vacated	16.1.11	\$600.00
35	Builder - Fail to post permit on construction site	16.1.12	\$300.00
36	Builder- Fail to post permit on demolition site	16.1.13	\$300.00
37	Builder - Occupy unfinished building without permit	16.1.14	\$500.00
38	Builder - Fail to provide notification of construction phase	16.1.15	\$400.00
39	Builder - Fail to comply with order to comply	16.2.1	\$600.00
40	Builder - Fail to comply with order not to cover	16.2.2	\$600.00
41	Builder - Fail to comply with order to uncover	16.2.3	\$600.00
42	Builder - Fail to comply with stop work order	16.2.4	\$600.00
43	Builder - Fail to comply with order to remedy unsafe building	16.2.5	\$600.00
44	Builder - Fail to comply with an order prohibiting use or occupancy of unsafe building	16.2.6	\$600.00
45	Builder - Fail to comply with order to repair dangerous building	16.2.7	\$600.00
46	Builder - Hinder or obstruct person lawfully carrying-out enforcement duties	17.2	\$600.00