

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NUMBER 2021-91

BEING A BY-LAW TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE BUILDING CODE ACT, 1992 WITHIN THE TOWNSHIP OF SEVERN (BUILDING BY-LAW)

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WHEREAS Subsection 3(1) of the *Building Code Act*, S.O. 1992, provides that the Council of the Corporation of the Township of Severn is responsible for the enforcement of the *Building Code Act* within the Township of Severn;

AND WHEREAS Section 7 of the *Building Code Act*, S.O. 1992, as amended, and the regulation thereunder, provides that the Council of each municipality may pass by-laws and establish fees and regulations respecting building services and permits;

AND WHEREAS the *Municipal Act* 2001, Chapter 25, Section 391, as amended, authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it, and for costs payable for its services or activities provided; and that the costs included in a fee or charge may include costs incurred by the municipality or local board related to administration, enforcement and the establishment, acquisition and replacement of capital assets; and

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS;

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## 1.0 SHORT TITLE

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

## 2.0 DEFINITIONS

For the purpose of this By-law;

- 2.1 "*Act*" means the Building Code Act, S.O. 1992 as amended
- 2.2 "*Acceptable Solution*" means a requirement stated in Part 3 to 12 of Division B of the Code.
- 2.3 "*Alternative Solution*" means a substitute for an acceptable solution.
- 2.4 "*Applicable Law*" means the list of applicable laws as found in the Building Regulations as prescribed in the Act
- 2.5 "*Applicant*" means a person who applied for a permit and includes any person authorized by an owner to apply for a permit on the owner's behalf
- 2.6 "*Architect*" means a holder of license, a certificate of practice, or a temporary license under the Architect's Act.
- 2.7 "*As Constructed*" means as construed plans as defined in the building code and "As Built" has the same meaning in this by-law.
- 2.8 "*Building*" means a building as defined in the Act
- 2.9 "*Building Code*" means the Building Code Regulations made under Section 34 of the Act
- 2.10 "*Building Inspector*" or "*Building Official*" means an inspector or plans examiner appointed under Section 3 of the Act and having jurisdiction for the enforcement of the Act, the Building Code and this By-law
- 2.11 "*Certified Model*" means plans for a detached, semi-detached, townhouses, row-house, or duplex that will be repeated typically in a subdivision
- 2.12 "*Chief Building Official*" means the person appointed under Section 3 of the Act and having jurisdiction for the enforcement of the Act, the Code and this By-law and may include designates assigned to administer the Act
- 2.13 "*Code*" means a regulation made under the Act.
- 2.14 "*Complete Application*" means an application that meets the requirements set out in the code and By-law for applications
- 2.15 "*Construct*" means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and "construction" has a corresponding meaning
- 2.16 "*Construction Value*" means higher of either the value declared by the Applicant or by other published standard value schedule to represent the total value of all work, services and material associated with the construction for which an application for a permit is made
- 2.17 "*Corporation*" means the Corporation of the Township of Severn
- 2.18 "*Council*" means the Council of The Corporation of the Township of Severn
- 2.19 "*Demolish*" means to do anything in the removal of a building or any material part -there of and "demolition" has a corresponding meaning
- 2.20 "*Designer*" means the individual who takes responsibility of the design. A designer may include an Architect, Professional Engineer, and a Designer with a Building Code Identification Number or an Owner where permitted under the code.

- 2.21 *"Farm Building"* means a building associated with a bona fide farming operation which does not contain a residential occupancy and which is associated and located on land devoted to the practice of farming and used essentially for the housing of equipment, livestock or the production, storage or processing of agricultural produce or feeds
- 2.22 *"In-Fill Lot"* means an existing vacant residential lot of record
- 2.23 *"Ministry"* shall have the same meaning as in the Act and means the Ministry of Municipal Affairs and Housing or as may be amended under the Act *"Owner"* means the registered owner on title of the land or a mortgagee in possession upon which the building or part thereof is located, or will be located, and is deemed responsible for all construction activities occurring upon the property.
- 2.24 *"Permit"* means permission or authorization given, in writing, by the Chief Building Official;
- i) to construct a building or part of a building as regulated by the Act and the Code
  - ii) to change the use of a building or part of a building as regulated by the Act and the Code and
  - iii) to occupy a building or part thereof a building as regulated by the Act and the Code
- 2.25 *"Permit File Maintenance Fee"* means a fee charges to keep a building permit file active for an additional 12 months that has been issued more than 12 months.
- 2.26 *"Person"* means an individual human being, his/her personal representative and his/her heirs, executors and assigns, and shall also include a corporation with or without a share capital
- 2.27 *"Plans Review Certificate"* means a certificate that is issued when a registered code agency has reviewed the plans and specifications and certifies that they meet the Act and the Code.
- 2.28 *"Principal Authority"* means the council of the municipality
- 2.29 *"Professional Engineer"* means a person who holds a license or a temporary license under the Professional Engineer's Act
- 2.30 *"Registered Code Agency"* means a person or entity that has qualification and meets the requirements of the Act and Code
- 2.31 *"Re-Inspection"* means any inspection of a construction stage made pursuant to a previous inspection of the same construction stage and made necessary due to a previous incomplete stage or infractions have been identified and reassessment is required to ensure compliance. A "re-inspection" is applicable regardless if the inspection is specific or non-specific during another inspection being undertaken.
- 2.32 *"Surveyor"* means a registered and licensed Professional Land Surveyor under the Surveyors Act.
- 2.33 Any word or terms not defined in this By-law shall have the meaning as described in the Act or Code. Terms not defined in the Act or Code shall have the same meaning as described in a standard Canadian dictionary
- 2.34 Any word or terms used in this By-law having a singular meaning may be understood as being plural, and any word or terms used in this By-law having plural meaning may be understood as being singular; and
- 2.35 Whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

### 3.0 BUILDING PERMITS

#### 3.1 No person shall;

- a) Construct or demolish, or cause to be constructed or demolished a building;
- b) Construct, repair, renew or alter plumbing; or
- c) Occupy or use a building regulated by this by-law within the territorial limits of the Township of Severn; or
- d) Change the use of a building,

Unless a Permit therefore has been issued by the Chief Building Official in accordance with the Act.

### 4.0 APPOINTMENT

- 4.1 Each person whose name is set out in the most recent "Chief Building Official, Building Inspector, Fire Prevention Officer or Municipal Law Enforcement Officer" appointment By-law or similar shall be deemed as having such roles and responsibilities as authorized by Council and shall hereby form part of this By-law.
- 4.2 The Chief Building Official may delegate certain responsibilities for the enforcement of any portion of the Building Code respecting fire safety matters to the Fire Chief or designate having the appropriate Ministry requirement.
- 4.3 The Chief Building Official may delegate certain responsibilities regarding enforcement of the bylaw who have been appointed under clause 4.1.
- 4.4 The By-law enforcement officer appointed by the Township may enforce this by-law under the direction of the Chief Building Official.

### 5.0 CODE OF CONDUCT FOR APPOINTED OFFICIALS

- 5.0 Each person named under an appointment by-law shall be governed by Schedule "B" hereto and as may be amended from time to time, with respect to exercising powers and performing duties under the Act and shall hereby constitute the "Code of Conduct" for the purposes as set out in the Act.

### 6.0 FEES FOR CLASSES OF PERMITS

- 6.0 Every person who is regulated under the Act and By-law shall pay the prescribed Fees for administration and enforcement of the Act, including the classes of permits for the construction, demolition and change of use of building and permit fees shall be as set out in Schedule "A" of this By-law.

### 7.0 GENERAL REQUIREMENTS FOR PERMIT APPLICATIONS

- 7.1 An applicant for a permit shall file an application in writing on forms prescribed by and available from the Chief Building Official, and shall supply any other information relating to the application as required by the Chief Building Official.
- 7.2 An application for a permit may be refused by the Chief Building Official where it is not a complete application.
- 7.3 The Chief Building Official may prescribe additional forms or schedules as deemed appropriate to assist in the review of the application.
- 7.4 The Chief Building Official may as deemed appropriate provide prescribed forms in an electronic format and may allow for electronic submission of complete permit application forms
- 7.5 Complete forms generated electronically shall be accepted subject to the endorsement by the applicant.
- 7.6 The issuance of a permit does not relieve the Owner or Applicant from complying with any and all laws.

## 8.0 COMPLETE PERMIT APPLICATIONS

8.1 Notwithstanding the foregoing in section 7.0 the following shall also be considered for a complete application, if required for such application, to facilitate the review of a permit application as may be applicable for the circumstances;

- a) Architectural drawings (Including, as may be applicable: footing, foundation, floor plans, elevations and cross sections) using standard drafting conventions and techniques.
- b) Application forms and schedules and includes both prescribed by the Act, Building Code, By-law or established by clause 7.3
- c) Engineered plans and specification by a qualified individual and may include engineered floors, roof plans, HVAC systems, plumbing designs, individual pre-engineered elements or electrical plans as may be required for the application.
- d) All plans and specification requiring Architect's design as required by the Act
- e) All plans and specification requiring Engineer's design as required by the Act
- f) Any specifications for elements or system by approval authority from an issuing agency such as, but not limited to: Canadian Standards Association, National Fire Protection Association, Underwriter's Laboratories of Canada etc.
- g) Any specification for elements or system approved under Building Materials Evaluation Committee or under the Minister's approval
- h) Anything else the Chief Building Official deems necessary along with any approvals or certification required for Applicable Law.
- i) Include, where applicable, the registration number of the builder or vendor as provided in the Ontario New Home Warranty Plan Act, as may be amended or replaced from time to time.
- j) Any deposit or fees that may be required by this By-law
- k) Site plan and Lot Grading Plans as may be applicable for the application
- l) All other information that may be required in the schedules of this By-law

8.2 The Chief Building Official is delegated the authority to create and/or adopt forms (other than those that may be prescribed by the Act or Code) which provide for the collection of specific information in relation to permit application provided this information is necessary for the administration and enforcement of the Act and the Code.

8.3 Where applicable, no application is complete unless zoning compliance certification is obtained in conjunction with the permit application.

8.4 The Chief Building Official shall be the final determiner of the plans, specification, documents and other information required to be submitted with an application, for the purpose of deeming the submission complete in accordance with the building code with regards for;

- a) the scope of the proposed work
- b) the requirements of the Building Code, the Act and Applicable Law, and
- c) the requirements of this Bylaw and Schedule "C"

## 9.0 INCOMPLETE PERMIT APPLICATION

9.0 Notwithstanding the previous subsection, the Chief Building Official may accept an incomplete application for partial (concurrent) processing provided the Applicant

acknowledges which portions of the application are deficient in information, monies or approvals subject to approval by the Chief Building Official.

- 9.1 In addition to clause 9.1, an applicant may be notified of an incomplete application by being provided with a list of required information during or after the permit submission process.
- 9.2 Any application shall be deemed to be incomplete where the applicable requirements in this By-law, other Applicable Law, the Act and the Building Code have not been fully met or are missing.
- 9.3 Any application deemed to be incomplete or insufficient may be refused by the Chief Building Official
- 9.4 Except for Conditional Permits or Partial Permits, all applications must be fully complete prior to permit issuance.

#### 10.0 CONSTRUCTION NOT REQUIRING PERMITS

- 10.0 Notwithstanding the Act requires a permit to be issued for certain construction, the Chief Building Official hereby grants permission where determination is made by the Chief Building Official that the work is minor in nature and provided that the constructor agrees that all construction will comply with the technical aspects of the Code, all other relevant Acts and the Corporation's applicable Zoning By-law.
- 10.1 The following is a list of pre-determined minor construction works:
  - a) Light-weight re-roofing that does not exceed the structural capacity of the framing
  - b) Re-cladding with any material that improves the existing wall performance, provided the wall does not exceed three storeys
  - c) Certified replacement furnaces with the same or better heat output as the original furnace
  - d) Certified air-conditioners or heat-pumps added to an existing furnace system
  - e) Replacement of a legal existing residential kitchen cabinetry, provided that any plumbing is not relocated or preplaced
  - f) Replacement of plumbing fixtures that are not relocated (sinks, toilets, taps, etc.)
  - g) Residential window and door replacement within a single, semi-detached or townhome, provided the size is not increased or required fire closure or separation are applicable
  - h) Adding insulation in attic spaces where inclusion will not adversely affect the structure or ventilation
  - i) New or replacement eave-trough, fascia, downspouts and soffits
  - j) Replacement of finished flooring where such replacement will not adversely affect weight imposed on subflooring
  - k) Floating or pole docks less than 7'-10" (2.4m) in width and less than 150 square feet (13.9m<sup>2</sup>) in size which are not permanently affixed to the shoreline between May 1 and September 30, which are not under the control or jurisdiction of the Trent Severn Waterway.
  - l) Shoreline retaining walls when independent of other structures subject to approval by the applicable provincial and federal government agencies.
  - m) Independent wooden platforms when such top of platform is less than 1'-0" in height above the average grade (average grade taken as the lowest point 4' way from any side of the perimeter of the platform) and such structure is located

more than 20 metres from a watercourse.

- n) Ground mounted signs less than 40ft<sup>2</sup> (3.7m<sup>2</sup>) in face area and less than 10' (3m) above grade level

In all cases, all construction, regardless if a building permit is required in this section, must comply with the Township of Severn's Zoning By-law.

#### 11.0 DEMOLITION PERMIT SUBMISSIONS

11.1 Every complete application for a demolition permit prescribed under the Building Code shall also;

- a) Identify and describe the work to be done and the existing use and occupancy of the building, or part thereof, for which the application for a permit is made, and the proposed used and occupancy of that part of the building, if any, that will remain upon completion of the demolition;
- b) Applicant is to Identify if the building is included on the Township's heritage inventory list or is a designated building under the Ontario Heritage Act.
- c) Be accompanied by the appropriate fee calculated in accordance with the most recent fee schedule
- d) When deemed necessary, be accompanied by a statement (or proof) that;
  - i) Arrangements will be made with the proper authorities for the safe and complete disconnection of all existing water, sewer, gas, electric, telephone, cable and other utilities;
  - ii) The applicant will comply with the township road entrance application and temporary road entrance application as the case may be;
  - iii) Will identify the place, or company that will be receiving and processing the waste as may be applicable temporary fencing will be provided along with plan for providing such fencing for the protection of the public when applicable.
  - iv) Notification and remediation plan should hazardous substances be found or expected

#### 12.0 CHANGE OF USE PERMIT SUBMISSIONS

12.1 Where an application is made for a change of use permit as required under section 10 of the Act, the application shall;

- a) Use forms as may be provided by the Chief Building Official
- b) Describe the building in which the occupancy is proposed to be changed, by a description that will readily identify and locate the building;
- c) Identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
- d) Include complete plans and specification showing the current and proposed occupancy 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, ceiling and roof assemblies identifying required fire resistance rating and load bearing capacities, details of the existing sewage system, if any;
- e) Be accompanied by the required fee;
- f) Include a summary of a review of general requirements, performance levels and hazards as identified in the building code;

#### 13.0 ALTERNATIVE SOLUTION SUBMISSIONS

13.1 Where approval for an equivalent material, system or building design under the code is proposed in either an application for a permit, or in a revision to a plan, specification, documentation or other information on the basis which a permit is issued, the applicant shall submit;

- a) A description of the proposed equivalent or alternative solution
- b) The designers contact information
- c) The qualifications of the designer who is responsible for the proposed equivalents or alternative solutions;
- d) The identification of all the prescriptive applicable code provisions for the proposed equivalents or alternative solution;
- e) The identification of any assumptions, limiting or restricting factors, special maintenance and operational requirements of the applicable Division "C" provision of the Code
- f) Identify the applicable links to objective and functional statements found in Division "A" of the Code
- g) Comparison and evaluation of the prescriptive requirements versus the proposed equivalents or alternative solutions;
- h) Any supporting documentation that the proposed material, system or building design will provide the same level of performance required by Division "B" of the code
- i) Payment of the required fees as set out in the most current fee schedule and where no fee is specific for "alternative solution" based on time required for review. Where no payment is accepted at time of application, the applicant shall pay the fees based on the applicable review rates.
- j) Chief Building Official may provide a form for an applicant to use to assist in processing the application for an alternative solution.
- k) The Chief Building Official may accept or reject any proposed equivalents or alternative solutions and may impose conditions or limitations on their use;
- l) Equivalents or alternative solution that are accepted under this section shall be applicable only to the location described in the application, and are not transferable to other building permits.

#### 14.0 FENCES AND BARRIERS AT CONSTRUCTION AND DEMOLITION SITES

14.1 Where in the opinion of the Chief Building Official or an inspector, a construction or demolition site presents a hazard to the general public, the Chief Building Official or Inspector may require the owner to erect such fences or barriers as the Chief Building Official or Inspector deems appropriate to the circumstances;

14.2 In considering the hazard presented by the construction or demolition site, the necessity for fences/barriers and the height and characteristics of such fences/barriers, the Chief Building Official or Inspector shall have regard for;

- a) the proximity of the building site to other occupied building;
- b) the proximity of the construction or demolition site to lands accessible to the public
- c) the hazards presented by the construction or demolition activities and materials;
- d) the feasibility and effectiveness of site fences; and
- e) the duration of the hazard

14.3 Notwithstanding clause 14.2, the owner and operator of the construction site shall be attentive of the conditions and alteration of the site and shall adjust the necessary

precautions required to protect the public as may be required.

14.4 Every fence/barrier required by this section shall;

- a) Be erected so as to fully enclose all areas of the site which present a hazard;
- b) Create a continuous barrier and be sufficient to deter unauthorized entry;
- c) Have a height no less than 4' (1.2 m) above grade at any point, unless the Chief Building Official or inspector determines that a greater height is necessary;
- d) Be constructed with materials and designs that will serve as an appropriate temporary fence barrier, unless the Chief Building Official or Inspector determines that a specific design is warranted; and
- e) Be maintained, for the duration of the hazard, in a vertical plane and in good repair.

#### 15.0 CONSTRUCTION REPORTS AND CONSTRUCTION STANDARDS

- 15.1 All building excavations shall have constant heat or other common industry prevention measures during times of freezing below the bearing surfaces. Where the Chief Building Official or inspector is made aware of the absence of such protection, the owner or applicant may be required to provide a report by a qualified individual (Architect or Professional Engineer) to review the structure for damage and report on any remediation that may be required.
- 15.2 At any stage of construction of a building, or part of a building, the Chief Building Official may require submission of a set of plans of the building or part of a building, as constructed and/or together with a plan of survey prepared and certified by a surveyor showing the relative location and height of the building as may be applicable.
- 15.3 For the purpose of preventing accidental crushing of sewers by heavy machinery during construction and the prevention of future obstructive vandalism of the pipe, any single, semi or town style housing sewer located within private property portion of freehold subdivision may delete the exterior cleanouts as an acceptable alternative solution to the 15m maximum spacing as stipulated in the Building Code, provided that a determination is made that a cleanout snake can reach the public main from the interior cleanout as installed.
- 15.4 For the purpose of ensuring safe access to buildings by residents and visitors to a residential detached, semi-detached, townhouses, row-house, or duplex style housing, the term "required exit" shall typically include the principal or main entrance to that structure from the main street. Notwithstanding this interpretation, the Chief Building Official or inspector may consider side or rear doors where such access is direct to the residence and not when access is via a storage space or garage.
- 15.5 Unless exempt by the Chief Building Official, every building Owner that has not had every mandatory required inspection, for which any aspect of the construction has also been concealed, shall obtain the services of an Architect, Professional Engineer or suitably qualified registered designer to review the existing construction for Building Code compliance. The Chief Building Official shall be the sole determiner of the type of professional required according to the circumstances;
- 15.6 The Chief Building Official or inspector may request an applicant to provide a letter of certification from a qualified Heating, Ventilation Air Conditioner installer or other equivalent that the heating and ventilation components have been installed, tested, balanced and deemed operational as per the intended design and in accordance with good engineering practices to ensure components and systems are complete and operational
- 15.7 Unless exempt by the Chief Building Official, every building that is mandated by the Building Code to have a professional site review conducted of the construction by an Architect and/or Professional Engineer, shall forward original reports or copies in an acceptable electronic format, to the Chief Building Official or Inspector as assigned. Reports shall identify the construction's compliance with the Building Code, contain

the applicable permit number, address of the construction and bear the signature or seal of the professional as may be appropriated by their professional association.

- 15.8 Unless exempt by the Chief Building Official, every structure utilizing spray insulation foam shall have available for review, if requested, the installer certificate and its daily work sheets. The inspector has the authority to request copies of this information for review.
- 15.9 Unless exempt by the Chief Building Official, every masonry and concrete chimneys and flues, masonry fireplaces and inserts as well as other solid fuel burning appliances when installed, shall be installed and/or reviewed by a qualified individual or inspector. For the purpose of these applications, an individual who is registered under the Wood Energy Technology Transfer registration as a WETT Certified individual is deemed to be considered qualified.
- 15.10 Designs under Division B, Part 4 are required under the Building Code to be completed by a qualified and competent individual. For the purpose of designs under Division B, Part 4, a qualified and competent individual may be an architect or professional engineer where permitted under the Act. If a designer is qualified under the building code however is not an architect or professional engineer, the Chief Building Official may accept the design however may request the design to be reviewed by an Architect or Engineer and such review cost may be born by the applicant in accordance to the fee schedule.
- 15.11 Where the designed soil bearing capacity by a designer is based on more than 100 kilopascals (or 2089 pounds/ft<sup>2</sup>), confirmation by a qualified person may be requested by the Chief Building Official or Inspector. Section 15.12 is not applicable if bearing directly on bedrock.

## 16.0 AS CONSTRUCTED DRAWING

- 16.1 The Chief Building Official may require that as-constructed plans for the whole or any part of, a system or a building, or any class of buildings, be provided by the persons responsible for the construction.
- 16.2 Unless exempt by the Chief Building Official, every new or replacement septic system installed and constructed shall be accompanied by a satisfactory as constructed drawing that will accurately depict the following as applicable:
- a) Location of structures and distance to septic components (i.e. Tank, distribution pipe complete with dimension,
  - b) Make and model of septic/holding tank as may be applicable including size
  - c) length of all runs of distribution pipes complete with dimension between each run
  - d) location of all well within 30metres of septic components
  - e) North arrow
  - f) Make and model of any treatment units
  - g) location of property lines or other valuable tools that may be used to facilitatelocating the septic components in the future
  - h) means of outlying the distribution pipes (i.e. rebar or tracer wire)
  - i) Loading areas, mantle areas and expanded contact areas as may be applicable.
  - j) Street/watercourse location if applicable.
- 16.3 The person responsible for construction shall provide, if requested by the Chief Building Official, as constructed plans for the exterior storm, sanitary and water supply lines where on private property.

## 17.0 NOTICE REQUIREMENTS FOR INSPECTION

- 17.1 Prior to concealing any work required to be inspected under the Building Code or building by-law, the owner, or the owner's designate responsible for the construction, shall give notice to the assigned individuals within the Building Division in the Township of Severn, of their readiness for inspection.
- 17.2 For the purpose of this by-law, required prescribed inspection shall be as per Division C - Part 1.3.5.1 "Prescribed Notices" and may be amended or updated in the building code.
- 17.3 In addition to clause 17.2, the following "Additional Notices" as permitted by the Act shall be provided:
- a) Commencement of construction of,
    - i) Masonry fireplace and masonry chimney,
    - ii) Factory-built fireplaces and allied chimneys, or
    - iii) Stove, ranges, space heaters and add-on furnaces using solid fuels and allied chimney
  - b) Completion of a building for which an occupancy permit is provided by Division C - 1.3.3.4 or 1.3.3.5 or as may be noted as required inspection by the Chief Building Official at time of permit issuance.
  - c) Prior to occupying or using an unfinished building or part thereof, the owner or the owner's designate responsible for the construction shall give notice to the Chief Building Official or Inspector or assigns of their readiness for inspection.
  - d) Prior to occupying or using a completed building, the owner or the owner's designate responsible for the construction shall give notice to the assigned individuals within Building Services in the Township of Severn, of their readiness for inspections.
- 17.4 The notice required to be given pursuant to the Building Code shall be given in writing, phone, fax, email or by any previously acceptable electronic format in advance of the construction stage for all permit work, not including the day of notification, for which an inspection is being sought.
- 17.5 It is the responsibility of owner or the owner's designate to ensure that the notice sent is properly delivered, therefore it is required that the owner or the owner's designate receives confirmation that delivery was made to a listed person who is also in attendance. Notice *given* shall not be effective until received by the assigned individual.

## 18.0 FEES

- 18.1 Fees for required permits shall be in accordance with Schedule "A" of this by-law as may be amended.
- 18.2 Where the fees are based on the cost of valuation of the proposed work, such valuation shall mean the total cost of all work by the permit including the cost of professional and related services and shall be based on the actual cost of construction quoted in the Tender or Contract form. The Chief Building Official may use the contract, Architect or Engineer's estimate or other readily available and published construction values calculations.
- 18.3 The Chief Building Official shall place a valuation of the cost of work and if the permit application or holder disagree with this valuation, the prescribed fee shall be paid before the issuance of the permit. Upon completion of the work, if the actual work is less than the valuation placed by the Chief Building Official, an audited statement may be submitted detailing the costs of the components of the work including labour and professional services. The Chief Building Official shall, if the statement contains the full cost all components of the work upon which the required valuation was to be based; value the work in accordance with their statement and issue the appropriate

refund.

- 18.4 In the case of non-commencement of any project and upon written request, the Chief Building Official shall determine the amount of refund of permit fees, if any, that may be returned to the permit holder, in accordance with Schedule "D" of this by-law.
- 18.5 Where no fee is specific in Schedule "A", but required administrative, review or other time associated, such fee may be based on hourly rates as per the Schedule "A".
- 18.6 Fees based on review by hours in Schedule "A" shall be made by estimating the required review of projects initially. Fees shall be based on increments of .25 or 1/4) hours.
- 18.7 Schedule "A" may be adjusted without amendment to this By-law annually on January 1<sup>st</sup> in each year in accordance with the most recent twelve-month change in Statistic Canada Quarterly, Construction Price Statistic (Non-residential – Toronto) when such statistics represent an increase. Fees shall be rounded to the closest cent.
- 18.8 Fees are based on the review of permit submission with satisfactory complete and accurate construction drawings with standard drafting practice and conventions. When an inspector is required to re-review building permit submission or where additional information is required to review, beyond the initial submission, the Chief Building Official may recover the additional re-review cost based on an hourly basis in accordance with Schedule "A".
- 18.9 Fees associated with review of section "22.0 Lot Grading Plan" are based on an hourly fee in accordance with clause 18.6. These fees may be required at time of permit issuance or may be deducted from deposits amounts in section "20.0 Deposit".
- 18.10 When electronic payments are available, any convenience fees or cost associated with e-commerce shall be in addition to the fees prescribed in Schedule A to allow the Township to achieve full cost recovery.

## 19.0 COST RECOVERY

- 19.1 Where a building investigation results in the contravention under the Act, the property owner or any other person believed to be responsible for the action, shall pay fees in accordance with the most recent fee schedule. Where an Order is issued under the Act and where the named achieved eventual compliance with the Order, the Town may choose not to prosecute the named, if a satisfactory settlement is reached.
- 19.2 Where the fee under section 19.1 results in multiple forms of calculating such fee, the higher form shall apply.
- 19.3 When orders are required to be issued on title in accordance with the Act, all cost associated with the issuance and/or removal, as applicable, shall be the responsibility of the property owner and in accordance with the applicable fee schedule.
- 19.4 Where a request for information is provided outside of Municipal Freedom of Information requests, any fees associated with the research, copies and other associated costs may be charged back to the requestor in accordance with fee schedules.
- 19.5 When the responsibility of a design from Division B, Part 4 design is submitted from an individual other than an Architect or professional engineer from Ontario, the Chief Building Official may forward such design to an Architect or professional engineer for review and opinion. Any such fees incurred by the review will be the responsibility of the applicant.
- 19.6 This section shall also include the recovery of postage, photocopies and delivery fees as may be associated for request or deliveries outside of normal receipt procedures at the Township Administration Offices.

## 20 DEPOSITS

- 20.1 The Chief Building Official shall take a lot grading deposit at the time of building

permit issuance for all detached, semi-detached or townhouses, row-houses or duplex dwelling units. The fee shall be in accordance with Schedule "A" or as per the established subdivision agreement if applicable, whichever is greater. This deposit may be refunded when the depositor has completed all lot grading and has provided certification of such lot to the satisfaction of the Chief Building Official and/or Township Engineer. Where a lot grading remains incomplete and uncertified after 24 months of permit issuance or 12 months after an occupancy has been permitted, whichever is sooner, the Township may cause the fees to be expended. All fees associated with this task will be deducted from the deposit amount.

20.2 Clause 20.1 is not applicable where a subdivision agreement or other deposit system is provided in another agreement or format however if the property remains uncertified after 24 month of permit issued or 12 month after occupancy, whichever is sooner, the fees may be expended in the same manner.

20.3 Any additional fee associated with initial or additional reviews, re-reviews, investigations, letters, orders or other cost as a result of reviews of compliance of lotgrading, may be deducted from the lot grading deposits amounts or may be added in addition to standard fees as prescribed under Schedule "A".

## 21 RE-INSPECTION DEPOSITS:

21.1 The Chief Building Official shall take a re-inspection deposit at the time of building permit issuance for detached, semi-detached, townhouse, row-house, or duplex dwelling units as stated in Schedule "A".

21.2 The Chief Building Official shall take a re-inspection deposit at the time of building permit issuance for any Group A, B, D, E or F classified structure when such structure has a construction value exceeding \$1,000,000.

21.3 The deposit amounts in clause 21.1 and 21.2 shall be the cost of three (3) inspection as per the applicable fee schedule. Should an inspection indicated infractions, non-readiness to inspect, or will require an additional review, the fee of one inspection shall be deducted from the deposit amount held. Any balance of re- inspection deposit may be refunded to the person providing the deposit, or as otherwise approved, provided the permit file has had all its inspection completed. Any balance of deposit must be applied within 2 year of permit issuance. Any balance remaining beyond 2 year is forfeited by the depositor.

21.4 Remaining deposits held by the Township will be refunded to the initial depositor, minus any applicable deduction upon a transfer of a permit as applicable in Section

21.5 Additional deposit amounts will be required by the new permit holder as may be applicable should the permit holder expend all there deposit prior to completion of the project.

21.6 In addition to section 21.1, and 21.2 an annual maintenance fee of one inspection will be deducted from the deposit amount in Section 21 when such project remains incomplete for more than 12 months of permit issuance.

## 22 LOT GRADING PLANS

22.1 This section is applicable for building permit for a new detached, semi-detached, townhouses, row-house, or duplex.

22.2 The owner or representative shall submit two copies of a proposed Lot Grading Plan to the township for review.

22.3 The Lot Grading Plan shall be referenced to a current plan of survey certified by a registered Ontario Land Surveyor or registered subdivision lot grading plan.

22.4 In cases of land within an unassumed subdivision or as indicated in the subdivision agreement, the lot grading plan shall be prepared and/or reviewed by a

Professional Engineer on record for the specific development or alternatively approved by that designer's firm on record.

22.5 Infill lots in subdivisions shall have the Lot Grading Plan prepared by a Professional Engineer.

22.6 In the cases of land outside of the scope of clause 22.4 and 22.5 a lot grading plan shall bear the signature of either:

- a) Professional Engineer,
- b) Certified Engineering Technologist
- c) Landscape Architect (a member of the Ontario Association of Landscape Architects) or
- d) Ontario Land Surveyor

who certifies thereon that the drainage scheme depicted by the plan will be compatible with the existing drainage patterns without adverse effects on neighbouring properties.

22.7 The designer associated with Section 22.0 will be requiring to complete all necessary templates or checklist as required and as part of the reviews undertake site reviews, investigate, discuss and respond to any concerns to ensure to be no adverse effects on neighbouring properties will occur. NOTE: Engineer or OLS must certify that the final footing and/or foundation location and elevation conforms to the Lot Grading Plan.

22.8 Where lots applicable in clause 22.6 is larger than 2 hectares, outside a plan of subdivision, not on any waterfront or on Environmental Protection area (as per the Township's Zoning) and the new building area is more than 10 metres from a neighbouring property, the lot grading plan may be limited to the building envelope and associated disturbed area may be completed by an individual other than one identified in clause 22.6 provided adequate minimum information is provided as may be requested by the Chief Building Official, Township Engineer or Director of Public Works.

22.9 In many areas within the municipality, the municipal drainage system is limited or non-existing. As such, the lot grading design must consider ways and means to keep any increase in surface water run-off from the subject site to a minimum utilizing acceptable surface water retention techniques. In area where positive storm drainage is not available within the Municipal road allowance, the grading design may require a soak away pit and/or grading the boulevard to a sufficient outlet to the satisfaction of the Public Works Department or Township Engineer. The designer will be responsible to adjust the design as need to ensure no adverse effects.

22.10 The Lot Grading Plan shall be prepared on an appropriate sized sheet or as may be required by the Township to allow the plan to be scalable. Drawing may be required to be submitted in an electronic format.

22.11 Lot Grading Plans as required and prepared under section 22 may also be approved by the Township Engineer or other persons as authorized by the Chief Building Official.

## 23 CONDITIONAL BUILDING PERMIT

23.1 As per section 8. (3.1) of the Act, The Chief Building Official is delegated authority to issue conditional building permits under the Act Section 8. (3).

23.2 In undertaking the delegated authority to grant a "Conditional Building Permit" the Chief Building Official shall consult with the affected Township departments.

23.3 Every application for a Conditional Building permit under section 8(3) of the Act shall.

- a) Comply with the requirements of the Act
- b) Comply with the requirements of the Building Code relating to a conditional permit

Be additionally accompanied by:

- i) A written statement from the applicant explaining why the applicant believe that unreasonable delays in construction would occur if a "Conditional Building Permit" is not granted.
- ii) An agreement and such security deposit that may be required and,
- iii) Fees that may be prescribed and such fees to draft and review the conditional building permits.

## 24 ABANDONED PERMIT APPLICATIONS

- 24.1 An application for any type of construction may be deemed to have been abandoned where;
- a) The application is incomplete according to this by-law and remains incomplete six months after it was submitted; or
  - b) Six months have elapsed after the applicant was notified that the submitted plans and/or documents of the proposed building, construction, demolition or change of use will not comply with the Act or Building Code or will contravene any other applicable law; or
  - c) The application is substantially complete, and six months have elapsed from the date upon which the applicant was notified that a permit was available to be issued but failed to pick up the permit or pay the remaining fee.
- 24.2 The owner may be sent notification of any impending application cancellation and were done so will be given 30 days to response from the date that the notification was sent to the owner's or applicants address listed on the application including email. The Chief Building Official shall determine the legitimacy of any reason given, if any, why the application shall not be cancelled forthwith. The final decision shall be at the sole discretion of the Chief Building Official.
- 24.3 Where an application is deemed abandoned, all submitted plans, specification and documentations may be disposed of without further notice to the applicant.
- 24.4 Where any application fee is paid for such application and the project is deemed abandoned and such application fees will not be refundable.

## 25 REVOCATION OF PERMITS

- 25.1 Prior to revoking a permit under subsection 8(10) of the Act, the Chief Building Official may serve a notice by personal service, registered mail or other electronic format at the last known address or contact information of the permit holder or applicant and following (30) days period from the date of service the Chief Building Official may revoke the permit if grounds to revoke exist, without further notice.
- 25.2 A permit holder may within thirty (30) days from the date of service of a notice under the Part, request in writing the Chief Building Official to defer the revocation by stating reasons why the permit should not be revoked. The Chief Building Official having regard to any changes to the Act, Building Code or other application law may allow the deferral, in writing.

## 26 CANCELLATION OF PERMIT AND APPLICATIONS

- 26.1 If a property owner wishes to cancel a permit or application, a notice shall be filed with the Chief Building Official, in writing, in accordance with this section;

Every notice of cancellation of permit shall;

- a) Include a written statement from a property owner providing the name(s), address(es), telephone number (s) of all legal owner (s) authorizing the cancellation of the permit or application;
- b) Include proof of ownership of the lands satisfactory to the Chief Building Official as may be required;
- c) Confirm that no construction, demolition or change of use was done in connection with the permit or application that was made; and
- d) Be signed by an owner who shall certify as the truth of the contents of the notice.

26.2 Upon inspection to determine that no construction, demolition or change of use was done in connection with the original permit or application that was made, the permit or application shall be deemed to be cancelled and refund made, if any, to the original payee. The owner(s) or their agent(s) shall have no further rights or obligation under the cancelled permit or application. As authorized by the Chief Building Official, all submitted plans, specification, documents and other information may be destroyed as permitted by other regulations.

## 27 TRANSFER OF PERMITS

27.1 If the owner of the land changes after a permit has been substantially completed and the use or occupancy permission has been granted, the permit associated with the work will automatically become the new owner's responsibility. No change of fee will be levied for this transfer of ownership;

27.2 If the owner of the land changes after a permit or application has been issued the permit associated with uncommenced work may be transferred to the new owner of the lands where an application is filed with the Township, in writing, in accordance with this section and accompanied by the appropriate fee. Every application for the transfer shall (when applicable);

- a) Include a written statement from the original owner authorizing the transfer of the Permit or application to the new owner
- b) Include a written statement from the designer authorizing the transfer of design responsibility of the permit or application to the new owner;
- c) Include, where applicable, a resubmission of the "Commitment to General Review by Architect and Engineers" responsibilities to the new owner for the permit or application;
- d) Include proof of ownership, if requested, of the lands by the new owner satisfactory to the Chief Building Official;
- 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 is made, is the same as the identified and described on the original application for permits;
- f) State the name, address, telephone number of the proposed new owner
- g) Include, where required by the Ontario New Home Warranties Plan Act, the proposed new builder's registration number or as statement of exemption;
- h) Be accompanied by the appropriate fee calculated in accordance with the most recent fee schedule;
- i) By signed by the proposed new owner who shall certify as to the truth of the contents of the application.

27.3 If the owner of the land changes after a permit has been issued, and where the permit is also associated with incomplete work for which no use or occupancy but inspections already undertaken and permission has been granted, the new owner must file an application with the Township, in writing, in accordance with this section

and be accompanied by the appropriate fee. Every application for the transfer of permit shall (when applicable);

- a) Include an acknowledgement by the new owner for responsibility of previous and new work;
- b) Include proof of ownership of the lands by the new owner satisfactory to the Chief Building Official;
- c) 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 permit is made, is the same as that identified and described on the application for the permit;
- d) State the name, address, telephone number of the proposed new owner;
- e) State the name, address, telephone number and e-mail address of the proposed architect and/or engineer, and their building code qualifications, where they are different from those identified in the application for the permit, and a written confirmation that they have been retained to undertake general review of the construction or demolition where required under the code.
- f) Include, where the proposed new owner is a builder as defined in the Ontario New Home Warranty Plan Act, the proposed new builder's registration number;
- g) Be accompanied by the appropriate fee in accordance with the most recent fee schedule;
- h) Where no specific fee item is specified, such fee shall be based on actual cost associated by Severn Building Services to file, review and re-issue the permit based on time.
- i) Be signed by the proposed new owner who shall certify as to the truth of the contents of the application.

27.4 Upon approval of transfer of a permit to the new owner, the new owner shall be deemed to be responsible for the permit and the original owner shall have no further rights or obligation under the permit, save and except for any obligation set out in any executed agreements that have not been superseded by an acceptable replacement agreement.

27.5 Upon approval of transfer of a permit to the new owner, the new owner shall be deemed to be responsible for the permit and the original owner shall have no further rights or obligation under the permit, save and except for any obligation set out in any executed agreements that have not been superseded by an acceptable replacement agreement.

27.6 No transfer of an application will be allowed if work has commenced and the permit has not yet been issued. A new application will be required and the old application will be cancelled;

27.7 The Chief Building Official may require the "Transfer of Permit" to be on a specified form.

## 28 MAINTENANCE FEES

28.1 Where a building permit remains incomplete for a period of more than 1 year after building permit was issuance the Township may impose a maintenance fee in accordance with Schedule "A" or deducted from the re-inspection deposit. When no deposit is available such fee may be placed on the property tax bill as may be allowed under the Act.

## 29 REFUNDS

29.1 Refunds of fees shall be in accordance with Schedule "D" of this by-law. No refund

shall be given for revoked or abandoned permits and application

### 30 REGISTERED CODE AGENCIES.

- 30.1 Where the corporation enters into an agreement with a Registered Code Agency, the Chief Building Official is authorized to appoint Registered Code Agencies to perform specified functions, noted in item 30.2 and described in the Act.
- 30.2 The following are the specific functions that a registered code agency may be appointed to perform in respect of the construction of a building where an agreement is established;
- a) Review design and other materials to determine whether the proposed construction of a building complies with the building code.
  - b) Issue plans review certificates.
  - c) Issue change certificates.
  - d) Inspect the construction of a building for which a permit has been issued under this Act.
  - e) Issue final certificates.
  - f) Perform such other functions as may be authorized under this Act or in the building code.

### 31 CONFLICTING LEGISLATION

- 31.1 If there is a conflict between a provision in the Building Code Act and a provision of any other Act, the section that is more restrictive shall prevail.
- 31.2 Whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statutes and all subsequent amendments to such statute and all successor legislative to such statute.

### 32 PENALTIES

- 32.1 In addition to any other penalties prescribed by law, every person who;
- a) Knowingly furnished false information in any application under this By-law,
- or
- b) Contravenes any provision of this By-law,
- Is guilty of an offence and is subject to a penalty pursuant to the Provincial Offences Act, as amended, and in accordance with Section 36 of the Building Code Act as amended.

### 33 MISCELLANEOUS

- 33.1 The conviction of an offender upon the breach of any provision of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any provision and a Judge may convict any offender repeatedly for continued or subsequent breaches of the By-law, and the provision of the Building Code Act as amended from time to time, shall further apply to any continued or repeated breach of this By-law.
- 33.2 Neither the granting of any permit, nor the approval of the drawing or any specification, nor any inspection made by the Chief Building Official or Building Official, shall in any way relieve the owner of such building or the person responsible for the provision of service, labour or material to the building from the full and sole responsibility for carrying out the work, or having the work carried out in

accordance with the requirements of this By-law, the Act or regulations, as may be amended, made thereunder and any other applicable law.

33.3 This By-law is to be read in conjunction with all the statutes referred.

34 SEVERABILITY

34.1 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 this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in full force and effect.

35 SCHEDULES

35.1 Schedules "A", "B", "C" and "D" attached hereto shall form part of this by-law.

35.2 That Schedule "A" of this By-law may be adjusted every January 1<sup>st</sup>, commencing in 2023 in accordance to the StatCAN Non-residential construction cost index (Toronto) for the fourth quarter previous when such adjustment results in an increase.

36 CONFLICT

36.1 That where there is any conflict between the provision of this by-law and those of any other by-law, resolution or motion than the provision of this by-law shall prevail.

37 REPEAL

37.1 That By-law No. 2018-41 be repealed effective January 1, 2022.

By-law read a first, second, third time and finally passed this 15th day of December, 2021.

CORPORATION OF THE TOWNSHIP OF SEVERN

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MAYOR

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CLERK

SCHEDULE “A” TO BY-LAW NO. 2021-91

**2026 – BUILDING PERMIT FEE SCHEDULE**  
**(January 01, 2026 – December 31, 2026)**

**1.0 Base Application Fee**

|     | DESCRIPTION          | UNIT FEE | UNIT OF MEASURE | NOTES:                                                                                                                  |
|-----|----------------------|----------|-----------------|-------------------------------------------------------------------------------------------------------------------------|
| 1.1 | Base Application Fee | \$180.00 | Per Permit      | Base application fee applied to any individual permits and is in addition to the area (unit fee) unless noted otherwise |

**2.0 Agricultural Uses**

|     | DESCRIPTION             | UNIT FEE | UNIT OF MEASURE | NOTES:                   |
|-----|-------------------------|----------|-----------------|--------------------------|
| 2.1 | Agricultural Structures | \$0.55   | Per ft2         | Up to maximum of \$2,560 |

**3.0 Commercial, Industrial and Institutional Uses (ICI)**

|     | DESCRIPTION                              | UNIT FEE                        | UNIT OF MEASURE | NOTES:                            |
|-----|------------------------------------------|---------------------------------|-----------------|-----------------------------------|
| 3.1 | Group A – Assembly                       | \$1.44                          | Per ft2         | Full permit                       |
| 3.2 | Group B – Care and Detention             | \$1.51                          | Per ft2         |                                   |
| 3.3 | Group D – Business and Personal Services | \$1.44                          | Per ft2         | Full permit                       |
| 3.4 | Group E – Mercantile                     | \$1.44                          | Per ft2         | Full permit                       |
| 3.5 | Group F – Industrial                     | \$1.15                          | Per ft2         | Full permit                       |
| 3.6 | Group A, D, E or F – If “shell” only     | See notes                       |                 | 65% of “full” building permit fee |
| 3.7 | Group A, D, E or F – If “finishes” only  | See notes                       |                 | 65% of “full” building permit fee |
| 3.8 | Pool – Public Use                        | By construction value – see 5.0 |                 |                                   |
| 3.9 | Solar Panel (greater than 10Kw)          | By construction value – see 5.0 |                 | Up to maximum \$37,500            |

**4.0 Residential Projects**

|     | DESCRIPTION                      | UNIT FEE | UNIT OF MEASURE | NOTES:                                                                                      |
|-----|----------------------------------|----------|-----------------|---------------------------------------------------------------------------------------------|
| 4.1 | Accessory Structures             | \$0.55   |                 | Garages, sheds, gazebo, boat ports and other similar “accessory” structures                 |
| 4.3 | Certified Models Review          | \$180.00 | Each model      | For repeat models in subdivision when review undertaken prior to building permit submission |
| 4.4 | Decks                            | \$0.44   | Per ft2         |                                                                                             |
| 4.5 | Finished Basement                | \$0.90   | Per ft2         |                                                                                             |
| 4.6 | Unfinished Basement/Crawl spaces | \$0.44   | Per ft2         |                                                                                             |
| 4.7 | Group C – Dwelling Unit          | \$1.44   | Per ft2         |                                                                                             |
| 4.8 | Solar Panels (10 Kw or less)     | \$717.00 | Flat fee        | If over 10KW, see item 3.9                                                                  |

**5.0 Fee Based Construction** (used where otherwise not stated in schedule for designated structures)

|     | DESCRIPTION                                                   | UNIT FEE | UNIT OF MEASURE                                       | NOTES:                                                                |
|-----|---------------------------------------------------------------|----------|-------------------------------------------------------|-----------------------------------------------------------------------|
| 5.1 | First \$1,000 of Construction Value                           | \$180.00 | First \$1,000 in construction value                   | For the first \$1000 apply the base amount + item 5.2 (if applicable) |
| 5.2 | Each additional \$1,000 in construction value or part thereof | \$12.20  | Per \$1,000 in construction value after first \$1,000 |                                                                       |

**6.0 Change of Use Permits**

|     | DESCRIPTION                           | UNIT FEE | UNIT OF MEASURE    | NOTES:               |
|-----|---------------------------------------|----------|--------------------|----------------------|
| 6.1 | Change of Use (Building) – Part 10/11 | \$108.00 | Hourly review rate | Minimum of 1.5 hours |
| 6.2 | Change of Use (Septic)                | \$108.00 | Hourly review rate | Minimum of 1.0 hours |

**7.0 Plumbing**

|     | DESCRIPTION  | UNIT FEE | UNIT OF MEASURE | NOTES: |
|-----|--------------|----------|-----------------|--------|
| 7.1 | Plumbing Fee | \$12.50  | Per fixture     |        |

**8.0 Septic**

|     | DESCRIPTION                          | UNIT FEE | UNIT OF MEASURE | NOTES: |
|-----|--------------------------------------|----------|-----------------|--------|
| 8.1 | Leaching Pit (Class 2)               | \$397.00 | Flat fee        |        |
| 8.2 | Sewage System -New (Class 3 or 4)    | \$723.00 | Flat fee        |        |
| 8.3 | Sewage System – Repair               | \$481.00 | Flat fee        |        |
| 8.4 | Holding Tank- New (Class 5)          | \$554.00 | Flat fee        |        |
| 8.5 | Holding Tank – Replacement (Class 5) | \$397.00 | Flat fee        |        |

**9.0 Demolition**

|     | DESCRIPTION | UNIT FEE | UNIT OF MEASURE | NOTES:                              |
|-----|-------------|----------|-----------------|-------------------------------------|
| 9.1 | Class “A”   | \$133.00 | Flat rate       | When no architect/engineer required |
| 9.2 | Class “B”   | \$358.00 | Flat rate       | When architect/engineer required    |

**10. Solid Fuel Burning Appliances**

|      | DESCRIPTION                   | UNIT FEE                        | UNIT OF MEASURE | NOTES:             |
|------|-------------------------------|---------------------------------|-----------------|--------------------|
| 10.1 | Solid Fuel Burning Appliances | Review rate as per section 13.5 | Hourly rate     | Minimum of 2 hours |

**11.0 Temporary Tent Structures**

|      | DESCRIPTION               | UNIT FEE | UNIT OF MEASURE   | NOTES:                                                        |
|------|---------------------------|----------|-------------------|---------------------------------------------------------------|
| 11.1 | Temporary Tent Structures | \$133.00 | Flat fee per tent | For non-seasonal, see fees in bylaw base on use (section 3.0) |

12.0 Infraction Fees

| DESCRIPTION |                                               | UNIT FEE  | UNIT OF MEASURE | NOTES:                                                                      |
|-------------|-----------------------------------------------|-----------|-----------------|-----------------------------------------------------------------------------|
| 12.1        | Building prior to obtaining a building permit | See notes |                 | Double regular building permit fees as per this schedule                    |
| 12.2        | Registration of Order on Title                | See notes |                 | Full cost recovery + 10% administration charges                             |
| 12.3        | Third Party Review                            | See notes |                 | Full cost recovery + 10% administration charges                             |
| 12.4        | Cost recovery for investigation               | See notes |                 | Apply all applicable “Other Fees” (section 13) to obtain 100% cost recovery |

13.0 Other Fees

| DESCRIPTION |                                  | UNIT FEE  | UNIT OF MEASURE | NOTES:                                                                                                                 |
|-------------|----------------------------------|-----------|-----------------|------------------------------------------------------------------------------------------------------------------------|
| 13.1        | Conditional Permit Preparation   | See notes |                 | Fee based on “Review Rates” + legal fees + 10% administration.                                                         |
| 13.2        | Alternative Solutions Review     | See notes |                 | Fee based on “Review Rates” and any “Third Party Review” rates                                                         |
| 13.3        | Re-Inspection Fee                | \$108.00  | Each            | Applies for extra or required re-inspection                                                                            |
| 13.4        | Re- Inspection Deposit           | See notes |                 | Re-inspection fee (item 13.3) x 3 (three). (Any refund must be applied within two year of permit issuance              |
| 13.5        | Review rates (Building Official) | \$108.00  | Hourly rate     |                                                                                                                        |
| 13.6        | Review rates (Administrator)     | \$78.00   | Hourly rate     | May be used for report requests or special routine disclosure information                                              |
| 13.7        | Transfer of Building Permit      | See notes |                 | See “Base rate”                                                                                                        |
| 13.8        | Docks                            | See notes |                 | Same as “decks”                                                                                                        |
| 13.9        | Third Party Review               | See notes |                 | Cost recover of expense +10% administration charges                                                                    |
| 13.10       | Maintenance Fee                  | See notes | Annually        | See “Re-Inspection Fee” (item 13.3) and shall only apply when building permits remain open for more than one (1) year. |
| 13.11       | Pool Fence Permit                | \$180.00  | Each            |                                                                                                                        |

14.0 Lot Grading

| DESCRIPTION |                      | UNIT FEE  | UNIT OF MEASURE | NOTES:                                             |
|-------------|----------------------|-----------|-----------------|----------------------------------------------------|
| 14.1        | Lot Grading Reviews  | \$108.00  | Hourly rate     | Minimum 2.0 hours                                  |
| 14.2        | Lot Grading Deposits | \$3647.00 | Per lot         | Or as otherwise indicated in subdivision agreement |

**Note: All fees are subject to an annually indexing when such change results in an increase. Increases will be rounded to the closest \$1.00 for flat fees and closest \$0.01 for area based calculations.**

## SCHEDULE “B” TO BY-LAW NO. 2021-91

### **Code of Conduct for Building Officials/Inspectors**

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#### **Preamble**

This Code of Conduct applies to the Chief Building Official and Building/Septic Inspectors appointed under the *Building Code Act* in the exercise of a power or the performance of a duty under the *Building Code Act* or the Building Code. This Code of Conduct is in addition to the “Corporate Code of Conduct” for all employees of the Township of Severn.

#### **Purpose**

The purpose of this Code of Conduct is to promote appropriate standards of behaviour and enforcement actions to ensure Building Officials and Inspectors apply standards of honesty and integrity, and to prevent practices constituting an abuse of power including unethical or illegal practices.

#### **Standards of Conduct**

Building Officials and Inspectors shall undertake:

1. To always act in the public interest, particularly with regard to the safety of building works and structures.
2. Not to act where there may be or where there may reasonably appear to be a conflict between their duties and their employer, their profession, their peers and the public at large and their personal interests.
3. To apply all relevant Building By-laws, codes and standards appropriately and without favour.
4. To all at time abide by the highest moral and ethical standards and avoid any conduct which could bring or tend to bring Building Officials and Inspectors to disrepute.
5. To comply with the provisions of the *Building Code Act*, the Ontario Building Code and all other Acts or Laws which regulate or govern Building Officials and Inspectors of their functions.
6. To not act beyond their personal level of competence or outside their area of expertise.
7. To maintain their knowledge and understanding of the best current building practices, the building laws and codes relevant to their inspection and plan examination function.
8. To extend professional courtesy to all.

#### **Breaches of Code of Conduct**

The *Ontario Building Code Act* provides that the performance of Building Officials and Inspectors will be measured against this Code of Conduct. The municipal administration will review any allegation brought forward that the Code of Conduct has been breached. Disciplinary action rising from violations of this Code of Conduct is the responsibility of the municipal employer and will be based on the severity and frequency of the violations in accordance with relevant employment standards and the Corporate Disciplinary Policy for employees.

SCHEDULE “C” TO BY-LAW NO. 2021-91

**Drawing Requirements**

| Drawing Type     | Minimum Information Required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Plan        | <ul style="list-style-type: none"><li>• Legal Description, survey property line, property dimensions, compass orientation, location and name of adjacent roads, drawings to be scaleable</li><li>• Outline of all existing and the proposed buildings and structures, building dimensions and there distance toproperty line</li><li>• Dimension and location of parking and spaces, vehicle access and fire routes</li><li>• Dimensions and location of barrier free parking, curb cuts, path of travel to building and pedestrian building access</li><li>• Dimensions and location of any on-site sewage disposal system and proximity to wells and buildings</li><li>• Dimension and location of easements, sidewalks, new and existing driveway entrances, curb cuts, retaining walls,</li><li>• Location and setbacks of any overhead power lines and water courses</li></ul>                                        |
| Lot Grading Plan | <p>In addition to information on "Site Plans" include the following:</p> <ul style="list-style-type: none"><li>• Existing and proposed elevations with the site and at property lines, top and bottom of retaining walls, slopes on driveways, drainage flow direction, percentage fall and swales.</li><li>• Applicable zone provision comparisons summary between proposed and zoning by-law (Zoning Matrix)</li><li>• Signature of design and review by qualified individual as per subdivision agreement, building by-law or as required</li><li>• Key elevation points; at the foundation, adjacent grades, property boundaries, underside of footings, topside of basement floor, topside of all framed floors, maximum heights of building in accordance zoning by-laws, storm and sanitary inverts at property line connections coupled with percentage of fall, percentage and direction of gradeslopes</li></ul> |

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| Architectural | <ul style="list-style-type: none"><li>• Existing plans showing construction and room and space identification of all floor in the area of proposed work or occupancy</li><li>• Plans of all floors including basement complete with all room and room names</li><li>• Roof plans showing roof slope, drainage, roof and roofing construction details</li><li>• Building elevations showing grade, floor and ceiling heights, overall building height, exterior finish material, window heights and size and spatial separations requirements</li><li>• Construction details including proposed wall section from footing to roof, specification of all walls, floor and roof assemblies and all building materials and construction specifications</li><li>• Stair, guard and handrail dimensions and details, window size and height above floor level, location and fuel type of all fireplaces</li><li>• Mezzanine plan showing construction, guardrails, egress</li><li>• Location and details of barrier free entrances and barrierfree washrooms</li><li>• Reflected ceiling plans, bulkhead details, horizontal service shaft details</li><li>• Roof equipment screening, anchorage for window washing, roof access</li><li>• Building Cross section showing grade, floor and ceiling heights, horizontal and vertical fire separations</li><li>• Sections and details, plans of washroom and exit stairs,</li><li>• Wall section, plans and section construction details</li><li>• Exit stair enclosure, wall construction details, fire separations and listed design numbers, door numbers reference to a door scheduled</li><li>• Door and hardware scheduled and frame details, window schedule, room finish schedule</li><li>• Material flame spread and smoke development rating</li><li>• Material combustibility category</li><li>• Data Matrix as required for any non-Part 9 building and required for any Part 9 building if requested by the Chief Building Official or Fire Prevention Officer</li></ul> |
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| Structural (if applicable)                 | <ul style="list-style-type: none"> <li>• Soil bearing capacity and other consideration due to high water tables relative to underside of footing and if any soilfill is present (engineered or otherwise)</li> <li>• Foundation plan, floor and roof framing plans, footing, columns, foundation walls, piers, underpinning and beam schedules structural details and material specification.</li> <li>• Design specified , dead and live loading (including wind, rain and snow), earthquake loading, geotechnical report design basis</li> <li>• Structural drawings sealed by a professional engineer for all structural elements not within the scope of Part 9, Division B, of the Building Code</li> <li>• On or off-site welding steel or aluminum products specifying the CWB authorization</li> <li>• Material strength</li> <li>• Roof or floor truss drawing sealed by a professional engineer</li> <li>• Pre-engineered elements are not required to be sealed by a professional engineer where the element is pre-engineered designed and used within the context of pre-approval for the element.</li> </ul> |
| HVAC                                       | <ul style="list-style-type: none"> <li>• Heating, ventilation and air conditioning plan, service shafts, equipment layout and schedules</li> <li>• Heat loss and gain calculations, ventilation design summary</li> <li>• Fire damper locations, kitchen exhaust, hood suppression solid fuel burning appliance, installation and venting</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Plumbing                                   | <ul style="list-style-type: none"> <li>• Plumbing and drainage plans; location and sizing of under and above ground storm, sanitary and water supply piping and appurtenances</li> <li>• Location of fire stopping; specifications of plumbing and fire stopping materials</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Electrical                                 | <ul style="list-style-type: none"> <li>• Electrical supply and distribution plans; location of power outlets and lighting switches, equipment, schedule; transformer location, door operation devices</li> <li>• Location and specifications of emergency lighting, emergency power and exit signage</li> <li>• Location of carbon monoxide detection systems and interconnected with venting system where required</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Fire Detection, Protection and Suppression | <ul style="list-style-type: none"> <li>• Location and specification of fire alarm systems, and devices thereto including smoke alarms</li> <li>• Fire hydrant locations, sprinkler and standpipe distribution plans and schedules; sprinkler head layout; fire hose cabinets locations, etc.</li> <li>• Chemical or oxygen deprivation fire suppression systems</li> <li>• Fire separations, fire walls, party walls and fire resistance ratings</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

Notes:

- (1) The Chief Building Official may waive the requirements for any required information specified in this schedule or require additional information due

to the complexity of work.

- (2) This schedule shall be used as a guide only and is provided to assist in illustrating some of the requirements to confirm compliance with requirements of the Building Code, Building By-law and Zoning By-law. Designers shall also ensure that all submissions meet the standards described elsewhere in the Building By-law.
- (3) One drawing type may be incorporated in other drawing types where able to identify items to be review.

SCHEDULE "D" TO BY-LAW NO. 2021-91

**Refunds**

| <b>Function Completed or commenced</b>                            | <b>Percent Refund</b> |
|-------------------------------------------------------------------|-----------------------|
| Administrative Only                                               | 75%                   |
| Administrative and Zoning (Planning Review)                       | 65%                   |
| Administrative, Zoning (Planning Review) and Treasury             | 60%                   |
| Administrative, Zoning (Planning Review), Treasury & Plans Review | 50%                   |
| Permit issued and no inspections undertaken                       | 40%                   |
| Permit issued and inspections commenced                           | 0%                    |
| Minimum refund (No refund to be process if less than)             | \$100.00              |

That the holder of a Permit may request the cancellation of the Permit where no construction has commenced and may upon written request to the Chief Official; apply for a refund of the fee paid for the Permit. The Chief Official may, upon such a request, cancel the Permit and refund an amount less the costs incurred, provided this amount does not reduce the amount retained by the Municipality to less than One Hundred Dollars (\$100.00)