CORPORATION OF THE TOWNSHIP OF CHAMPLAIN

BY-LAW NUMBER 2024-63

BEING A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND INSPECTIONS.

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

AND WHEREAS Subsections 8(3) of the Building Code Act, 1992, S.O. 1992, Chapter 23 as amended authorizes a Chief Building Official to issue a conditional permit in circumstances and subject to the conditions listed in that subsection;

AND WHEREAS Section 398 (1) of the Municipal Act, 2001, S.O. 2001, Chapter 25 as amended, provides that the treasurer of a local municipality may add fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality;

AND WHEREAS Section 398(2) of the Municipal Act, 2001, S.O" 2001, Chapter 25 as amended, provides that the treasurer of a local municipality may add fees and charges imposed by the municipality, to the tax roll for the following property in the local Municipality and collect them in the same manner as municipal taxes;

AND WHEREAS Section 446 of the Municipal Act, 2001, S.O. 2001, provides that if the municipality must take remedial action and is not repaid then its cost can be added to the tax roll.

NOW THEREFORE The Corporation of the Township of Champlain enacts as follows:

1. SHORT TITLE

This By-law may be cited as "The Building By-Law"

2. DEFINITIONS

2.1. **"Act"** means the Building Code Act, S.O. 1992, Chapter 23, including amendment thereto;

2.2. **"applicant"** means the owner of a building or property who applies for a permit or any person authorized by the owner to apply for a permit on the owner's behalf, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone Acting under the authority to such person or corporation;

2.3. **"architect"** means a holder of a license, a certificate of practice or a temporary license under the Architect's Act as defined in the Building Code;

2.4. **"as constructed plans"** means as constructed plans as defined in the Building Code;

2.5. **"building"** means a "building" as defined in subsection 1(1) of the Act;

2.6. **"Building Code"** means the regulation made under Section 34 of the Act, including but not limited to O. Reg. 332/12 as amended from time to time;

2.7. **"Chief Building Official"** means the Chief Building Official appointed by by-law of The Corporation of the Township of Champlain for the purposes of the

enforcement of the Act, the Regulations and the Building By-law;

2.8. **"construct"** means to construct as defined in Subsection 1(1) of the Act;

2.9. **"Corporation"** means The Corporation of the Township of Champlain;

2.10. **"Complete Application"** means an application that meets the requirements set out in the Building Code for applications where the Chief Building Official is required to make a decision within a prescribed time period, and Section 4 and Schedule ''C'' of this By-Law;

2.11. **"demolish"** means to demolish as defined in Subsection 1(1) of the Act;

2.12. "**Electronic Address"** means a message distributed by electronic means, commonly referred to as an email;

2.13. "**Farm Building"** means a '' Farm Building'' as defined in the Building Code;

2.14. **"Inspector"** means an inspector appointed pursuant to subsection 3(2) of the Act and by By-Law of the Corporation of the Township of Champlain;

2.15. "**Owner**" means the registered owner of the land;

2.16. **"permit"** means permission or authorization given in writing by the Chief Building Official to perform specific work regulated by this By-Law and the Act and Building Code, or to occupy a building or part thereof, or to change the use of a building or part of a building or parts thereof as regulated by the Act;

2.17. **"permit holder"** means the person to whom the permit has been issued and who assumes the primary responsibility for compliance with the Act and the Building Code;

2.18. **"plumbing"** means "plumbing" as defined in subsection 1(1) of the Act;

2.19. **"professional engineer"** means a person who holds a license or a temporary license under the Professional Engineer's Act, as defined in the Building Code;

2.20. **"work"** means to do anything in the construction or demolition or change of use or plumbing work for a building which is regulated by the Act and "Project" has a similar meaning;

Terms not defined in the By-Law shall have the meaning ascribed to them in the Act or the Building Code.

3. CLASS OF PERMITS

3.1. Classes of permits with respect to construction, demolition or change of use of buildings shall be as set forth in Schedule A to this By-Law.

3.2. Permits for work other than that referred to in this By-Law shall be obtained from the appropriate authority having jurisdiction in accordance with the by-laws of the Corporation and includes the following which are provided for illustration only and do not limit the generality of the foregoing, encroachments, plumbing, water and sewer services, street cuts and electricity.

4. PERMITS

4.1. To obtain a permit, the owner or an agent authorized in writing by the owner, shall file an application in writing by completing a prescribed form available from the office of the Chief Building Official or from the Building Code website

www.obc.mah.gov.on.ca and shall supply any other information relating to the application as required by the Chief Building Official.

Every application for a permit shall be submitted to the Chief Building Official, and contain the following information:

4.2. **Permit to Construct:** Where an application is made for a Permit to Construct under Section 8(1) of the Act, the application shall:

4.2.1. use the provincial application form, "Application for a Permit to Construct or Demolish";

4.2.2. include complete plans and specifications, documents, forms and other information prescribed in Section 5 and Schedule C of this By-law for the work to be covered by the permit;

4.2.3. describe the land on which the work is to be done, by a description that will readily identify and locate the building lot;

4.2.4. state the valuation of the proposed work including materials and labour and be accompanied by the required fee as calculated in accordance with Schedule B;

4.2.5. state the names, addresses and telephone numbers of the owner, architect, engineer, Designer and/or Builder where applicable;

4.2.6. identify and describe in detail the existing uses and the proposed use(s) for which the premises are intended;

4.2.7. be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application;

4.2.8. when Division C, Article 1.2.2.1 of the Building Code applies, be accompanied by a signed acknowledgement of the owner on a form prescribed by the Chief Building Official that an architect or professional engineer, or both, have been retained to carry out the general review of the construction or demolition of the building.

4.2.9. when Division C, Article 1.2.2.1 of the Building Code applies, be accompanied by a signed statement of the architect or professional engineer, or both, on a form prescribed by the Chief Building Official, undertaking to provide general review of the construction or demolition of the building;

4.2.10. include, where applicable, the registration number of the builder or vendor as provided in the Ontario New Home Warranties Plan Act; and

4.2.11. where the work includes plumbing, the application shall also:

4.2.11.1. identify and describe in detail the plumbing work to be covered by the permit for which the application is made; and

4.2.11.2. include plans that show the location and size of every building drain and every trap and vents, and inspection piece that is on the building drain and any sectional drawing requested by the Chief Building Official.

4.3. **Permit to Demolish:** Where application is made for a Permit to Demolish under Subsection 8(1) of the Act, the application shall:

4.3.1. use the provincial application FORM "Application for a Permit to

Construct or Demolish";

4.3.2. contain the information required by Clauses 4.2 (b) to (g) of this By-Law;

4.3.3. when Division C, Article 1.2.2.3. of the Building Code applies, be accompanied by a signed statement of a professional engineer, on a form prescribed by the Chief Building Official, undertaking to provide general review of the demolition of the building; and

4.3.4. be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and capping of all water, sewer, gas, electric, telephone or other utilities and services.

4.4. **Conditional Permit:** Where application is made for a conditional permit under Subsection 8(3) of the Act, the application shall:

4.4.1. use the provincial application form, "Application for a Permit to Construct or Demolish";

4.4.2. contain the information required by Clauses 4.2.2 to 4.2.7 of this By-Law;

4.4.3. include complete plans and specifications, documents and other information as required by Division C, Article 1.2.2.1 of the Building Code and as described in the By-law for the work to be covered by the permit;

4.4.4. state the reasons why the applicant believes that unreasonable delays in the construction would occur if a conditional permit is not granted;

4.4.5. state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;

4.4.6. state the time in which plans and specifications of the complete building will be filed with the Chief Building Official; and

4.4.7. be accompanied by a written agreement between the owner and the Corporation as provided for in Article 8(3)(c) of the Act.

4.5. **Partial Permit:** Where feasible, the Chief Building Official may consider approval of a portion of the building or project prior to the issuance of a Permit for the entire building or project, by way of issuance of a Partial Permit.

4.5.1. include an application for the entire project

4.5.2. include plans and specifications covering the part of the work for which more expeditious approval is desired, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official; and

4.5.3. where a permit is issued for part of a building or project, the holder of such permit may proceed but the issuance shall not be construed to authorize construction beyond the plans for which approval was given nor that approval will necessarily be granted for the entire building or project.

Where the Chief Building Official elects to grant a Partial Permit, it shall be in the form of a Conditional Permit and shall be subject to all same terms and conditions as

identified in Subsection 4.4, as well as the prescribed fees in the User Fees By-Law, as amended, for Conditional Permits.

4.6. **Change of Use Permit:** Where an 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:

4.6.1. describe the building or part thereof in which the occupancy is to be changed, by a description that will readily identify and locate the building;

4.6.2. identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;

4.6.3. include plans and specifications which show 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 ratings and load bearing capacities, details of the existing “sewage system”, if any;

4.6.4. be accompanied by the required fee;

4.6.5. state the name, address and telephone number of the owner; and

4.6.6. be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.

4.7. Dormant Permit:

4.7.1. A permit is deemed to be dormant, if after the third year of the date of issuance, the permit has not been closed.

4.7.2. Every dormant permit shall be subject to a renewal permit fee as prescribed in the User Fees By-Law, in order for an inspector to complete the required inspection and to close this file.

4.8. Renewal Permit:

4.8.1. The Chief Building Official may issue a renewal of permit, for an expired permit, a dormant permit or a revoked permit, provided the required fee is paid for such renewal and the plans and specifications are made to comply with all the requirements of the Act, the Building Code, and any other applicable law in effect at the time the application for a renewal of permit is made.

4.9. Third Party Evaluation:

4.9.1. In any situation where the Chief Building Official requires a third party evaluation, the Applicant shall be subject to any costs incurred by the Corporation, plus any fees and administrative charges, prescribed in Schedule A.

4.10. Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a permit was issued, contains an equivalent material, system or building design for which authorization under Section 8(12) of the Act is requested, the following information shall be provided:

4.10.1. a description of the proposed material, system or building design for

which authorization under Section 8(12) of the Act is requested;

4.10.2. any applicable provisions of the Building Code;

4.10.3. evidence that the proposed material, system or building design will provide the level of performance required by the Building Code; and

4.10.4. Include the additional fees, as described in Schedule "A", that the Chief Building Official requires before occupancy is issued.

4.11. The Administration and Enforcement of Division B, Part 8 of the Building Code with respect to sewage systems remains the responsibility of the South Nation Conservation Authority. Any applicant wishing to make application for a sewage permit under these provisions shall do so by making application with the South Nation Conservation Authority.

5. PLANS AND SPECIFICATIONS

5.1. Every applicant shall submit;

5.1.1. sufficient information (plans, specification, documents …) 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 conform to the Act, the Building Code, and any other applicable law (Division A, Article 1.4.1.3.) and any other pertinent information required by Section 5 as well as in Schedule C of this By-law; and

5.1.2. each application shall be accompanied by two complete sets of building plans including site plans and specifications unless otherwise specified by the Chief Building Official.

5.2. Plans shall:

5.2.1. be drawn to scale to a minimum of 3/16"=1'-0" (or 1:75), unless approved by CBO, upon paper or other substantial material, with sufficient space for written comments. The Chief Building Official may require plans to be submitted in an electronic media format;

5.2.2. be legible and durable;

5.2.3. indicate the nature and extent of the work or proposed occupancy in sufficient detail to establish that the completed work will conform to the Act, the Building Code and any other applicable law;

5.2.4. The Chief Building Official shall determine the number of plans, specifications, documents and other information required to be furnished with an application for permit having regard for the requirements of any Act, regulation or By-Law respecting the examination or circulation of the application;

5.2.5. On completion of the construction of a building or any class of buildings, the Chief Building Official may require a set of "as constructed plans", and/or a building location certificate prepared by a qualified land surveyor;

5.2.6. Plans and specifications furnished according to this By-Law or otherwise required by the Act become the property of the Corporation and will be disposed of or retained in accordance with relevant legislation;

5.2.7. In lieu of separate specifications, the Chief Building Official may allow the essential information to be shown on the plans, but in no case shall such terms as “in accordance with the Act”, “legal”, or similar terms be used as substitutes for specific information; and

5.2.8. Without restricting the generality of Section 5, every application for a permit with respect to the construction of a building in whole or in part on the **land** as herein defined shall be accompanied by a document prepared, signed and sealed by a professional engineer as herein defined, setting forth the slope stability of the land and the measures to be taken, if any, to minimize the effect of soil movement on the building and its existing or proposed sewage system as the case may be.

5.2.8.1. In this paragraph “Professional Engineer” means a professional engineer as that term is defined in “The Professional Engineer Act”, R.S.O., 1990, Chapter P.28, holding a certificate issued by the Association of Professional Engineers of the Province of Ontario, and competent in the field of geotechnical investigations and soil testing.

5.2.8.2. In this paragraph “**land**” means any property abutting the Ottawa river where there are risks of slope failure (possibly unstable) as determine by the Ministry of Natural Resources.

5.3. **Site Plan:** A site plan referenced to a current plan of survey certified by a registered Ontario Land Surveyor and a copy of such a survey shall be filed with the Corporation unless this requirement is waived because the Chief Building Official is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code and any other applicable law. Site plan will include:

5.3.1. lot size and dimensions of property lines;

5.3.2. setbacks from existing and proposed buildings to property boundaries and to each other;

5.3.3. existing and finished ground levels, grades elevations of bottom or underside of footing and top of foundation, drainage flows and direction, drainage outlet;

5.3.4. existing right-of-way, easements and municipal services;

5.3.5. where required by the Chief Building Official, the applicant shall submit a lot grading plan which shall identify the drainage courses and which grades of adjacent land and grades of centre line of the road at each extremity of the said lot for review and approval of the municipal engineer; and

5.3.6. the location of any equipment placed on or crossing the property related to any services including the transmission of hydroelectricity, such as but not limited to, service poles, pole support components, transformers or wires.

6. FEES

6.1. The Chief Building Official shall determine the required permit in accordance with Schedules A, A1 and B of this By-law and the applicant shall pay a permit

fee as per the User Fees By-Law, as amended.

6.2. Where the fees payable in respect of an application for a construction of demolition permit issued under Subsection 8(1) of the Act or a conditional permit under Subsection 8(3) of the Act are based on a floor area. Floor area shall mean the total floor space of all storeys above and below grade (finished areas) measured as the horizontal area between the outside of the exterior walls of the building.

6.3. Where the fees payable in respect of an application for a construction of 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.

6.4. **Work without a permit**: Any person or contractor who commences construction, demolition or changes the use of a building before a permit is issued by the Corporation, shall in addition to any other penalty under the Act, Building Code, or this by-law, pay an additional fee equal to 100% of the amount calculated as the regular permit fee but in no case shall the additional fee exceed $ 5,000.00 in order to compensate the Corporation for the additional work incurred by such early start of work.

7. REFUND

7.1. In the case of withdrawal of an application or abandonment of all or a portion of the work or of the non-commencement of any project, the Chief Building Official shall determine the amount of permit fee that may be refunded to the applicant, if any, in accordance with Subsection 7.2 hereof.

7.2. The fees that may be refunded for any permit of $400 or more shall be a percentage of the fees payable under this by-law, as follows:

7.2.1. eighty (80%) percent if application is filed and no processing or review functions have been performed;

7.2.2. seventy (70%) percent if administrative and zoning functions only have been performed;

7.2.3. sixty (60%) percent if administrative, zoning and plan examination functions have been performed;

7.2.4. fifty (50%) percent if the permit has been issued and no field inspections have been performed subsequent to permit issuance; and

7.2.5. five (5%) percent shall additionally be deducted for each field inspection that has been performed after the permit has been issued.

7.3. Despite Subsection 7.2 and subject to Subsection 7.5 hereof, no refund shall be made when the amount is calculated to be one hundred dollars ($100.00) or less.

7.4. The fees that may be refunded for any permit of $400 or less shall be twenty-five (25%) percent of the fees payable under this by-law.

7.5. The fee for the transfer of a permit is non-refundable.

7.6. Subject to Section 13.1, there shall be no refund of permit fees where a permit has been revoked.

8. ADDITIONAL INSPECTION FEES

8.1. The initial inspections of construction or demolition for which a permit has been issued at each stage of construction or demolition, as well as the preparation of inspection notices shall be included as a component of services provided for the permit fee as identified in Schedule A. Without limiting any other provision of this By-law providing for fees, additional inspection fees as prescribed in the User Fees By-Law, as amended, shall apply and shall be paid prior to each inspection being undertaken on any building where;

8.1.1. Any of the prescribed notice requirements under the Building Code or the additional notices required under this By-Law have not been complied with by a permit holder;

8.1.2. Any additional inspections are required due to construction not being substantially completed as required for inspection, incomplete or not in compliance with the Building Code;

8.1.3. A permit holder has not made the drawings and documents readily available for the Inspector on-site, pursuant to Section 18;

8.1.4. A work site is considered unsafe, according to the Occupational Health & Safety Act, for an Inspector to carry out their duties;

8.1.5. A building is occupied before the notice required under Section 11 of the Act was given to the Chief Building Official; and/or

8.1.6. An inspection is requested to confirm that outstanding items have been completed or corrected in respect of a deficient permit.

9. UNPREPAREDNESS FOR SCHEDULED INSPECTION

9.1. A Permit Holder shall be subject to a fee, as prescribed in the User Fees By-Law, as amended, for each inspection which is cancelled less than twenty-four (24) hours prior to the time of the scheduled inspection or where an inspection is conducted on work which is not substantially completed as required for the requested inspection.

9.2. Inspections may be cancelled, and the applicable fee waived where the inspection was cancelled due to natural causes, at the discretion of the Chief Building Official.

9.3. The fees assessed for the instances described in subsection 9.1 above shall be required to be paid in full prior to the issuance of an occupancy permit and/or the closing of the permit file and the release of any applicable deposits.

10. AFTER HOUR INSPECTIONS

10.1. Where inspections are requested outside of regular business hours, they shall be subject to additional fees as prescribed in the User Fees By-Law, and such inspections are subject to staff resources and at the discretion of the Chief Building Official.

11. REVISION TO PERMIT/PLAN RE-EXAMINATION FEES

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

or her written authorization.

11.2. The initial plan examination of a complete application shall be included as a component of services provided for the permit fee and identified in Schedule A.

11.3. Any material changes and/or any change to the initial plans as identified in Subsection 11.1 and 11.2, shall be subject to an additional fee as established in the User Fees By-Law, as amended.

12. RESTRICTED PERMIT FOR A TEMPORARY BUILDING

12.1. A restricted permit for a temporary building may be issued by:

12.1.1. The Chief Building Official authorizing, for a limited time only (6 months maximum), the erection and existence of a building or part thereof, subject to a fee as established in User Fees By-Law, as amended, and

12.1.2. A permit for a temporary building may be extended provided permission in writing is granted by the Chief Building Official.

13. PERMIT REVOCATION, DEFERRAL OF REVOCATION AND TRANSFER

13.1. Revocation of Permit

13.1.1. Prior to revoking a permit under Subsection 8(10) of the Act, the Chief Building Official shall give written notice of intention to revoke to the permit holder at his last known address and, if on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit may be revoked without further notice and all submitted plans and other information may be disposed of.

13.2. Deferral of Revocation

13.2.1. On receipt of a notice of intention to revoke a permit, a permit holder may request in writing within thirty (30) days from the date thereof that the Chief Building Official defer the revocation of such permit.

13.2.2. A request for deferral shall set out the reasons why the permit should not be revoked and the date by which the work will be commenced or resumed.

13.2.3. Having considered the circumstances of the request and having determined that there have been no changes to the Act and the Building Code and any other applicable law which would have prevented the issuance of the original permit, the Chief Building Official may allow a deferral to a prescribed date and shall notify the permit holder.

13.3. Transfer of Permit

13.3.1. Permits are transferrable only upon the new owner completing a permit application to the requirements of Section 4 of this By-Law.

13.3.2. A fee, as prescribed in the User Fees By-Law, shall be payable on a transfer of permit by the new owner who shall thenceforth be the permit holder for the purpose of the Act and the Building Code.

14. ADMINISTRATIVE PERFORMANCE DEPOSIT

14.1. In addition to the fees due in accordance with Section 6.1, each application for a Permit shall also be subject to an Administrative Performance Deposit as set

out in Schedule A.1 of this By-Law. The administrative performance deposit shall be paid at the time of the permit application for all classes of Permits and shall be in addition to other Permit fees set out in the Section 6.1. Where an Administrative Performance Deposit is due and unpaid, the Chief Building Official may refuse to issue the permit. The Administrative Performance Deposit may be refunded to the owner in accordance with the provisions of Schedule A.1 of this By-Law.

14.2. The Administrative Performance Deposit is collected by the Corporation to provide security that all necessary inspections are completed through the duration of the construction and/or demolition to ensure that the permit file can be appropriately closed at the conclusion of the Work.

14.3. Where additional fees are incurred by the Applicant and/or Permit Holder through the course of the construction or demolition process, these fees may be deducted from the submitted Administrative Performance Deposit or paid in full at each occurrence.

14.4. Where fees have been deducted from a submitted Administrative Performance Deposit, the Corporation may require the Applicant, at the discretion of the Chief Building Official, to pay funds into the Administrative Performance Deposit necessary to restore the full amount of the Administrative Performance Deposit required by Schedule A.1, failing which the Corporation may decline to grant further authorizations or approvals.

14.5. Subject to the provisions of Schedule A.1 upon completion and closing of the Permit file, any Administrative Performance Deposit funds remaining will be refunded to the owner.

15. REGISTERED CODE AGENCIES

15.1. The Chief Building Official is authorized to negotiate and execute service agreements with a Registered Code Agency (RCA) to perform specified functions pursuant to Section 4.1 of the Act provided that the Registered Code Agency meets all the requirements of the Act.

15.2. Agreements for Registered Code Agencies shall be in writing and contain all prescribed requirements to meet the Act and Building Code, including without limiting the generality of the foregoing; those related to plan review facility, inspections, issuing of orders, termination of appointments, record keeping, information sharing and operational policies.

15.3. Fees for Registered Code Agencies shall be specified in the written agreement and shall be based on a cost for service of each project and the Registered Code Agency shall detail the list of services in the agreement.

15.4. Registered Code Agencies shall provide other necessary documents and/or services as determined by the Chief Building Official.

16. NOTIFICATIONS

16.1. With respect to prescribed notices under Division C, Article 1.3.5.1. and for additional notice under to Division C, Article 1.3.5.2.", of the Building Code, the permit holder or their authorized agent shall notify the Chief Building Official, an Inspector or a Registered Code Agency, where one is appointed, at least two (2) business days prior to each stage of construction for which notice in advance is required under the Building Code.

16.2. 16.2 A notice pursuant to this section is not effective until a written or oral notice is received by the Chief Building Official, an Inspector or a Registered Code Agency, where one is appointed.

16.3. In addition to the notices prescribed in Division C, Articles 1.3.5.1. & 1.3.5.2. of the Building Code, the Permit Holder shall give notice to the Chief Building Official, the Building Inspector and/or the Registered Code Agency, where one is appointed, of any supplementary stage of construction as may be requested.

17. COLLECTION OF FEES

17.1. The Corporation may recover its costs of remedial action, if required, and/or any unpaid fees in the same manner as real property taxes, pursuant to the Municipal Act.

18. DOCUMENTS ON SITE

18.1. During the construction the permit holder shall keep:

18.1.1. posted in a conspicuous place on the property in respect of which the permit was issued, a copy of the permit or a poster, or placard in lieu thereof; and

18.1.2. a copy of the approved drawings and specifications referred to in the application for permit, on the property in respect to which the permit was issued.

19. FENCES AT CONSTRUCTION AND DEMOLITION SITES

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

19.2. In considering the hazard presented by the construction or demolition site, the necessity for fences and the height and characteristics of such fences, the Chief Building Official or Inspector shall have regard for:

19.2.1. The proximity of the building site to other occupied buildings;

19.2.2. The proximity of the construction or demolition to lands accessible to the public;

19.2.3. The hazards presented by the construction or demolition activities and materials;

19.2.4. The feasibility and effectiveness of site fences; and

19.2.5. The duration of the hazard.

19.3. Every fence required by this section shall:

19.3.1. Be erected so as to fully enclose all areas of the site which present a hazard;

19.3.2. Create a continuous barrier and be sufficient to deter unauthorized entry;

19.3.3. Have a height not less than 1.2 meters above grade at any point, unless the Chief Building Official or Inspector determines that a greater

minimum height is necessary;

19.3.4. If constructed of plastic mesh, snow fencing or other similar materials, be securely fastened at 200 mm on center to vertical posts not more than 2.4 meters apart, and to horizontal members or a minimum 11-gauge cable at the top and bottom; and

19.3.5. Be maintained in a vertical plane and in good repair.

20. AGENCY LETTER

The Chief Building Official may sign an Agency Letter of Approval as required, i.e., liquor license application. The fee for such approval must be paid in full prior to issuance to the applicant. The fee shall be in accordance with the Township's User Fees By-Law.

21. OFFENCE

Any person who contravenes any provision of this By-Law is guilty of an offence as provided for in Section 36 of the Act.

22. SCHEDULE TO BY-LAW

The schedules attached to this By-Law are deemed to form part of this By-Law.

23. REPEAL OF PREVIOUS BY-LAWS

By-laws 2005-84, 2007-23 and 2012-37 are hereby repealed.

24. DATE AND EFFECT

This By-law shall come into force and effect on October 24, 2024.

READ a first, second and third time and duly adopted this 24th day of October, 2024.

NORMAND RIOPEL, MAYOR

ALISON COLLARD, CLERK

SCHEDULE "A"

CLASS OF PERMITS AND OTHER SERVICES

1. **Residential**
   - Dwelling, cottage, mobile home (per unit, up to 3 units). Includes finished basement & second floor.
   - Apartment building (4 or more units)
   - House addition, roofed porch, solarium, basement replacement
   - Garage (attached or not), carport, or utility shed
   - Veranda, deck, balcony, or gazebo (roofed or not)
2. **Commercial, Institutional, Industrial & Assembly Structures**
   - New Building
   - For separate permits:
     - shell only
     - fit-up
   - Additions (for Commercial, Institutional, Industrial, and Assembly Structures)
   - For separate permits:
     - shell only
     - fit-up
   - Accessory Buildings, and or minor floor area increases
3. **Retaining Wall**
   - Residential
   - Commercial
4. **Wind Turbines, Solar Panel, Communication Tower**
   - Residential
   - Commercial
5. **Farm Related Structures (barn)**
   - New
   - Addition
6. **Agricultural Use (Accessory Building)**
   - Machine Shed, Greenhouse, Storage Building, Tarp Shelter on piers or foundation
     - New
     - Addition
   - Silos (horizontal or vertical)
   - Manure Lagoons
7. **Renovation Permits (based on ft^2)**

- Residential
- Commercial, Industrial, Institutional, Assembly Structures

8. Renovation Permits (based on evaluation)
    - Where calculation of a permit fee on a per square foot basis is unfeasible, the CBO shall determine the permit fee based on the proposed value of the work at the following rates:
        - Residential
        - Commercial, Industrial, Institutional and Assembly Structures
9. Demolition Permits
    - Residential (Houses)
    - Residential Accessory Building
    - Commercial, Industrial, Institutional and Assembly Structures
10. Renewal Permits
    - Residential (Houses)
    - Residential Accessory Building
    - Commercial, Industrial, Institutional and Assembly Structures
11. Temporary Permit (for a period up to 6 months)
12. Transfer Permit
13. Plumbing Fixtures
14. Tents (Special Events, minimum 645 ft^2)
    - Residential
    - Commercial, Industrial, Institutional and Assembly Structures
15. Wood Stove and or Chimney Installation
    - New
    - Existing installation
16. Conditional and Partial Permit
    - Residential
    - Commercial
17. Change of Use
18. Dormant Permit
19. Revision to permit or drawing (including material change)
20. Additional or Re-Inspection Fees
21. After Hour Inspection
22. Construction started without a permit
23. Agency Letter of Approval Building
24. Copy of Plan

25. **Minimum charge to be retained on a cancelled building permit**
26. **Refund**
27. **Third Party Cost and or Peer Review**
    - At the cost of the applicants +15% Administrative Cost
    - Engineering fees, studies, reports, plans, etc
28. **Fees for Registered Code Agencies**
    - Shall be as per written agreement, to be paid by the applicant.
29. **Permit Fees (Residential, Commercial, Institutional, Industrial & Assembly New Building)**
    - All permit fees should be in accordance with the User Fees By-Law, as amended.

Additional Notes to Schedule A

a) **Permit fee based on proposed value of works**
    - Where calculation of the permit fee on a per square footage basis is unfeasible, the Chief Building Official shall determine the permit fee based on the proposed value of the works according to the User Fees By-Law, as amended.

b) **A minimum charge of $100.00 will be retained on a cancelled building permit** (on all permits).

c) **In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work**

SCHEDULE "A-1"

ADMINISTRATIVE PERFORMANCE DEPOSITS

Table 1 Residential Performance Deposits Refundable Fees

Value of Work	Refundable Fee
Value less than $25,000	$100.00
Value between $25,000.01 and $99,999.99	$500.00
Value between $100,000.00 and $199,999.99	$1,000.00
Value between $200,000.00 and $999,999.99	$2000.00
Value equal to or over $1,000.000.00	$5000.00

Table 2 Non-Residential Performance Deposits Refundable Fees

Value of Work	Refundable Fee
Value less than $299,00.00	$1,000.00
Value between $299,000 & $999,999.99	$2,000.00
Value equal to or over $1,000.000.00	$5,000.00

Additional Notes to Schedule A.1

a) Once a permit has been issued by the Chief Building Official, the Administration Performance Deposit will be refunded in whole or in part to the permit holder in accordance with the following provisions:

- One hundred percent (100%) of the Administration Performance Deposit is to be refunded if construction is completed and approved within one (1) year of the date of the issuance of the permit.
- Sixty six percent (66%) of the Administration Performance Deposit is to be refunded if construction is completed and approved within two (2) years of the date of the issuance of the permit.
- Thirty three percent (33%) of the Administration Performance Deposit is to be refunded if construction is completed and approved within three (3) years of the date of the issuance of the permit.
- No refund of the Administration Performance Deposit will be awarded if construction is not completed or not to approved after 3 years of the date of the issuance of the permit. This will not relieve the permit holder and/or the contractor of obligations under any regulations of any By-Law, the Building Code Act or regulations made thereunder.

b) The refund of the whole or part of the Administration Performance Deposit shall not be deemed a waiver of any provisions of any By-Law or requirements of the Building Code Act or regulations made thereunder. Also, the refund shall not be constructed as a certification or guarantee that the building for which a permit was issued meets the requirements of the Building Code Act or regulations made thereunder.

SCHEDULE "B"

BUILDING VALUE PER SQUARE FOOT

Table 3 Residential Permit Fees

Permit Type	Building Value/square foot
First or Main Floor	$225.00 to $350.00
Second Floor	$150.00
Garage with foundation, attached or not)	$70.00
Garage without foundation, attached or not)	$40.00
Carport	$35.00
Solarium	$100.00
Finished Basement	$40.00
Cottage	$150.00
All Interior Renovations	$50.00
All Exterior Renovations	As per contract price
Storage Shed on pier	$25.00
Storage Shed on wood floor	$30.00
Storage Shed on concrete floor	$40.00
Deck, Veranda and Gazebo (roofless)	$25.00
Deck, Veranda and Gazebo (roofed)	$40.00
Deck, Veranda and Gazebo (roofed and uninsulated, 3-season room)	$60.00
Fireplace, woodstove and chimney (masonry)	$4,500.00
Fireplace, woodstove and chimney (prefabricated)	$2,500.00

Table 4 Commercial, Industrial, Institutional and Assembly Structures Permit Fees

Permit Type	Building Value/square foot
Commercial, Institutional and Assembly	$150.00
Industrial	$90.00

Table 5 Agricultural Structures Permit Fees

Permit Type	Building Value/square foot
Silo, Manure Lagoons	As per contract price
Barns, Piggeries and Henneries	$45.00
Greenhouse	$25.00
Machinery Shed	As per contract price
Tarp Shelter	As per contract price

Additional Notes to Schedule B Tables 3 to 5

Where a specific price per square foot value has been indicated, the permit fees may also be calculated as per the contract price.

SCHEDULE "C"

PLANS AND DOCUMENTS REQUIRED FOR PERMIT APPLICATIONS

Except as noted in Section C of this Schedule, every permit application shall be accompanied by two copies of the following plans, specifications and or documents.

A. Residential – Single Detached, Semi-Detached, Duplex, Rowhouse

1. Site Plan
2. Grading Plan
3. Floor Plans
4. Building Plans
5. Building Elevations
6. Cross Sections as required (minimum of one section through each staircase)
7. Wall Section (including air and vapor-barrier location)
8. Roof Truss and Pre-Engineered Floor Joist Layouts
9. Mechanical Ventilation Design Summary
10. Energy Efficient Design Summary (SB-12)

B. All Other Uses

1. Ontario Building Code Matrix
2. Commitment to General Review
3. Site Plan and Grading Plan
4. Floor Plans
5. Foundation Plans
6. Roof Plans
7. Reflected Ceiling Plans
8. Building Elevations
9. Cross Sections and Assemblies
10. Structural Plans
11. Mechanical Plans
12. Plumbing Plans, including elevation drawings of plumbing layout,
13. Electrical Plans,
14. Fire Separation Plans
15. Fire Protection Plans,
16. Door and Window Schedules,
17. Energy Efficiency Design Summary (SB-10)
18. Required Specifications

C. Exceptions

The Chief Building Official may waive the requirement for multiple copies or may require additional copies of plans, specifications, or documents of any or all of the required information specified in this schedule due to the scope of the work.