

THE CORPORATION OF THE TOWN OF MIDLAND
BY-LAW NO. 2005-51

A by-law to regulate the issuance of permits for the construction, demolition, alteration of buildings and plumbing and sewage systems and all other related services within the boundaries of the Town of Midland, and to repeal By-laws 2002-9 and 2002-87.

WHEREAS the Building Code Act, 1992, S.O. 1992, c. 23, as amended, and the regulations made thereunder, provides that the Council of each municipality may pass by-laws and regulations respecting building permits;

AND WHEREAS the Council of The Corporation of the Town of Midland enacted By-law No. 2002-9 and amending By-law No. 2002-87 to regulate the issuance of permits for the construction, demolition, alteration of buildings and plumbing and all other related services within the boundaries of the Town of Midland;

AND WHEREAS the Council of The Corporation of the Town of Midland deems it necessary and desirable to pass a new By-law with respect to permits for the construction, demolition, alteration of buildings and plumbing and all other related services within the boundaries of the Town of Midland, and to repeal By-laws 2002-9 and 2002-87.

NOW THEREFORE BE IT RESOLVED THAT:

1. TERMS AND DEFINITIONS

1.1 Non-defined Terms

Definitions of words and phrases used in this by-law that are not included in the list of definitions in this Part shall have the meanings which are commonly assigned to them in the context in which they are used in this by-law taking into account the specialized use of terms with the various trades and professions to which the terminology applies.

1.2 Defined Terms

The words and terms in ***bold Italics*** in this Section have the following meaning for the purposes of this by-law,

Act means the Building Code Act, 1992, S.O. 1992, Chapter 23 as amended.

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 of such person or corporation.

As Constructed Plans is defined in Article 1.1.3.2. of the **Building Code**.

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.

Authorized Agent means a person whom has been authorized by the owner in writing to act on the owners behalf for matters relating to application for permit.

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

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

Change Of Use means to change the use of a **building** or part of a **building** or permit the use to be changed if the change will result in an increase in hazard, as determined in accordance with the **Building Code**. No **construction** may necessarily be proposed or required.

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

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

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.

Corporation means The Corporation of the Town of Midland.

Demolish means to do anything in the removal of a building or any material part thereof and "demolition" has a corresponding meaning.

Farm Building means a farm building as defined in the building code.

Municipality means The Corporation of the Town of Midland.

Owner means the registered owner of the land and includes a lessee, mortgagee in possession, and the person in charge of the property.

Permit means written permission or written authorization from the **Chief Building Official** to perform work regulated by this by-law and the Act, or to change the use of a building or part of a building or parts thereof as regulated by the Act.

Permit Holder means the person to whom the permit has been issued and who assumes the primary responsibility for complying with the **Act** and the **Building Code**.

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

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*.

Sewage System means a sewage system as defined in Section 1.- (1) of the *Act*.

Single Dwelling House means either a structure containing only one dwelling unit, or attached dwelling units, separated vertically and with each having an independent entrance directly to the exterior.

Temporary Structure means tents, park model trailers and portable classrooms as governed by the *Act* and the *Building Code*.

Total Area means gross area, as defined in Part 1 of the Ontario *Building Code*.

2. ADMINISTRATIVE PROCEDURES RELATING TO PERMITS

2.1 Permit Requirements

Pursuant to section 8.(1) of the Building Code Act, as amended;

No person shall;

- (a) construct or demolish or cause to be constructed or demolished a building;
- (b) occupy or use a building for which a permit is required; or
- (c) change the use of a building.

unless a Permit therefore has been issued by the *Chief Building Official*.

2.2 Revision to Permit

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.

2.3 Time Limitations of Permits

Permits may be subject to revocation, as set out in clause 2.4 of this bylaw if:

- a) after six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the *Chief Building Official*, been seriously commenced;
- b) if the construction or demolition of the building is, in the opinion of the *Chief Building Official*, substantially suspended or discontinued for a period of more than one year;

- c) notwithstanding Clause 2.3 (a) and (b), a building permit may expire, or be archived after 12 months after the last inspection undertaken by the building department.

2.4 Revocation of Permits

The **Chief Building Official**, subject to provisions outlined in subsection 8- (10) of the **Act** has the authority to revoke a building permit issued under the **Act**.

Prior to revoking a **permit**, the **Chief Building Official** may give written notice of intention to revoke to the **permit holder** at their last known address and if on the expiration of thirty (30) days from the date of such notice, all submitted plans and other information may be disposed of.

2.5 Transfer of Permits

When the lands on which a **permit** has been issued changes ownership, permits are transferable only upon the new **owner** completing a permit application to requirements of the section “Documentation Requirements to Support Permit Applications”. A fee, as described in Schedule “B” shall be payable on transfer of permit by the new **owner** who shall thenceforth be the **permit holder** for the purpose of the **Act** and the **Building Code**.

2.6 Posting of Permits

Every Permit holder shall post conspicuously on the work site, the Permit placard that is issued with the Permit and shall be responsible for the maintaining of the placard in a legible condition until the work allowed by the permit is complete.

2.7 Incomplete Applications

Where an application is found to be incomplete and does not comply with Sentence 2.4.1.1B(5) of the **Building Code**, the application may be accepted for processing if the applicant acknowledges same and completes the form as set out in Schedule “G” of this By-law.

2.8 Abandoned Permits

An application for a permit shall be deemed to have been abandoned by the applicant where:

- a) the application is incomplete and remains incomplete three (3) months after it was submitted; or
- b) the application is complete, a permit is available to be issued, and six (6) months has elapsed from the date upon which the owner was notified that the permit was available, and
- c) all incomplete and abandoned applications shall be considered void and all plans and documents may be destroyed.

3. CLASSES OF PERMITS

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

4. DOCUMENTATION REQUIREMENTS TO SUPPORT PERMIT APPLICATIONS

4.1 All Applications

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 Provincial form available at the offices of the *municipality* or from the *Building Code* website (www.obc.mah.gov.on.ca) and;

- a) completing any additional forms prescribed by the municipality under clause 7(f) of the *Act* shall be set out in Schedule "G" to this By-Law;
- b) submit all approvals required so that the proposed *building, construction* or *demolition* will not contravene any Applicable Law (Schedule "E"); and,
- c) be accompanied by the required fee.

4.2 Building and Demolition Permit Application

Every application, as described in section 4.1 of this by-law, for a building or demolition *permit* shall be submitted to the *Chief Building Official*, and contain the following additional information:

- a) include complete plans and specifications, documents and other information as required by Article 2.4.1.1B of the *Building Code* and as described in Schedule "C" – Plans and Documents of this by-law for the work to be covered by the *permit*

4.3 Conditional Permit Application

Every application, as described in section 4.1 of this by-law, for a conditional *permit* under subsection 8-(3) of the *Act*, shall be submitted to the *Chief Building Official*, and contain the following additional information:

- a) include complete plans and specifications, documents and other information as required by Article 2.4.1.1B of the *Building Code* and as described in Schedule "C" – Plans and Documents of this by-law for the work to be covered by the *permit*;
- b) state, in writing, the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional *permit* is not granted;
- c) state, in writing, the necessary approvals which must be obtained in respect of the proposed *building* and the time in which such approvals will be obtained;
- d) state, in writing, the time in which plans and specifications of the complete *building* will be filed with the *Chief Building Official*;
- e) Include a written agreement, in the form approved by Council of the Town of Midland and provided by the *Chief Building Official*, executed by the applicant, the owner and such other necessary persons the *Chief Building Official* determines for the purposes set out in clause 8(3)(c) of the Act;

4.4 Change of Use Permit Application

Every application, as described in section 4.1 of this by-law, for a *change of use permit* issued under subsection 10.- (1) of the *Act*, shall be submitted to the *Chief Building Official*, and contain the following additional information:

- a) include complete plans and specifications, documents and other information as required by Article 2.4.1.1B of the *Building Code* and as described in Schedule “C” – Plans and Documents of this by-law for the work to be covered by the *permit*;
- b) describe the *building* in which the occupancy is 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 plans and specifications 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 ratings and load bearing capacities, details of the existing "sewage system", if any;
- e) state the name, address and telephone number of the *owner*;
- f) be signed by the *owner* or his or her *authorized agent* who shall certify the truth of the contents of the application.

4.5 Equivalents Application

Where an application, as described in section 4.1.1 of this by-law, for a *permit* or for authorization to make a material change to a plan, specification, document or other information on the basis of which a *permit* was issued, contains an equivalent material, system or building design for which authorization under Section 9 of the *Act* is requested, the following information shall be provided:

- a) a description of the proposed material, system or building design for which authorization under section 9 of the *Act* is requested;
- b) any applicable provisions of the *Building Code*;
- c) evidence that the proposed material, system or building design will provide the level of performance required by the *Building Code*.

This information must accompany a *permit* application, or it may be incorporated into the request for authorization to make a material change to plans, specifications etc., on which basis a *permit* was issued.

4.6 Sewage System Permit Application

For every application, as described in section 4.1.1 of this by-law, for a sewage permit that is submitted to the *Chief Building Official*, the application shall:

- a) include complete plans and specifications, documents and other information as required by Article 2.4.1.1B of the **Building Code** and as described in Schedule “C” – Plans and Documents of this by-law for the work to be covered by the **permit**;
- b) include a site evaluation as described in Schedule “C” - Plans and Documentation, of this By-law.

4.7 Plans and Specifications

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

Each application shall, unless otherwise specified by the **Chief Building Official**, be accompanied by two complete sets of the plans and specifications required under this By-Law.

Plans shall be drawn to scale on paper, or other durable material, shall be legible and, without limiting the generality of the foregoing shall include such working drawings as set out in Schedule “C” – Plans and Documents to this By-Law unless otherwise specified by the **Chief Building Official**.

4.8 The Site Plan

Prior to the issuance of a building permit for any new main building in Town, the **Chief Building Official** will require that a certificate from an Ontario Land Surveyor (O.L.S.) be submitted confirming that the surveyor has done a “Construction Reference Survey” that complies with the minimum setbacks of the zoning by-law.”

No person, having been issued a **Building permit** for any new main building in town, shall refuse to provide to the **Chief Building Official** on or before completion of the foundation walls, a “Plan of Survey”, prepared by an Ontario Land Surveyor (O.L.S.) showing the actual distances between the building “as constructed” complies with the Zoning By-law of the Town of Midland.

A site plan referenced to a current plan of survey certified by an Ontario Land Surveyor or a copy of such a survey shall be filed with the **municipality** unless this requirement is waived as in the case where the **Chief Building Official** is able to determine whether the proposed work conforms to the **Act**, the **Building Code**, and any other applicable law without benefit of having a current plan of survey available for review.

All Site plans shall show information as set out in Schedule “C” – Plans and Documents.

4.9 Payment of Fees

Fees for a required **permit** shall be as set out in Schedule "B" to this by-law and are due and payable upon submission of an application for a **permit**.

5. ISSUANCE OF PERMITS

5.1 Issuance of Permits

The **Chief Building Official**, subject to provisions outlined in subsection 8 of the **Act** has the authority to issue a:

Building Permit;
Conditional Permit;
Partial Permit;
Demolition Permit;
Change of Use Permit;
Sewage System Permit;
Temporary Structure;

as described in Schedule “A” of this By-law.

5.2 Issuance of Partial Permits

The **Chief Building Official**, subject to provisions outlined in subsection 7 and 8 of the **Act** has the authority to issue a Partial Permit, as described in Schedule “A” of this By-law.

5.3 Issuance of Conditional Permits

The **Chief Building Official**, subject to provisions outlined in subsection 8- (3) and 8- (5) of the **Act** has the authority to issue a Conditional Permit, as described in Schedule “A” of this By-law.

5.4 Notwithstanding Clause

The **Chief Building Official** shall not, by reason of the issuance of a **permit** or **permits** for a part or parts of the building issued under this subsection, be under any obligation to grant any further **permit** or **permits** thereof.

6. NOTICE REQUIREMENTS FOR INSPECTIONS

6.1 Prescribed Notices and Inspections

A **permit holder** or his or her **authorized agent** shall notify the Building Department of the **municipality** at least two (2) business days in advance of the stages of **construction** specified under article 2.4.5.1 of the Ontario Building Code, as duplicated for reference set out in Schedule “D”

6.2 Time Frame for Mandatory Inspection After Notice is Given

After a mandatory inspection notice has been given under Article 2.4.5.1 of the **Building Code** an inspector shall undertake a site inspection not later than two days after the notice is given. In the case of site inspections of **sewage systems** the **municipality** is required to

undertake an inspection within 5 days. The time periods exclude Saturdays, holidays and all other days when the offices of the principal authority are not open for the transaction of business with the public.

6.3 Additional Notices

A **permit holder** or his or her **authorized agent** shall notify the Building Department of the **municipality** at least two (2) business days in advance of the stages of **construction** specified under article 2.4.5.2 of the Ontario Building Code, as duplicated for reference set out in Schedule “D”.

7. AS CONSTRUCTED PLANS

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

8. FENCING AT CONSTRUCTION AND DEMOLITION SITES

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

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

- a) the proximity of the building site to other buildings;
- 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 such fences; and
- e) the duration of the hazard.

9. ADMINISTRATIVE PROCEDURES RELATING TO PERMIT FEES

9.1 Collection of Permit Fees

The **Chief Building Official**, subject to provisions outlined in subsection 7- (1)(c), 7- (2) of the **Act**, and section 2.23 of **Building Code** has the authority to collect and administer permit fees in accordance to Schedule “B” of this By-law for the purpose of:

- a) recovering direct and indirect costs of the administration and enforcement of the **Act**; and
- b) establishing a reserve fund for any purpose relating to the administration or enforcement of the **Act**.

9.2 Changing Permit Fees

Notice to the public, as outlined in Article 2.23.1.2 of the Ontario Building Code, shall be undertaken by the Municipality before passing a by-law under clause 7(c) of the *Act* to introduce or change a fee imposed for applications for permits or for the issuance of permits.

9.2 Reporting of Permit Fees and Costs of Building Code Enforcement

An annual report, as outlined in Article 2.23.1.1 of the *Building Code*, shall be prepared by the *Chief Building Official* and the Town Treasurer.

9.3 Refunds

In the case of withdrawal of an application or abandonment of all or a portion of the work or the non-commencement of any project, the *Chief Building Official* shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule "B" attached to and forming part of this by-law."

9.4 Collection

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

10. MISCELLANEOUS

10.1 If any court of competent jurisdiction finds that any provision of this By-law is unlawful, ultra vires the jurisdiction of the Council or are invalid for any other reason, such provisions shall be deemed to be severable and shall not invalidate any of the other provisions of the By-law which shall remain in full force and effect.

10.2 This By-law is to be read in conjunction with all the Statutes referred to in the preamble hereto and in the event that there is a conflict between the provisions of this By-law and the provisions of The Building Code Act as amended, or its regulations, then the provisions of The Building Code Act as amended prevail.

10.3 Council shall appoint a *Chief Building Official* and such Inspectors as are necessary for the carrying out of this By-law.

10.4 Schedule "A", "B", "C", "D" and "E" attached hereto shall form part of this By-law.

10.5 A Code of Conduct, as set out in Schedule "F", for the *Chief Building Official* and inspectors shall be maintained, in accordance with the provisions of the *Building Code Act*, by the Municipality. Schedule "F" attached hereto shall form part of this By-law.

10.6 The forms prescribed for use as applications for permits, for orders and for inspection reports as set out in Schedule "G" attached hereto shall form part of this By-law.

11. SHORT TITLE

11.1 This by-law may be cited as "The Building Permit By-law."

12. PENALTIES

In addition to any other penalties prescribed by law, every person who:

- a) knowingly furnishes 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, R.S.O.1990, c. P.33 in accordance with Section 36 of the Ontario Building Code Act, 1992, S.O. 1992, C.23, as amended.

The conviction of an offender upon the breach of any provisions 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 provisions of the *Building Code Act*, as amended from time to time, shall further apply to any continued or repeated breach of this By-law.

13. REPEAL OF BY-LAWS

Town of Midland By-laws 2002-9 and 2002-87 are hereby repealed;

14. ENACTMENT

That this By-law shall take force and effect upon June 27, 2005.

By-law read a first, second and third time and finally passed at a meeting of the Open Council held this Twenty-seventh day of June , 2005.

Mayor

Clerk

SCHEDULE "A"

“CLASSES OF PERMITS”

1. BUILDING PERMIT: To be for the purpose of allowing the construction of a **building**, including, but may not be limited to, the erection, installation, extension or material alteration or repair of a **building** and includes the installation of a **building** unit moved from elsewhere. This type of permit also includes permits for pools, plumbing, designated structures (as defined in Article 2.12 of the Ontario Building Code), signs and property entrances.
2. DEMOLITION PERMIT: To be used for the **demolition** of all or part of a **building** or structure.
3. CONDITIONAL PERMIT: Pertains to construction only and may be issued only in accordance with Section 8.-(3) of the **Building Code Act**.

The **Chief Building Official** is hereby authorized to execute the written agreement referred to in clause 5.2.2 herein on behalf of the Town of Midland where:
 - (i) the applicant has complied with Subsection 5.2.2 herein; and
 - (ii) the **Chief Building Official** is satisfied that the compliance required under Section 8 of the Act has been achieved.
4. CHANGE OF USE PERMIT: To comply with the requirements of Section 10. (1) of the **Building Code Act**.
5. SEWAGE SYSTEM PERMIT: To allow **construction** of a **sewage system** as per Part 8 of the **Ontario Building Code**.
6. PARTIAL PERMIT: When a Building Permit is applied for in accordance with the provisions of this By-law, particularly subsections 5.1.1, 5.2.1, 5.3.1, and 5.5.1 inclusively, and subsections 5.4.1, and 5.2.5 when applicable, in order to expedite work, the **Chief Building Official** may grant approval for **construction** to proceed for a portion of a **building** or project prior to the issuance of a Building Permit for the complete **building** or project. Such a permit shall be called a “Phase (No.) Permit”

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

Partial permits should not be confused with Conditional Permits.

7. TEMPORARY STRUCTURE PERMIT: To permit the erection of a tent or temporary structure which exceeds 30 square meters. (323 square feet).

SCHEDULE "B"
BY-LAW 2005-51

PERMIT FEES AND ADMINISTRATIVE CHARGES

INDEX

PART 1 - Terms and Definitions

PART 2 - Fee Calculation Guide

PART 3 - Fee Tables

PART 4 – Refund of Permit Fees

PART 1 - TERMS AND DEFINITIONS

1.1 Non-defined terms.

- (1) Definitions of words and phrases used in this Schedule that are not included in the list of definitions in this Part shall have the meanings which are commonly assigned to them in the context in which they are used in this Schedule taking into account the specialized use of terms with the various trades and professions to which the terminology applies.

1.2 Defined Terms.

- (1) The following words and terms in this Schedule have the following meaning for the purposes of this Schedule.

Archived Permit	means when an active permit is considered archived where no inspection has been requested (by the permit holder) within one year of the date upon which the last Building Inspection had been performed by the Building Department.
High Density Residential	means apartment buildings (3 units or more), and non-dwelling "C" type occupancies such as hotels, motels, dormitories, lodging, rooming house, etc.
Low Density Residential	means singles, semis, town, row house units, and duplex dwellings
Project Value	means the total estimate value of construction cost, which includes the cost of construction, professional designer compensation, and other similar charges.

PART 2 - FEE CALCULATION GUIDE

2.1 Minimum Permit Fee Calculation and Application Deposit

- (1) Except where a *flat fee* applies, the minimum fee and/or deposit for any permit application for work proposed with a Low Density Group C residential occupancy shall be;
 - a) \$1,500.00 – New Building, except for accessory buildings
 - b) \$300.00 – Additions and alterations over 20m², except for decks
 - c) \$96.00 – All other projects not listed above
- (2) Except where a *flat fee* applies, the minimum fee and/or deposit for any permit application for work proposed with a use of other than a Low Density Group C residential occupancy shall be;
 - a) \$2,500.00 – New Building
 - b) \$500.00 – Additions and alterations over 20m²
 - c) \$192.00 – All other projects not listed above
- (3) Where a flat fee applies, the fee shall be paid at the time of application.

2.2 Total Permit Fee Calculations

- (1) Except as permitted in sentence (2), the summation of all applicable fees found in Tables 1A to 3F shall result in the total Permit Fee.
- (2) Permit fees may be calculated in accordance to subsection 2.4 of this schedule.
- (3) Where applicable, permit fees shall be calculated utilizing the metric rates assigned in the charts below. The Imperial rates assigned in the charts below are for convenience only.

2.3 Determination of Area Calculations for Permit Fees

- (1) The following method establishing the total floor area shall be used;
 - a) Each floor area shall be measured between the outside surfaces of exterior walls, or between the outside surfaces of exterior walls and the centre line of Firewalls or Party Walls. For structures like Mezzanines, Decks/Porches and Loading Docks, the area shall be measured between the platform edge to platform edge, or between the platform edge to an abutting wall face. The summation of these calculations shall be considered the total gross floor area.

- b) A residential basement or a crawlspace contained in whole below grade and with no interior finishes installed, or where no Use is proposed, shall not have a permit fee applied.
- c) All walkout basements in dwellings shall have half of their total floor area calculated to the applicable permit fee.
- d) No deductions shall be made for openings within a Floor, i.e. stairwells, elevator shafts, service shafts (ducts. etc.). A horizontal plane may be projected over sloping and stepped Floors to determine Floor area in lieu of actual surface area.

2.4 Alternative Fee Calculations

- (1) Structures that are of an unusual shape, or where projects are unique in nature, and where the application fees set out in Part 3 of this Schedule are not applicable, or would be impractical, the Chief Building Official, at its discretion, may determine the value of the Building Permit Fee. The Chief Building Official may utilize some, all, or a combination thereof, of the following criteria to determine the Building Permit Fee:
 - a) Fees listed in Table 3A to 3E of this Schedule may be used to calculate a permit fee based upon an estimation of staff time that may be spent on the file.
 - b) Apply a fee, or combination of fees listed in Tables 1A to 3E of this schedule that in the judgment of the Chief Building Official, most closely reflects the proposed project.
 - c) Apply Permit Fee to equal 1.5 % of Project Value as a minimum.
- (2) The Chief Building Official shall report instances where the fee has been reduced to the relevant Council Committee as part of the monthly Building Activity Report.

PART 3 – FEE TABLES

3.1 Classes of Projects and Fee Index

- (1) Except as provided otherwise, the following permit fees shall apply:

Tables 1A to 1F – Base Structure Permit Fees

1A – New Structures	Fee per m² unless otherwise noted	
Designated Structures – free standing (not listed elsewhere)	\$500.00	Each
Docks	\$96.00	Flat Fee
Farm Buildings – of low human occupancy (Architect or Engineer)	\$3.09 m ²	(\$0.29 ft ²)
Farm Buildings- (No Architect or Engineer)	\$2.48 m ²	(\$0.23 ft ²)
Public Pools, or Outdoor Pools (greater than 3.5m deep)	\$500.00	Per Pool
Minimum fee	\$96.00	
1B – New Buildings by Occupancies	Fee per m² unless otherwise noted	
Group A – Assembly Uses		
Gaming Premises - finished	\$19.26 m ²	(\$1.79 ft ²)
- shell only	\$14.73 m ²	(\$1.37 ft ²)
Portable classrooms - per unit	\$450.00	Flat Fee
All other buildings - finished	\$14.04 m ²	(\$1.30 ft ²)
- shell only	\$10.74 m ²	(\$1.00 ft ²)
Group B – Institutional Uses		
All buildings - finished	\$14.00 m ²	(\$1.30 ft ²)
- shell only	\$9.88m ²	(\$0.91 ft ²)
Group C – High Density Residential (Apts, Hotels, etc....)		
All buildings - finished	\$12.92 m ²	(\$1.20 ft ²)
- shell only	\$9.98 m ²	(\$0.93ft ²)
Group C – Low Density Residential (Singles, Semis, Towns, etc....)		
Individual dwelling - Floor area not listed below	\$10.89 m ²	(\$1.01ft ²)
- Finished basement-w/house construction	\$96.00	Per Project
- Attached garage	\$6.50 m ²	(\$0.60 ft ²)
- Attached carport bay	\$96.00	Flat fee
- Covered Deck / Porch	\$6.57 m ²	(\$0.61 ft ²)
- Deck /Porch without roof	\$5.00m ²	(\$0.46 ft ²)
- Acc Building/Boathouse (over 200 sf)	\$6.50 m ²	(\$0.60 ft ²)
- Acc Building/Boathouse (under 200 sf)	\$96.00	Flat Fee
Group D, & E – Business Services and Mercantile Uses		
Restaurants - finished	\$14.00m ²	(\$1.30 ft ²)
- shell only	\$4.63 m ²	(\$0.43 ft ²)
All other Buildings - finished	\$10.89 m ²	(\$1.01 ft ²)
- shell only	\$8.33 m ²	(\$0.78 ft ²)
Group F – Industrial Uses		
Gas Bar Canopy/ Car Washes		

- finished	\$6.05 m ²	(\$0.56 ft ²)
- shell only	\$4.63 m ²	(\$0.43 ft ²)
Parking Garages / Warehouse Storage		
- finished	\$4.58 m ²	(\$0.43 ft ²)
- shell only	\$3.51 m ²	(\$0.33 ft ²)
All other buildings - finished	\$6.95 m ²	(\$0.65 ft ²)
- shell only	\$5.32 m ²	(\$0.50 ft ²)
1C – Temporary Structures	Fee per m² unless otherwise noted	
Bleachers	\$5.39 m ²	(\$0.52 ft ²)
Protective Hoarding (partially enclosed)	\$130.00	Flat fee
Protective Tunnels/Walkways (fully enclosed)	\$16.52 m ²	(\$1.54 ft ²)
Sales office / Trailers	\$260.00 each	Flat fee
Temporary tent up to 225m²	\$130.00 each	Flat fee
Temporary tent greater than 225m²	\$170.00 each	Flat fee
Permanent tent / air supported structure	\$4.68 m ²	(\$0.43 ft ²)
1D – Demolitions	Fee per m² unless otherwise noted	
Whole Structure		
- 1 storey, no basement/crawlspace, 60m ² or less	\$96.00	Flat fee
- any other structure not exceeding 60 m ²	\$300.00	Flat fee
- any structure over 60 m ²	\$1000	Flat fee
Partial (where remaining structure will remain occupied)		
- To all uses other than an Individual Residential unit	\$6.50 m ² area affected	(\$0.60 ft ²)
1E – Structure Remediation & Additions	Fee per m² unless otherwise noted	
Designated Structures attached to structure (not listed elsewhere)	\$500.00	Per Unit
Farm Buildings of low human occupancy – additions	\$3.34 m ²	(\$0.31 ft ²)
Clandestine Labs remediation	\$10,000.00	Per Unit
- plus, Third Party Review	Out of pocket cost recovery + 10%	
Marijuana Grow-op minor remediation	\$500.00	Per Unit
- plus, Third Party Review	Out of pocket cost recovery + 10%	
Marijuana Grow-op major remediation	\$8,000.00	Per Unit
- plus, Third Party Review	Out of pocket cost recovery + 10%	
Public Pools	\$500.00	Per Pool
1F – Additions & Renovations to Buildings	Fee per m² unless otherwise noted	
Group A – Assembly Uses		
Gaming Premises - Additions	\$22.60 m ²	(\$2.10 ft ²)
- Interior alterations / repairs	\$17.00 m ²	(\$1.58 ft ²)
- Interior finishing of a new shell	\$10.20 m ²	(\$0.95 ft ²)
All other uses - Additions	\$16.47 m ²	(\$1.54 ft ²)
- Interior alterations / repairs	\$12.35 m ²	(\$1.15 ft ²)
- Interior finishing of a new shell	\$7.42 m ²	(\$0.69 ft ²)
Group B – Institutional Uses		
All uses - Additions	\$21.42 m ²	(\$2.00 ft ²)

	- Interior alterations / repairs	\$16.07 m ²	(\$1.50 ft ²)
	- Interior finishing of a new shell	\$9.64 m ²	(\$0.90 ft ²)
Group C – High Density Residential (Apts, Hotels, etc....)			
All uses	- Additions	\$15.25 m ²	(\$1.42 ft ²)
	- Interior alterations / repairs	\$11.40 m ²	(\$1.06ft ²)
	- Interior finishing of a new shell	\$6.84 m ²	(\$0.64 ft ²)
Group C – Low Density Residential (Singles, Semis, Towns, etc....)			
All uses	- Accessory building additions	\$6.50 m ²	(\$0.60 ft ²)
	- Boathouse additions	\$6.50 m ²	(\$0.60 ft ²)
	- Dock additions	\$96.00	Flat Fee
Individual dwelling	- Additions not listed below	\$12.81 m ²	(\$1.19 ft ²)
	- Attached garage	\$6.50 m ²	(\$0.60 ft ²)
	- Carport	\$96.00	Flat Fee
	- Covered Deck / Porch additions	\$6.50 m ²	(\$0.60 ft ²)
	- Deck/porch (no roof) additions	\$5.00 m ²	(\$0.46 ft ²)
	- Interior alterations /repairs	\$9.61 m ²	(\$0.90 ft ²)
	- Interior finishing	\$5.77 m ²	(\$0.54 ft ²)
	- Finish of basement	\$3.12m ²	(\$0.29 ft ²)
Group D, & E – Business Services and Mercantile Uses			
Restaurants	- Additions	\$16.52 m ²	(\$1.54 ft ²)
	- Interior alterations / repairs	\$12.39 m ²	(\$1.15 ft ²)
	- Interior finishing of a new shell	\$7.44 m ²	(\$0.69 ft ²)
All other uses	- Additions	\$12.85 m ²	(\$1.19 ft ²)
	- Interior alterations / repairs	\$9.64 m ²	(\$0.89 ft ²)
	- Interior finishing of a new shell	\$5.79 m ²	(\$0.54 ft ²)
Group F – Industrial Uses			
Gas Bar Canopy / Car Washes			
	- Additions	\$7.14 m ²	(\$0.66 ft ²)
	- Repairs	\$5.36 m ²	(\$0.50 ft ²)
	- Interior finishing of a new shell	\$3.22 m ²	(\$0.30 ft ²)
Parking Garages / Warehouse Storage			
	- Additions	\$5.41 m ²	(\$0.50 ft ²)
	- Interior alterations / repairs	\$2.48m ²	(\$0.23 ft ²)
	- Interior finishing of a new shell	\$1.25 m ²	(\$0.12 ft ²)
All other uses	- Additions	\$5.41 m ²	(\$0.50 ft ²)
	- Interior alterations / repairs	\$2.48 m ²	(\$0.23 ft ²)
	- Interior finishing of a new shell	\$2.48 m ²	(\$0.23 ft ²)

Table 2A to 2E – Systems and Services Permit Fees

2A – Site Servicing	
- Fees for stand-alone projects or where such features are proposed in additions, renovations or new construction projects.	Fee per m ² unless otherwise noted
Irrigation system	
- serving individual dwelling properties	\$96.00 each Flat Fee
- serving all other building properties	\$96.00 each Flat Fee
On-site Sewage systems	

- New - Class 4, or 5 system	\$520.00 each	Flat Fee
- New - Class 1,2 or 3 system	\$300.00 each	Flat Fee
- Alteration to existing on-site sewage system	\$300.00 each	Flat Fee
- Repair to existing on-site sewage system	\$160.00	Per Project
- Plan Review of existing for compliance	\$40.00	Per Project
- Site Review of existing for compliance	\$96.00	Per Site Visit
- Alteration NOT required	\$96.00	Per Site Visit
- Alteration required	\$300.00 each	Flat Fee
- New sewage system required	\$520.00 each	Flat Fee
- Re-inspection Program		
- initial site inspection	\$130.00	Flat Fee
- additional site inspections	\$96.00	Flat Fee
Private Fire Hydrant system (wet or dry)	\$200.00	Per Project
Sewer Connection from existing septic system	\$96.00	Per Project
New Site Servicing - To all projects except Low Density Residential (Installation of sanitary, storm sewers, and water distribution service)	\$130.00 per 30m	(or part thereof)
2B – Building Mechanical & Fire Safety		
- Fees for stand-alone projects or where such features are proposed in additions or renovation projects.		Fee per m ² unless otherwise noted
H.V.A.C		
- Non-residential	\$150.00	Per Appliance
- Residential	\$130.00	Per Project
Plumbing		
- Fixture not listed below	\$20.00 each	Flat Fee
- Backwater device		
- Installed in conjunction with other construction	\$20.00 each	Flat Fee
- Stand-alone installation of one unit	\$96.00	Flat Fee
- Stand-alone installation of multiple units	\$96.00	Per Unit
- Testable Backflow devices		
- Installed in conjunction with other construction	\$20.00 each	Flat Fee
- Stand-alone installation of one unit	\$96.00	Flat Fee
- Stand-alone installation of multiple units	\$96.00	Per Unit
Fire/Life Safety Systems Installation or upgrade		
- Electromagnetic Lock/Hold-open	\$8.25 each	Per Unit
- Emergency Lighting	\$0.51 m ² of area serviced only	
- Fire Alarm system	\$0.51 m ² of area serviced only	
- Sprinkler system	\$0.51 m ² of area serviced only	
- Standpipes (retrofit)	\$96.00	Per Cabinet
- Fire Doors (retrofit)	\$96.00	Per Door
2C – Miscellaneous Elements		
- Fees for stand-alone projects or where such features are proposed in additions, renovations or new construction projects.		Fee per m ² unless otherwise noted
Barrier Free walks / ramps (exterior)	\$96.00 each	Flat Fee
Below Grade Exterior Stair	\$96.00 each	Flat Fee
Chutes (Linen / Refuse)	\$96.00 each	Flat Fee
Commercial Cooking Hood	\$260.00 each	Flat Fee

Fire Department Plans Examination	\$100.00	Flat Fee
Floor Area Change (new usage of existing)	\$2.05 m ²	(\$0.20 ft ²)
Mechanical Rooms	\$96.00	Flat Fee
Underpinning / Tie Backs / Shoring	\$131.00 per 10 m	(or part thereof)
Rack Storage Systems	\$6.58 m ²	(\$0.612 ft ²)
Retaining Walls (per OBC) - 1 meter or less in height	\$130.00	Per Property
- Exceeding 1 meter in height	\$500.00	Per Property
Signs		
- Minor Wall signs (254 lb or less) - 1st sign	\$96.00 each	Flat Fee
- for each Minor Wall sign thereafter on same permit	\$48.00 each	Flat Fee
- All other signs	\$260.00 each	Flat Fee
Spray Booths / Dust Collectors	\$500.00 each	Flat Fee
Solid Fuel Appliance c/w Chimney System	\$260.00 each	Flat Fee
Above Ground Pool - No Deck	\$96.00 each	Flat Fee
Inground Pool Fence	\$200.00 each	Flat Fee
2D – Green Systems		
- Fees for stand-alone projects or where such features are proposed in additions, renovations or new construction projects.	Fee per m ² unless otherwise noted	
Green Roofs	\$6.43 m ²	(\$0.60 ft ²)
Greywater recycling systems		
- serving individual dwelling	\$170.00 each	Flat Fee
- all others	\$500.00 each	Flat Fee
Geo-Thermal systems		
- serving individual dwelling	\$170.00 each	Flat Fee
- all others	\$500.00 each	Flat Fee
Solar Domestic Hot Water systems		
- serving individual dwelling	\$170.00 each	Flat Fee
- all others	\$500.00 each	Flat Fee
Solar photovoltaic systems		
- roof mounted to individual dwelling buildings	\$170.00 each affected roof side	
- all others	\$500.00 per 140 m ² of solar panel	
Wind Turbines	\$500.00 each turbine	

Tables 3A to 3F – Application & Administrative Fees & Deposits

	Fee per m ² unless otherwise noted	
3A – Permit Applications & Active Permits		
Additional Inspections	\$80.00	Per Inspection
Change of Use Application		
- No construction proposed or required	\$96.00	Per Application
- Compensating construction is required	Use appropriate fees listed elsewhere in this schedule	
Conditional Building Permit Agreements		
- Simple Agreement	\$210.00	Per Agreement
- Other	\$2,100.00	Per Agreement
- plus, Third Party Review	Out of pocket cost recovery + 10%	

Deferral of revocation of building permit	\$120.00	Per Permit
Lot Grading Approvals from Town Engineer		
- Administrative assistance for Individual Dwelling (houses)	\$60.00	Per Project
- plus, Town Engineer Review	\$300.00	Per Project
- Administrative assistance for all other Buildings	\$120.00	Per Project
- plus, Town Engineer Review	\$100.00	Per Hour
Processing and collection of applicable law approvals		
- Per Individual Dwelling (houses)	\$60.00	Per Project
- For all other Buildings or Structures	\$122.00	Per Project
- plus, Third Party Review	Out of pocket cost recovery + 10%	
Request to use Alternative Solution	\$1,100.00	Per Request
- plus, Third Party Review of design submission	Out of pocket cost recovery + 10%	
Request for CBO to accept Alternative Material	\$1,100.00	Per Request
- plus, Third Party Review of design submission	Out of pocket cost recovery + 10%	
Request for Partial Permit	\$210.00	Per Request
- plus, Third Party Review of design submission	Out of pocket cost recovery + 10%	
Review of revised permit documents	\$78.00	Per Hour
Site Visits – prior to permit issuance	\$80.00	Per Site Visit
Third Party Review	Out of pocket cost recovery + 10%	
Transfer of Permit to new property owner	\$125.00	Per Permit
3B – Archived Permit		
- Notwithstanding the fees described below, the fee applied to reactivate a permit shall not exceed the original permit fee value		
Review of permit file documents	\$80.00	Per Hour
Maintenance Fee of all files not closed within 24 months	\$96.00	Per Year
Site Visits	\$80.00	Per Site Visit
Third Party Review	Out of pocket cost recovery + 10%	
3C – Investigations		
- To offset additional investigative and administrative costs, the following fees apply;		
Construct or Demolish without Permit Issued		
- Prior to the issuance of an Order pursuant to the Building Code Act	Double normal permit fee \$15,000.00 max	
- Order pursuant to the Building Code Act	\$200.00 per Order issued	
- Order not complied with, additional site inspections to review status of non-compliance	\$100.00 per inspection	
- Order registered on title	\$300.00 per Order	
- Issuance of Summons	\$300.00 a Summons plus legal expense	
Other Non-compliance Building Code Act & Code Matters		
- Order to Comply pursuant to the Building Code Act	\$200.00 per Order issued	
- Stop Work Order pursuant to the Building Code Act	\$200.00 per Order issued	
- Unsafe Order pursuant to the Building Code Act	N/C	

- Order not complied with, additional site inspections to review status of non-compliance	\$100.00 per Inspection
- Order registered on title	Cost recovery + 10%
- Issuance of Summons	Cost recovery + 10%
3D – After-hours Inspections	
Non-Emergency Call	\$250.00 Per Hour
Emergency Call	\$320.00 Per Hour
3E – Miscellaneous Clerical Functions	
Fee	
Building Compliance Title Search or Septic Use permit	
Septic use permit	\$25.00 each Flat Fee
Regular response	\$50.00 each Flat Fee
48 hr. "quick" response	\$100.00 each Flat Fee
Compliance Letters to other Government Authorities	
- Unrelated to a active permit or permit application	\$100.00 Per Letter
- Where there is a active permit or permit application	\$100.00 Per Letter
Comprehensive Occupancy Certificate	\$200.00 each Flat Fee
Consent Application Review	\$110.00 Per Application
Special Requests for File Research	\$60.00 Per Hour +HST
3F – Extra Services Deposit	
<ul style="list-style-type: none"> - Collected at permit issuance to offset any additional inspection and administrative costs not anticipated but incurred by the municipality during a project. - Any fees deducted from the deposit shall be calculated in accordance with Table 3A to 3E of this schedule. - Unused portion of deposit is fully refundable, see Part 4 of this schedule for details 	
Group A, B, C – High Density Residential, D, E, & F	
- New, Additions & Renovations	\$150.00 per 100 m ² (or part thereof)
- Stand-alone projects not applicable to above	\$500.00 Per Project
Group C – Low Density Residential (Houses - singles, towns, etc...)	
- New Dwelling	\$500.00 Per Project
- All other projects	\$250.00 Per Project
<i>Exemptions - Tents, Signs, residential decks & sheds</i>	
Lot Grading Deposit – All other projects (unless otherwise specified in a development agreement)	\$3,000.00 Per Lot

PART 4 – REFUND OF PERMIT FEES

4.1 General Provisions

- (1) Refunds of fees collected under the authority of Tables 1A to 1F, and 2A to 2E, shall be provided in accordance with other provisions of this Part, where the;
 - Building Permits have been issued, but no construction has commenced,
 - Building Permits have not been revoked or archived,
 - Building Permit Applications have not expired,
- (2) Fees collected under the authority of Tables 3A to 3E are non-refundable.

- (3) Refunds of fees collected under the authority of Table 3F, shall be provided in accordance with other provisions of this Part, where;
 - the building, or any part thereof, has not been occupied prior to the issuance of an occupancy certificate;
 - a final inspection has been performed which indicates that the project is completed and the file may be closed;

4.2 Refund Provisions for Permit Fees found in Tables 1A to 1F and 2A to 2E of this Schedule

- (1) Requests for refunds must be submitted to the Chief Building Official in writing who will determine the amount of Permit Fees, if any, that may be refunded.
- (2) Except as provided in sentence (3), the amount of fees refundable shall be calculated based on the total of all building permit fees collected under the authority of Tables 1A to 1F, and 2A to 2E of this Schedule, as follows:
 - 75 percent refundable if applicant cancels application prior to building code plans examination review is performed;
 - 50 percent refundable if Chief Building Official has released the permit for issuance;
- (3) Notwithstanding sentence (2), no refund shall be made of an amount less than \$60.00.

4.3 Refund Provisions for Extra Services Deposit found in Table 3F of this Schedule and Deposits posted under a Conditional Building Permit.

- (1) Requests for refunds must be submitted to the Chief Building Official in writing who will determine the amount of deposits, if any, that may be refunded, provided the request is received no later than one year after the date of the last inspection performed. Upon expiration of the one year timeframe noted above, monies collected shall be considered forfeited.

SCHEDULE "C"

“Plans and Documentation”

Appendix 2: Documentary Requirements for Housing (New and Additions)

All permit applications for housing projects must be accompanied by sufficient information to show that the proposed work will conform to the Ontario Building Code and all applicable law.

All drawings must be drawn to scale and shall indicate the nature and extent of work or proposed occupancy in sufficient detail to establish that, when completed, the work and the proposed occupancy will conform to the Ontario Building Code.

The following summarizes the documentation that must be submitted at the time of a building permit application.

Permit applications will not be accepted where any of the required information is not submitted.

Site Plan (Two (2) sets)

- Property lines and lot area referenced to a current Survey
- Location of all proposed & existing buildings in relation to property lines & other buildings
- Overall dimensions (width/length) of all buildings
- Zoning summary (summary of permitted/proposed zoning provisions)
- Proposed and existing grades and the proposed finished first floor elevations of all buildings

Floor Plans (Two (2) sets of all floor levels)

- Drawn to scale and fully dimensioned
- Use of every room or space
- All structural framing
- Identification of all building materials and/or reference to a schedule or legend
- Proprietary floor system layout and manufacturer bearing professional Engineer seal
- Roof truss layout and shop drawings bearing professional Engineer seal
- Location of all plumbing fixtures
- Location of all fireplaces and type of fuel (wood or gas)
- Location of smoke alarms and carbon monoxide detectors

Elevations (Two (2) sets)

- Area of exposing building face, area & % of glazed openings and required limiting distance
- Exterior finishes (for Exterior Insulation Finish Systems, include name of manufacturer)
- Window/door type, locations and sizes including height of sills above floor
- Roof slope and finish
- Stairs, landings, guards and handrails

SCHEDULE "C"

“Plans and Documentation” - cont’d

Building Sections (Two (2) sets)

- Floor to floor and floor to ceiling heights
- Footing and foundation wall details including height of grade above basement floor
- Specifications of all floor, wall and roof assemblies
- Underpinning detail where required
- Stairs, landings, guards and handrails

Construction Details & Notes (Two (2) sets)

- Typical wall section from footings to roof
- Typical roof detail where cathedral ceilings are proposed
- Guard details (reference to SG details or drawings complying with Part 4 design)
- Specifications of all wall, floor and roof assemblies and building materials

Heating, Ventilation and Air-conditioning (Two (2) sets)

- Heat loss/heat gain/duct calculations
- HVAC drawings

On-site sewage system design

- Statement of Design
- System drawings and details

Appendix 3: Documentary Requirements for ICI buildings

All permit applications for ICI buildings must be accompanied by sufficient information to show that the proposed work will conform to the Ontario Building Code and all applicable law.

All drawings must be drawn to scale and shall indicate the nature and extent of work or proposed occupancy in sufficient detail to establish that, when completed, the work and the proposed occupancy will conform to the Ontario Building Code.

The following summarizes the documentation that must be submitted at the time of a building permit application.

Permit applications will not be accepted where any of the required information is not submitted.

Forms / Documents

- Commitment to General Review signed by all project team disciplines
- Building Code Data Matrix or Statement of Design (alternatively include on Architectural Site Plan)
- Land and Building Use Declaration (including identification of any hazardous materials)

SCHEDULE "C"

“Plans and Documentation” - cont’d

- ASHRAE 90.1 Energy Certification Form
- Flow Control Roof Drainage Form (to be filled out by Mechanical & Structural Engineer)
- Geotechnical Investigation Report

Architectural Site Plan (Three (3) copies)

- Property lines and lot area referenced to a current Survey
- Location of building in relation to property lines, streets, fire routes, parking areas and other buildings
- Overall dimensions (width/length) of all buildings, fire access routes, driveways and entrances
- Zoning summary (summary of permitted/proposed zoning provisions)
- Proposed and existing grades, landscaped areas, sidewalk elevations and proposed finished floor elevations of all buildings
- Barrier free curb cuts, parking and ramps and all associated details

Architectural Drawings (Three (3) sets (all to have Architect’s seal where required))

- Floor plans fully dimensioned, identifying rooms and spaces, wall construction & fire separations (ULC/WH #)
- Reflected ceiling plans and associated details (co-coordinated with Electrical consultant)
- Roof Plan & associated details including any screening requirements for mechanical roof top equipment
- Building Elevations (bearing Site Plan Approval stamp)
- Building cross sections
- Wall sections, Stair sections and plan and section construction details
- Enlarged detail plans (B/F washroom, stair enclosures) and associated details, millwork details
- Door and Room Finish Schedules (if not in specification)

Structural Drawings (Three (3) sets (all to have Professional Engineer’s seal where required))

- Design specifications c/w loading, deflection, wind uplift and earthquake analysis & reference to Geotechnical Report
- Foundation plan and associated details (piles & caissons)
- Floor framing plans c/w beam & column schedule
- Roof Framing plan (confirm control flow drainage design requirements)
- Details pertaining to structural connections, framing or any exterior canopy structures

Mechanical Drawings (Three (3) sets (all to have Professional Engineer’s seal where required))

- Site servicing drawing
- Floor plans for both HVAC and Plumbing c/w equipment schedule
- Roof plan showing drainage and equipment schedule for roof mounted equipment

Electrical Drawings (Three (3) sets (all to have Professional Engineer’s seal where required))

SCHEDULE "C"

“Plans and Documentation” - cont’d

- Electrical site servicing drawing where separate from Mechanical
- Floor plans showing lighting, power, emergency lighting, exit signage and electrical equipment
- Fire alarm system drawings (separate or combined with electrical drawings) including FA riser/zoning

Other Submissions (where applicable)

- Complete Construction Specifications (Architectural, Structural, Mechanical and Electrical)
- Security Hardware including Electromagnetic locking system drawings and details
- Industrial Rack Storage System drawings complete with BMEC authorization

Appendix 3: Documentary Requirements for On-site Sewage System Design, or Site Servicing Designs

The following summarizes the documentation that must be submitted at the time of a building permit application.

Permit applications will not be accepted where any of the required information is not submitted.

On-site Sewage System Design

- Statement of Design form as Prescribed in Schedule “G” of this By-law
- A Site Evaluation Report which shall include all of the following items:
 - include the date the evaluation was done;
 - include name, address, telephone number and signature of the person who prepared the evaluation;
 - include a scaled map of the site showing:
 - i. the legal description, lot size, property dimensions, existing rights-of-way, easements or municipal / utility corridors;
 - ii. the location of items listed in Column 1 of Tables 8.2.1.5.A., 8.2.1.5.B. and 8.2.1.5.C. of the Ontario Building Code;
 - iii. the location of the proposed *sewage system*;
 - iv. the location of any unsuitable, disturbed or compacted areas;
 - v. proposed access routes for system maintenance;
 - vi. depth to bedrock;
 - vii. depth to zones of soil saturation;
 - viii. soil properties, including soil permeability, and
 - ix. soil conditions, including the potential for flooding.
- System drawings and details.

Site Servicing Designs

- Location and sizing of, water service and fire service mains
- Location, sizing and minimum slope of sanitary and storm sewers, including cleanouts, maintenance holes and catchbasins
- Sewage and Storm Hydraulic load summary of each building serviced on site

SCHEDULE "C"

“Plans and Documentation” - cont’d

List of Plans or Working Drawings and documentation to accompany applications for permits:

1) **Site and Grading Plan** (two sets)

- lot size and the dimensions of property, and location/dimensions of all existing and proposed **buildings** (setbacks to property lines & distance to other **buildings**);
- location and dimensions of all proposed and existing, roads, rights-of-way, easements and municipal services;
- elevations of proposed and existing grades and the proposed finished first floor elevations of all buildings and;
- proposed and existing fire access routes and, fire hydrant locations or private fire fighting water supply and system.

2) **Site Servicing Plan** (three sets)

3) **Floor Plans** (two sets of all floor levels):

- drawn to scale and fully dimensioned;
- use of every room or space;
- all structural framing.
- proprietary floor system layout and manufacture bearing P.Eng. seal;
- location of all plumbing fixtures;
- location of all fireplaces and type of fuel (wood or gas);
- location of smoke alarms and carbon monoxide detectors;

4) **Roof Plans**

- drawn to scale and fully dimensioned;
- Roof Truss layout from manufacture; or
- Rafter and Ceiling Joist layout and design;
- projected snow shadow location and calculations.

5) **Reflected Ceiling Plans**

- drawn to scale and fully dimensioned;
- use of every room or space;
- location of all lighting, emergency lighting, and exit signage;
- location of all ceiling mounted Fire Alarm and Sprinkler system devices;
- location of all ceiling mounted HVAC devices.

SCHEDULE "C"

“Plans and Documentation” - cont’d

6) **Elevations** (two sets)

- area of exposed building face, area and % of glazed openings and required limiting distance;
- exterior finishes;
- window/door type, locations and sizes including height of sills above floor;
- roof slope and finish;
- stairs, landings, guards and handrails.

7) **Building Sections** (two sets)

- floor to floor and floor to ceiling heights;
- footing and foundation wall details including height of grade above basement floor;
- specifications of all floor, wall and roof assemblies;
- underpinning detail where required;
- stairs, landings guards and handrails.

8) **Construction Details** (two sets)

- typical wall section from footings to roof;
- typical roof detail where cathedral ceilings are proposed;
- guard details (reference to SG details or drawings complying with Part 4 design);
- specifications of all wall, floor and roof assemblies and building materials.

9) **Heating, Ventilation and Air Conditioning Drawings** (two sets)

- heat loss/heat gain/duct calculations;
- HVAC drawings.

10) **Plumbing drawings** (two sets)

11) **Sprinkler Plan** (three sets)

- Water flow calculations;
- Hydrolic load calculations;
- Water service design information.

12) **Fire Alarm system** (three sets)

13) **On-site sewage system design**

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

SCHEDULE “D”

“Mandatory Inspections”

Readiness to construct footings, and may be cited as a “Footings Inspection”

Substantial completion of footings and foundations prior to commencement of backfilling, and may be cited as a “Backfill Inspection”

Substantial completion of framing, and may be cited as a “Framing Inspection”

Substantial completion of ductwork and piping for heating and air-conditioning systems, and may be cited as a “HVAC Rough-In Inspection”

Substantial completion of insulation, vapour barriers and air barriers, and may be cited as a “Insulation Inspection”

Substantial completion of all required fire separations and closures, and may be cited as a “Fire Separation Inspection”

and all fire protection systems including standpipe, sprinkler, fire alarm and emergency lighting systems, and may be cited as a “Fire/Life-Safety Devices Inspection”

Substantial completion of fire access routes

Readiness for inspection and testing of building sewers and building drains, water service pipes, fire service mains, drainage systems and venting systems, the water distribution system and plumbing fixtures and plumbing appliances

Readiness for inspection of suction and gravity outlets, covers and suction piping serving outlets of an outdoor pool described in Clause 2.1.2.1 (1)(h) of the *Ontario Building Code*, a public pool or a public spa

Substantial completion of the circulation/re-circulation system of an outdoor pool described in Clause 2.1.2.1 (1)(h) of the *Ontario Building Code*, a public pool or public spa and substantial completion of the pool before it is first filled with water

Readiness to construct the sewage system

Substantial completion of the installation of the sewage system before the commencement of backfilling

Substantial completion of installation of plumbing not located in a structure, before the commencement of backfilling

Completion of construction and installation of components required to permit the issue of an occupancy permit under Sentence 2.4.3.1 (2) of the *Ontario Building Code* or to permit occupancy under Sentence 2.4.3.2 (1) of the *Ontario Building Code* if the building or part of the building to be occupied is not fully completed

SCHEDULE "E"

"LIST OF APPLICABLE LAW"

- Cemeteries Act
- Charitable Institutions Act
- Day Nurseries Act
- Dead Animal Disposal Act
- Development Charges Act
- Education Act Section 194 (demolition of a school building)
- Education Act Section 195 (addition, alterations or improvements to a school building)
- Education Act Section 197 (addition to or alteration of buildings on a school site)
- Elderly Persons Centre Act
- Environmental Assessment Act
- Environmental Protection Act
- Funeral Directors and Establishments Act
- Home for the Aged and Rest Homes Act
- Milk Act
- Municipal Act
- Nursing Homes Act
- Ontario Heritage Act
- Planning Act
- Private Hospitals Act
- Public Hospitals Act
- Public Lands Act
- Public Transportation and Highway Improvement Act
- Conservation Authorities Act
- Nutrient Management Act
- Theaters Act
- By-laws made under any private Act that prohibit the construction or demolition of a building
- Other Applicable Law as defined in the Ontario Building Code, Part 1.1

Other authorities having jurisdiction:

- Town of Midland Public Works Department
- Town of Midland Fire Department
- Town of Midland Treasury Department
- Midland Heritage Committee
- Midland Power Utility Corporation
- Ontario Hydro
- Ministry of Transportation
- Simcoe County District Health Department
- County of Simcoe

SCHEDULE "F"

CODE OF CONDUCT FOR BUILDING OFFICIALS

(PURSUANT TO SECTION 7.1-(1) OF THE "BUILDING CODE ACT")

Preamble

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

Standard of Conduct

Building Officials undertake to:

1. 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 to their employer, their profession, their peers and the public at large and their personal interests.
3. Apply all relevant building by-laws, codes and standards appropriately and without favour.
4. Perform their inspections and plans examination duties impartially and in accordance with the highest professional standards.
5. At all times abide by the highest moral and ethical standards, avoiding any conduct which could bring or tend to bring Building Officials into disrepute.
6. Comply with the provisions of the Building Code Act, the Ontario Building Code and other Acts or Laws that regulate or govern Building Officials or their functions.
7. Not to act beyond their personal level of competence or outside their area of expertise.
8. Maintain current accreditation to act as an Ontario Building Official.
9. Maintain their knowledge and understanding of the best current building practices, the building laws and codes relevant to their inspection and plan examination function.
10. Extend professional courtesy to all.

Breaches of the Code of Conduct

The Building Code Act provides that the performance of Building Officials will be measured against this Code of Conduct. In response to any allegation of a breach of this Code of Conduct, the *Chief Building Official* shall direct an investigation and, where appropriate, recommend disciplinary action against any Building Official who fails to comply with this Code of Conduct. Where the allegation is against the *Chief Building Official*, the General Manager of Public Works will direct the investigation and make such recommendations as are reasonable.

SCHEDULE "F"

CODE OF CONDUCT FOR BUILDING OFFICIALS - cont'd

(PURSUANT TO SECTION 7.1-(1) OF THE "BUILDING CODE ACT")

In determining the appropriate discipline, the *Chief Building Official* or the General Manager of Public Works will have regard to the relevance of the conduct to the Official's power's and responsibilities as well as the severity of any misconduct.

Disciplinary action arising from violations of the Code of Conduct is the responsibility of The Corporation of the Town of Midland's administration and is subject to relevant collective agreements, employment laws and standards.

SCHEDULE "G"

"Prescribed Forms"

Building Permit Application
Change of Use Permit Application
Mechanical, Ventilation and Heating Application
Pool Application
Water Meter Application
Sanitary Lateral Application
Disposal Application
Property Entrance Application
Curb Cut Application
Sign Application
Septic Application
Tarion Application

SCHEDULE “H” to By-law 2005-51

SEPTIC SYSTEM MAINTENANCE INSPECTION PROGRAM

Introduction

The *Building Code Act, 1992* (the Act) and Ontario Building Code (OBC) regulate the design, construction and renovation of treatment systems which are located wholly on the property which they serve having a design sewage capacity of 10,000 litres/day or less. These types of systems generally provide on-site sewage treatment for smaller buildings such as houses and small businesses.

On January 1, 2011 the OBC was amended by Ontario Regulations 315/10 to establish and govern mandatory and discretionary on-site sewage system maintenance inspection programs. The programs are administered by local enforcement bodies. In the Town of Midland the Building Department is responsible to enforce the Act and the OBC on behalf of the Town.

To assist municipalities in implementing an inspection program, a guideline called *On-Site Sewage Maintenance Inspections – March 2011* was released by the Province as a non-regulatory appendix note to the Building Code. This Schedule to the Town’s Building By-law is based on the guideline and amended to suit the Town of Midland.

Authority for Inspections

Inspections are undertaken by Inspectors appointed by the Town in respect to maintenance inspection programs required under Division C, Article 1.10.2.3. of the OBC (“Mandatory Programs”).

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

Section 15.10.1. of the Act sets out the authority for an Inspector to enter upon land and into buildings at any reasonable time without a warrant for the purpose of conducting a maintenance inspection.

Despite the provision of Section 15.10.1., an Inspector shall not enter or remain in any room or place actually being used as a dwelling unless:

- a) the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and entry made only under the authority of a warrant issued under this Act;
- b) a warrant issued under this Act is obtained;
- c) the delay necessary to obtain a warrant or the consent of the occupier would result in an immediate danger to the health or safety of any person; or
- d) the entry is necessary to terminate an immediate danger.

Inspection Notification

The OBC requires that all systems be inspected every five (5) years from the date of construction or from the date of the most recent maintenance inspection.

Owners of on-site sewage systems within the mandatory inspection areas will be contacted first by letter, then by site visits. Owners are also invited to be proactive by calling the Building Department to arrange inspections.

Staff will provide information packages to educate owners on the purpose of the program and the importance of protecting our drinking water and the waters of Georgian Bay and Little Lake including:

- a) any application fees to be charged;
- b) procedural information;
- c) that the Town accepts third-party certificates as an alternative to conducting an inspection and requesting owners to notify the Town if they have retained a third party for this purpose;
- d) contact information in the Building Department, and;
- e) the legislative authority for the inspection program.

Maintenance Inspections

Overview

This schedule sets out a progressive audit approach to maintenance inspections for on-site sewage systems as with most inspections under the *Building Code Act, 1992*.

Under this approach initial inspections are designed to be non-intrusive tests and will generally avoid significant disturbance to the system and the surrounding soil area. Where concerns are identified, more tests may follow.

A Phase I maintenance inspection may be sufficient to establish compliance with Section 8.9. of the Building Code or with the standards enforced under a discretionary program. A

follow-up Phase II inspection (described below) is required where the Phase I inspection indicates a defect or failure of the system.

The owner of the on-site sewage system is responsible for all costs related to inspections, investigations, tests, reports and other services required to determine the condition of an on-site sewage system.

Phase I

Inspections generally begin with a review of available material including material collected in the identification phase and reports from previous inspections.

The purpose of Phase I maintenance inspections are to:

- a) locate the sewage systems' components;
- b) identify any obvious or outward signs of malfunction or failure;
- c) identify systems that are at risk of malfunction or failure; and
- d) evaluate the condition of the septic tank.

Phase I maintenance inspections generally avoid significant disturbance to the system and the surrounding soil area. During the course of a Phase I maintenance inspection, the Inspector may:

- a) make observations and take photographs of surface conditions and features such as structures, surface drainage, ponding, trees, vegetation, patios, swimming pools, etc.;
- b) require confirmation of the general nature of the systems (class, components, type, layout, etc.);
- c) require confirmation of the location of the systems' components with respect to wells, surface water, and other environmental features;
- d) require confirmation of the size, material and the condition of the septic tanks or the holding tank;
- e) require confirmation of the frequency of tank pump-out and the last time the tank was cleaned;
- f) require confirmation of any indication of sewage system failure, including:
 - i. evidence of backup of effluent;
 - ii. signs of hydraulic failure (breakout of sewage, wetting conditions in the leaching bed area);
 - iii. condition of surface vegetation; and
 - iv. odour problems;
- g) the existence of a maintenance agreement for tertiary treatment system and the date of latest service; and

- h) give consideration of a report completed by a qualified third-party contractor hired by the owner, on a Ministry prescribed form or other form as deemed necessary by the Chief Building Official.

Phase II – Follow-Up Maintenance Inspections

It may be appropriate to undertake more intensive follow-up maintenance inspections where:

- a) the Phase I maintenance inspection has identified that the septic system is at risk of future malfunction or failure, or;
- b) the Phase I inspection detected a malfunction or failure but did not reveal the reason (e.g., location or nature) of malfunction or failure.

Where used in sewage systems, distribution boxes, dosing tanks and pumps may be required to be uncovered, at the owner's expense, to be inspected to determine their condition and functionality.

Phase II inspections of on-site sewage systems may also consider:

- a) soil type and its permeability;
- b) additional sources of hydraulic loading (e.g. surface discharge, roof drains);
- c) trees and deep rooting shrubs in the vicinity of the sewage system;
- d) require documentation of previous effluent sampling test results where required (i.e., under Article 8.9.2.4. of the Building Code);
- e) evaluation of in-home plumbing and estimates of water usage;
- f) conducting a leak diagnostics;
- g) conducting a flow trial;
- h) conducting a dye tracing test, or;
- i) excavating a cross section of the leaching bed.

A Phase I or Phase II inspections may result in an Order being issued by the Inspector and require remedial work to be undertaken by the owner at the cost of the owner.

Inspection Reports

The Building Department will maintain documentation in respect of maintenance inspections, including:

- a) identification of the property attended;
- b) identification of any pertinent information collected as part of the inspection; and
- c) deficiencies identified and remedial action required, if any.

A copy of the report will be provided to the owner.

Enforcement

If code violations or signs of possible future problems are detected, the Inspector will follow-up on those matters with the owner. This may involve undertaking some or all of the steps pertaining to Phase II maintenance inspection.

If an Inspector finds that an on-site sewage system is malfunctioning, failing or has malfunctioned or failed, the Inspector will assess the severity of the matter. The Inspector may require additional inspections, investigations, tests, reports or other services, at the cost of the owner, to determine the condition of an on-site sewage system. The Inspector may issue an Order to notify the owner of the problem and provide direction to the owner to correct the deficiency. Where an on-site sewage system is beyond repair, a new system may need to be constructed.

In all cases, the Inspector's first approach will be to encourage the owner to remedy any deficiencies.

On-site Sewage Systems and Property Sales

The Act does not require re-inspection of on-site sewage systems upon the sale of a property. Lenders, realtors and lawyers involved in the sale of properties with on-site sewage systems should be knowledgeable about operation and maintenance issues.

Owners and purchasers should determine if there is an on-site sewage system on the property and satisfy themselves that it is working properly. If up-to-date on-site sewage system records are available to potential property buyers (either from the previous owner or on file with the Town), then purchasers should be able to investigate an on-site sewage systems' health further, based on such risk factors as age, previous orders, etc. Based on the investigation and availability of records, a professional inspection by a contractor retained by a person and at the person's cost may be appropriate.