

The Corporation of the Township of Laurentian Valley
By-law number 2023-04-027

Being a By-Law under the *Building Code Act, 1992* – Respecting Permits and
Related Matters and to Repeal By-law 2021-06-031

WHEREAS Sections 390 and 391 of the Municipal Act, S.O. 2001, Chapter 25, as amended, authorizes a Municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it, for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board and for the use of its property, including property under its control; and

WHEREAS Section 7 of the *Building Code Act, 1992*, authorizes a municipal Council to pass by-laws concerning the issuance of permits and related matters; and

WHEREAS it is deemed expedient to establish Building Permit Fees for the provision of services; and

WHEREAS the Township of Laurentian Valley has given notice of the proposed changes in fees and held the legislated public meeting;

NOW THEREFORE, the Council of the Corporation of the Township of Laurentian Valley enacts as follows:

1) **SHORT TITLE**

- 1) This By-law may be cited as the "Building Permit By-Law".

2) **DEFINITIONS AND WORD USAGE**

- 1) In this By-Law:
 - a) "**Act**" means the *Building Code Act, 1992*, as amended.
 - b) "**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.
 - c) "**Building Code**" means the regulation made under Section 34 of the Act.
 - d) "**Chief Building Official**" means the Chief Building Official appointed by Council under Section 3 of the Act.
 - e) "**Owner**" means the registered owner of the land and includes a lessee, mortgagee in possession, and the person in charge of the property.
 - f) "**Permit**" means permission or authorization given in writing by the Chief Building Official to perform work regulated by the Act and Building Code, or to occupy a building or part thereof.
 - g) "**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.
- 2) Terms not defined in this By-Law shall have the meaning ascribed to them in the Act or the Building Code.

3) **CLASSES OF PERMITS**

Classes of permits required for construction, demolition, sewage system or change of use are set forth in Schedule "A" appended to and forming part of this By-Law.

4) **PERMITS**

- 1) To obtain a permit, an applicant shall file an application on forms prescribed by and available from the Chief Building Official and shall supply any other information relating to the application as required by the Chief Building Official,
- 2) Every building permit application shall:
 - a) Identify and describe in detail the work, use and occupancy to be covered by the permit for which the application is made;
 - b) Identify and describe in detail the existing uses and the proposed use(s) for which the premises are intended;
 - c) Describe the land on which the work is to be done, by a description that will readily identify and locate the site on which the building or demolition is to occur;
 - d) Be accompanied by plans and specifications as described in the By-Law;
 - e) Be accompanied by the required fees.
 - f) State the names, addresses and telephone numbers of the owner, applicant, architect, engineer or other designer, sewage system installer constructor or person hired to carry out the demolition, as the case may be;
 - g) When Section 2.3 of the Building Code applies, be accompanied by a signed acknowledgment 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;
 - h) When Section 2.3 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;
 - i) Include, where applicable, the registration number of the builder or vendor as provided in the Ontario New Home Warranties Plan Act; the registration number of the sewage system installer or the registration number of the H.V.A.C. Installer, as the case may be;
 - j) State estimated valuation of the proposed work including material and labour; and
 - k) Be signed by the applicant who shall certify as to the truth of the contents of the application.
- 3) In addition to the requirements of subsection (2) above, every demolition permit application shall:
 - a) When Section 2.3 of the Building Code applies, be accompanied by structural design characteristics of building and the method and time schedule of the demolition; and
 - b) Be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services.
- 4) In addition to the requirements of subsection 4(2) above, every construction permit application for part of a building shall:
 - a) Include an application on the approved provincial form for the entire project; and

- b) 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.
- 5) In addition to the requirements of subsection 4(2) above, every conditional permit application for the construction of a building shall:
- a) State the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted; and
 - b) State necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained.
 - c) A written agreement, in a form 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 Subsection 8(3)(c) of the Act; and
 - d) Payment of the conditional permit fee as set out in Schedule "A" herein.
- 6) The Chief Building Official is hereby authorized to execute on behalf of the Corporation of the Township of Laurentian Valley the written agreement referred to in subsection 4(5)(c) in this By-law as part of the conditional building permit application.
- 7) The Chief Building Official may, where conditions in Subsection 8(3) and 8(5) of the Act and subsection 4(5) above have been fulfilled, issue a conditional permit for a building subject to compliance with the Act, the Building Code and any applicable law.
- 8) In addition to the applicable requirements of subsection 4(2) above, every change of use permit application shall:
- a) Describe the building or part thereof in which the occupancy is to be changed; and
 - b) 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, floor and roof assemblies identifying required fire resistance rating and load bearing capacities.
- 9) In addition to the applicable requirements of Subsection 4(2) above, every sewage system application shall:
- a) Include a site plan and specifications, drawn to scale and showing:
 - i. The true dimensions of the lot;
 - ii. The location of all existing and proposed buildings and structures on the lot;
 - iii. The proposed location, elevation and dimensions of the sewage system;
 - iv. Dimensions to the nearest wells, water courses and other sewage systems.
- 10) 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 subsection (4) and (5) be under any obligation to grant any further permit or permits therefore.
- 11) An application for a permit shall be deemed to have been abandoned by the applicant where:
- a) The application is incomplete according to Section 7 and remains incomplete or inactive for six months after it was submitted, or

- b) Six months have elapsed after the applicant was notified that the proposed building, construction, demolition or change of use will not comply with the Act or the Building Code or will contravene other applicable law.

5) **PLANS AND SPECIFICATIONS**

- 1) Every applicant shall furnish,
 - a) Sufficient plans, specifications, documents and other information to enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act and the Building Code; and
 - b) 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 municipality 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:
 - i. Lot size and dimensions of property;
 - ii. setbacks from existing and proposed buildings to property boundaries and to each other;
 - iii. Existing and finished ground levels or grades; and
 - iv. Existing rights-of-way, easements and municipal services.
- 2) Plans submitted shall be legible and be drawn to scale upon paper or other suitable and durable material.
- 3) 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.
- 4) On completion of the construction of a building, the Chief Building Official may require a set of as constructed plans, including a plan of survey showing the location of the building.
- 5) Plans and specifications furnished according to this By-Law or otherwise required by the Act become the property of the municipality and will be disposed or retained in accordance with relevant legislation

6) **AUTHORIZATION OF EQUIVALENTS**

- 1) Where approval for an equivalent material, system of building design under Section 9 of the Act is proposed in either an application for a permit, or in a material change to a plan, specification, document or other information on basis of which a permit is issued, the applicant shall submit:
 - a) A completed "Equivalent Application Form" as described in Schedule B;
 - b) A description of the proposed location(s) the equivalent is proposed to be installed;
 - c) A description of the proposed material, system or building design for which authorization is sought;
 - d) A description of all applicable provisions of the Building Code in contravention;
 - e) Supporting documentation demonstrating that the proposed material, system or building design will provide the level of performance required by the Building Code; and
 - f) Payment of the required fee as set out in Schedule "A".

- 2) The Chief Building Official may accept or reject any proposed equivalents and may impose conditions or limitations on their use.
- 3) Equivalents that are accepted under this Section shall be applicable only to the location described in the application, and are not transferable to any other building permit.

7) **INCOMPLETE PERMIT APPLICATIONS**

- 1) An application shall be deemed not complete according to Section 8(2)(e) of the *Building Code Act* where any of the applicable requirements of Section 4 of this By-law have not been complied with.
- 2) Except as provided in subsection 7(3), an application deemed incomplete shall not be accepted by the Chief Building Official.
- 3) The Chief Building Official may accept an incomplete application where the applicant acknowledges, in writing, that the application is incomplete and waives the time period prescribed in the Building Code within which a permit must be issued or refused.
- 4) Where an applicant declares that an application is complete in all respects and complies with the Act, the Building Code and other applicable law, the Chief Building Official shall issue or refuse to issue a permit within the time period prescribed in the Building Code.
- 5) Where an applicant declares that an application is complete in all respects, but the application is determined to be incomplete or does not comply with the Act, the Building Code or other applicable law, and additional fee as prescribed in Schedule "A" may be applied to the re-examination of the documents required to be submitted by the applicant.

8) **FEES**

- 1) The Chief Building Official shall determine the required fees calculated in accordance with Schedule "A" for the work proposed and the applicant shall pay such fees. No permit shall be issued until the fees therefore have been paid in full.
- 2) Upon written request, the Chief Building Official shall determine the amount of fees, if any, that may be refunded in accordance with Schedule "A" in the case of:
 - a) Withdrawal of an application,
 - b) Abandonment of an application pursuant to subsection 4(10) above, (c) refusal to issue a permit, or
 - c) Request for revocation of a permit pursuant to Clause 8(1) (e) of the Act.
- 3) Subject to subsection 7(1), there shall be no refund of permit fees where a permit has been revoked.

9) **PERMIT REVOCATION, DEFERRAL OF REVOCATION AND TRANSFER**

- 1) Revocation of Permit
 - a) Prior to revoking a permit under Clauses 8 (10) (b) and (c) 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 ground for revocation continues to exist, the permit may be revoked without further notice and all submitted plans and other information may be disposed of.
- 2) Deferral of Revocation

- a) 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 the Chief Building Official to defer the revocation of such permit.
- b) 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.
- c) 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.
- d) A request for deferral of revocation is subject to a fee in accordance with Schedule "A".

3) Transfer of Permit

- a) Permits are transferrable only upon the new owner completing a permit application to the requirements of Section 4.
- b) A fee, as prescribed in Schedule "A" 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.

10) **NOTIFICATIONS**

- 1) Notices for inspections respecting stages of construction required by the Building Code shall be given by the permit holder to the Chief Building Official at least two business days in advance of each stage of construction specified therein.
- 2) A notice pursuant to this section is not effective until written or oral notice is received by the Chief Building Official.

11) **SEVERABILITY**

- 1) Should any section, subsection, clause or provision of this By-Law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-Law as a whole or any part thereof, other than the part so declared to be invalid.

12) **REPEAL APPLICABLE BY-LAWS**

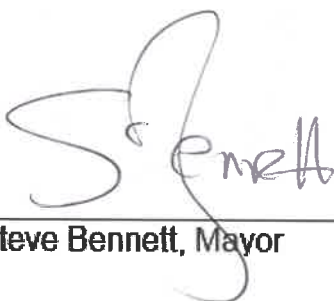
- 1) That By-law 2021-06-031 is hereby repealed.

13) **EFFECTIVE DATE**

- 1) That the fees set out in "Schedule A" of this By-law shall come into force and effect on the 15th Day of May, 2023.
- 2) That this By-law shall come into force and effect upon final passage thereof.

READ A FIRST AND SECOND TIME THIS 18th DAY OF MARCH, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS 18TH DAY OF MARCH, 2023.



Steve Bennett, Mayor



Dean Sauriol, CAO/Clerk



Schedule A to By-law 2023-04-027

Building Permit Fees Effective May 15, 2023

Permit Type	Fees	
Base Application Deposit (Non-Refundable)	\$ 130.00	Charged at application submission
Residence - New, Additions or Extensive Renovations (plumbing permit included)	\$ 0.44 \$ 365.63	per square foot minimum
Residential - Accessory Buildings and Decks	\$ 0.35	per square foot minimum
	\$ 130.00	per square foot for plumbing permit if required
	\$ 0.04	
Multi - Residential	\$ 0.47 \$ 130.00	per square foot minimum
Solid Fuel Burning Appliance	\$ 130.00	
Commercial / Industrial - New Construction, Additions or Extensive Renovations (plumbing permit included)	\$ 0.71	per square foot
	\$ 1,181.25	minimum
Commercial / Industrial - Accessory Buildings	\$ 0.47	per square foot
	\$ 700.00	minimum
Agricultural - New Construction, Additions or Extensive Renovations	\$ 0.35	per square foot
	\$ 548.44	minimum
Agricultural - Accessory Buildings	\$ 0.22	per square
	\$ 130.00	minimum
Pools	\$ 0.35	per square foot
	\$ 130.00	minimum
Demolition Permits	\$ 130.00	minimum
	\$ -	additional square footage
Transmitter Tower - 30 feet and under	\$ 390.00	
Transmitter Tower - over 30 feet	\$ 390.00	
Change in Use Permits	\$ 390.00	
Deferral of Revocation of Permits	\$ 130.00	
Conditional Permit	\$ 520.00	
Authorization of Equivalents	\$ 325.00	
Certificate of Compliance per Section 15.5 of the Ontario Building Code Act, S.O. 1992, c.23	\$ 200.00	
Commencing Construction without a Permit		Twice Permit fee
Sewer/Septic Permit		
Class 2 systems (grey-water)	\$ 325.00	
Class 3 systems (cesspool)	\$ 325.00	
Class 4 (leaching bed, filter bed)	\$ 390.00	
Class 5 (holding tank)	\$ 260.00	per year
Investigations	\$ 130.00	per hour
Inspections and Comments relating to Sewage Systems		
For consents	\$ 300.00	for each new lot
Minor Variance	\$ 84.38	
Plan of Subdivision	\$ 150.00	for each lot or block shown on proposed plan

Township of Laurentian Valley
 460 Witt Rd
 Pembroke, ON K8A 6W5