

THE CORPORATION OF LOYALIST TOWNSHIP

BY-LAW NO. 2020-xxx

A BY-LAW RESPECTING BUILDING, DEMOLITION, CHANGE OF USE, PERMITS AND RELATED FEES

WHEREAS Section 7 of the *Building Code Act, 1992*, as amended, permits the municipality to pass by-laws respecting construction, demolition and change of use permits and inspections;

AND WHEREAS Section 3(1) of the *Building Code Act, 1992*, as amended, provides that the council of each municipality is responsible for the enforcement of this Act in the municipality;

AND WHEREAS Section 3(2) of the *Building Code Act, 1992*, as amended, provides that the council of each municipality shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the Act in the areas in which the municipality has jurisdiction;

AND WHEREAS Section 391 of the *Municipal Act, 2001*, as amended, provides that a municipality may pass by-laws imposing fees or charges on any class of persons for services provided by the municipality;

NOW THEREFORE the Council of The Corporation of Loyalist Township hereby ENACTS the following:

1.0 DEFINITIONS AND INTERPRETATION

1.1 DEFINITIONS

In this by-law,

"Act" means the *Building Code Act, 1992*, S.O. 1992, Chap. 23 including amendments thereto;

"Applicable Law" has the same meaning as Article 1.4.1.3 of Division A of Ontario Regulation 332/12, as amended from time to time;

"Alternative Solution" has the same meaning as Article 1.4.1.3 of Division A of Ontario Regulation 332/12, as amended from time to time;

"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 a person or corporation;

"as constructed plans" means construction plans and specifications showing a building as it has been constructed together with its location by reference to the limits of the property upon which it has been constructed;

"building" means:

- (a) A structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto,
- (b) a structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto,
- (c) plumbing not located in a structure,
- (d) a sewage system; or
- (e) structures designated in the Building Code;

"Building Code" means the regulations made under Section 34 of the Act;

"Chief Building Official" means the Chief Building Official appointed by by-law of the Municipality for the purposes of enforcement of the Act;

"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;

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

"gross floor area" means the total area of all floors above and below grade measured between the outside surfaces of exterior walls and the center line of firewalls.

"Inspector" means an inspector appointed by by-law of the Municipality for the purposes of enforcement of the Act;

"Municipality" means The Corporation of Loyalist Township;

"owner" in connection with a property means the registered owner of the property, a lessee, or a mortgage in possession;

"permit" means permission or authorization in writing from the Chief Building Official to perform work regulated by the Act and the Building Code and in the case of an occupancy permit, to occupy any building or part thereof;

"permit holder" means the owner to whom the permit has been issued or, where the permit has been transferred, the new owner to whom the permit has been transferred;

"property" means real property located within the municipal boundaries of the Municipality;

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

1.2 INTERPRETATION

1.2.1 Any word or term not defined in this by-law that is defined in the Act or Building Code shall have the meaning ascribed to it by the Act or Building Code.

1.2.2 In this by-law, a word interpreted in the singular number has a corresponding

meaning when used in the plural.

1.2.3 This by-law includes the Schedules annexed hereto and the Schedules are hereby declared to form part of this by-law.

1.2.4 If any section, subsection or part or parts thereof be declared by any court of law to be illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

2.0 CLASSES OF PERMITS (ONTARIO BUILDING CODE ACT, SECTION 7(1)(a))

Those classes of permits with respect to the construction, demolition or change of use of a building or part thereof as set out in Schedule "A" annexed hereto are hereby established.

3.0 APPLICATIONS FOR PERMITS (ONTARIO BUILDING CODE ACT, SECTION 7(1)(b))

3.1 APPLICATIONS FOR PERMIT TO CONSTRUCT (ONTARIO BUILDING CODE ACT, SECTION 8(1))

Where an application is made for a permit to construct, the applicant shall file the following information:

- (a) the standardized provincial application form entitled "Application for a Permit to Construct or Demolish" (available from the Chief Building Official or from the official Ontario Building Code website at www.obc.mah.gov.on.ca); and
- (b) complete plans, specifications, documents and other information as required by Article 1.3.1.3 of Division C of Ontario Regulation 332/12, as amended from time to time and any further material required by the Chief Building Official in accordance with Paragraph 4 of this by-law.

3.2 APPLICATION FOR PERMIT TO DEMOLISH (ONTARIO BUILDING CODE ACT, SUBSECTION 8(1))

Where an application is made for a permit to demolish the applicant shall file the following information:

- (a) the standardized provincial application form entitled Application for a Permit to Construct or Demolish" (available from the Chief Building Official or from the official Ontario Building Code website at www.obc.mah.gov.on.ca);
- (b) complete plans, specifications, documents and other information as required by Article 1.3.1.3 of Division C of Ontario Regulation 332/12, as amended from time to time and any further material required by the Chief Building Official in accordance with Paragraph 4 of this by-law;
- (c) proof satisfactory to the Chief Building Official that arrangements have been made with the proper authorities for the cutting off and capping of all water, sewer, gas, electric and private services; and

- (d) written confirmation that the site will be backfilled and graded with clean material and that all private drain connections will be excavated and properly sealed at the property line.

3.3 APPLICATION FOR CONDITIONAL PERMIT (ONTARIO BUILDING CODE ACT, SUBSECTION 8(3))

Where an application is made for a conditional permit the applicant shall file the following information:

- (a) the standardized provincial application form entitled "Application for a Permit to Construct or Demolish" (available from the Chief Building Official or from the official Ontario Building Code website at www.obc.mah.gov.on.ca);
- (b) complete plans, specifications, documents and other information as required by Article 1.3.1.3 of Division C of Ontario Regulation 332/12, as amended from time to time and any further material required by the Chief Building Official in accordance with Paragraph 4 of this by-law and payment of all fees required in Schedule 'A' of this By-law;
- (c) a statement of the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
- (d) a statement of the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
- (e) the time in which plans, and specifications of the complete building will be filed with the Chief Building Official; and
- (f) A signed agreement in the form prescribed by the Chief Building Official to do the following:
 - (i) assume all risk in commencing the construction,
 - (ii) obtain all necessary approvals within the time period referred to under subsection 3.3(d) above,
 - (iii) file plans and specifications of the complete building within the time period specified in subsection 3.3(e) above,
 - (iv) at the applicant's own expense, remove the building and restore the site if approvals are not obtained or plans are not filed in the time set out in the agreement, and
 - (v) comply with such other conditions as the Chief Building Official considers necessary.
- (g) Confirmation that the conditional building permit complies with Section 8(3)(a) of the Act, Article 1.3.1.5 of Division C of the Building Code, and all Applicable Law.

3.4 APPLICATION FOR CHANGE OF USE PERMIT (ONTARIO BUILDING CODE ACT, SUBSECTION 10(1))

Where an application is made for a change of use permit the applicant shall file the following information:

- (a) the form prescribed by the Chief Building Official;
- (b) complete plans, specifications, documents and other information as required by Article 1.3.1.3 of Division C of Ontario Regulation 332/12, as amended from time to time and any further material required by the Chief Building Official in accordance with Paragraph 4 of this by-law; and
- (c) a description of the current and proposed occupancies of the building or part of the building for which the application is made.

3.5 APPLICATION FOR TRANSFER OF PERMIT (ONTARIO BUILDING CODE ACT, SUBSECTION 7(h))

Where an application is made for a transfer of permit because of change of ownership of the property, the applicant shall file the following information:

- (a) the form prescribed by the Chief Building Official;
- (b) the names and address of the former and new owner;
- (c) a duplicate registered copy of the deed evidencing transfer of ownership;
- (d) the nature of the permit being transferred; and
- (e) written confirmation from the original permit holder that the permit is to be transferred.

3.6 APPLICATION FOR PARTIAL PERMIT

Where an application is made for a partial permit in order to expedite work for a portion of a building prior to the issuance of a permit for the work for the complete building, the applicant shall file the following information:

- (a) the standardized provincial application form entitled "Application for a Permit to Construct or Demolish" (available from the Chief Building Official or from the official Ontario Building Code website at www.obc.mah.gov.on.ca);
- (b) complete plans, specifications, documents and other information as required by Article 1.3.1.3 of Division C of Ontario Regulation 332/12, as amended from time to time and any further material required by the Chief Building Official in accordance with Paragraph 4 of this by-law and payment of full fees in accordance with Schedule 'A' of this by-law; and
- (c) a signed acknowledgement from the applicant that the issuance of a partial permit shall not be construed to authorize construction beyond the plans for which approval was given or as a guarantee that approval will necessarily be granted for the entire proposed work.

3.7 APPLICATION FOR SEWAGE SYSTEM

Where an application is made for the installation of a sewage system, the

applicant shall file the following information:

- (a) The form prescribed by the Chief Building Official
- (b) complete plans, specifications, documents and other information as required by Article 1.3.5.4. of Division C of Ontario Regulation 332/12, as amended from time to time and any further material required by the Chief Building Official in accordance with Paragraph 4 of this by-law.
- (c) a scaled site map showing the following:
 - (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 8.2.1.6.A., 8.2.1.6.B. and 8.2.1.6.C. of the 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.

4.0 INFORMATION TO BE SUBMITTED WITH APPLICATIONS

4.1 GENERAL

In addition to the requirements set out under Paragraph 3 above, unless otherwise directed by the Chief Building Official, every application for a permit shall:

- (a) Be on the prescribed application form and be signed by the applicant who shall certify the truth of the contents of the application;
- (b) be accompanied by the required fees as set out in Schedule "A"; include any information relating to the application as required by the Chief Building Official;
- (c) identify and describe in detail the work, use and occupancy to be covered by the permit for which the application is made;
- (d) identify and describe in detail the existing uses and the proposed use for which the property is intended;
- (e) 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 construction, demolition or change of use is to occur;
- (f) be accompanied by proof acceptable to the Chief Building Official of property ownership and, where appropriate, a signed authorization appointing an individual or corporation to act as the owner's agent in respect of an application; and
- (g) provide whatever other information, plans, surveys or documents are required in order to enable the Chief Building Official to determine whether or not the proposed construction, demolition,

change of use or transfer of permit will conform with the Act, the Building Code, any applicable law and whether or not adjacent property may be affected.

4.2 PLANS AND SPECIFICATIONS

4.2.1 In addition to the requirements set out under Paragraph 3 above, each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two complete sets of the plans and specifications as described in Schedule "B" of this By-law.

4.2.2 The applicant shall ensure that plans submitted to the Chief Building Official:

- (a) are drawn to scale (**minimum 1/8" = 1'**) upon substantial material and in electronic format (**PDF**) or as approved by the Chief Building Official;
- (b) are legible and durable; and
- (c) indicate the nature and extent of the work or proposed occupancy in sufficient detail to establish that the completed work will conform to the Act, the Building Code and any applicable law.

4.2.3 The applicant shall submit a copy of a plan of survey certified by a Registered Ontario Land Surveyor to the Chief Building Official when required to demonstrate compliance with the Act, the Building Code or any applicable law.

4.2.4 The applicant shall ensure that site plans submitted to the Chief Building Official to demonstrate compliance with the Act, the Building Code and any applicable law shall contain the following information:

- (a) lot size, lot dimensions, lot area, building dimensions and setbacks to any existing or proposed buildings;
- (b) geodetic elevations of: (i) the streets abutting the property; (ii) proposed finished floor; (iii) top of foundation; **and** (iv) underside of footings; **and (v) attached garage floor elevation;**
- (c) existing and proposed grade elevations at all lot corners, midpoints, points of grade change, driveways and drainage structures;
- (d) existing rights-of-way, easements, municipal services and private services; and
- (e) dimensions of setbacks of buildings located on adjacent lots from their respective front property lines.

4.2.5 Upon completion of the foundation, a building location survey shall be submitted **when requested by** to the Chief Building Official for new residential buildings and buildings under Site Plan Agreement with the Municipality or any other building as requested in order to confirm compliance with any Building Code or zoning requirement.

4.2.6 Plans and specifications furnished in accordance with the requirements of this by-law or otherwise required by the Act become the property of the Municipality and shall be retained in accordance with any and all applicable legislation and by-laws.

5.0 AFTER FILING OF APPLICATION

5.1 INCOMPLETE APPLICATION

Where an application is found to be incomplete or does not comply with the relevant provisions of the Act or the Building Code, the Chief Building Official may accept the application for processing **a notice of the incomplete status of the permit will be provided by the reviewing inspector, applications that are not completed for review within 90 days will be returned to the applicant, application deposits for these permits are subject to schedule "D" of this bylaw.**

5.2 FAILURE TO COMMENCE CONSTRUCTION OF DEMOLITION

Where the construction or demolition in respect of which a permit has been issued has not, in the opinion of the Chief Building Official, been seriously commenced within six months of its issuance, the Chief Building Official may revoke the permit in accordance with the provisions of the Act and the Building Code. **Refunds for revoked permits are subject to the refund policy set out in schedule "D" of this bylaw, refund of other fees collected at the time of permit issue ie: Development charges or impost fees are subject to the refund policies of the respective By-laws.**

5.3 INACTIVE APPLICATION

Where the construction or demolition in respect of which a permit has been issued has been seriously commenced but has, in the opinion of the Chief Building Official, been substantially suspended or discontinued for a period of more than one year, the Chief Building Official may revoke the permit in accordance with the provisions of the Act and the Building Code. **Refunds for inactive permits are subject to the refund policy set out in schedule "D" of this bylaw, refund of other fees collected at the time of permit issue ie: Development charges or impost fees are subject to the refund policies of the respective By-laws.**

5.4 DEVIATIONS FROM PLANS, SPECIFICATIONS OR OTHER DOCUMENTS

Deviations from the plans, specifications or other documents filed in respect of which a permit or permits were issued, may be made following the issuance thereof or during the course of inspections provided that:

- (a) the changes **are minor in nature and** do not contravene the Act, the Building Code or any applicable law;
- (b) the Chief Building Official agrees to the changes;
- (c) revised plans and specifications in the prescribed numbers are submitted for approval; and
- (d) the additional non-refundable fee for "Revision to permit" as set out in Schedule "A" is submitted prior to review by the Chief Building Official.

5.5 AS CONSTRUCTED PLANS

On completion of the construction of a building being the subject of a permit, the owner shall, if required by the Chief Building Official and in accordance with Sentence 1.3.6.1(1) of Division C of the Code, submit to the Chief Building Official a set of as constructed plans of the work including a plan of survey showing the location of the building.

6.0 ALTERNATIVE SOLUTION (ONTARIO BUILDING CODE ACT)

Where an application for permit or for authorization to make a material change to a plan, specification, document or other information for which a permit was issued, contains an alternative solution for which authorization is requested, the following requirements shall apply:

- a) In accordance with Subsection 2.1.1 of Division C of the Ontario Building Code, the person proposing an alternative solution application shall provide documentation to the Chief Building Official information that:
 - (i) Identifies applicable objectives, functional statements and acceptable solutions, and;
 - (ii) Establishes on the basis of past performance, tests described in Article 2.1.1.2 of the Ontario Building Code or other evaluation that the proposed alternative solution will achieve the level of performance required under Article 1.2.1.1 of Division A of the Ontario Building Code.
- b) The documentation described in Clause a) above shall include relevant assumptions, limiting or restricting factors, testing procedures, studies or building performance parameters, including any commissioning, operational and maintenance requirements, and any other documentation the Chief Building Official requires.
- c) A fee shall be charged based on the complexity of the contents of the application(s), at an amount determined by the Chief Building Official. The applicant will also be responsible for any third party review costs as determined by the Chief Building Official.

7.0 NOTICE AT EACH STAGE

7.1 The applicant, owner or authorized agent shall notify the Chief Building Official at least two (2) business days prior to the following stages of construction of all prescribed inspections as described in Article 1.3.5.1 of Division C of Ontario Regulation 332/12, as amended, and further, the following additional inspections as permitted by Article 1.3.5.2 of Division C of Ontario Regulation 332/12, as amended:

- a) substantial completion of structural framing for each storey, if the building is a type of building that is within the scope of Division B of the Building Code, other than Part 9;
- b) commencement of construction of the building;
- c) commencement of construction of:
 - (i) masonry fireplaces and masonry chimneys,
 - (ii) factory-built fireplaces and allied chimneys, or
 - (iii) stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys;
- d) substantial completion of interior finishes;
- e) substantial completion of heating, ventilating, air-conditioning and air-contaminant extraction equipment;
- f) substantial completion of exterior cladding; and
- g) substantial completion of the pool deck and dressing rooms for a public pool or public spa and readiness for inspection of the emergency stop system for a public pool or public spa.

- h) completion and availability of drawings of the building as constructed;
- i) substantial completion of all site grading;
- j) completion of a building prior to occupancy for which an occupancy permit is required under Articles 1.3.3.4 and 1.3.3.5 of Division C of the Ontario Building Code; and
- k) Underground Services inspection.
- l) **Commencement of construction of a sewage system**
- m) **Substantial completion of the installation of the sewage system before commencement of backfilling**
- n) **Completion of the installation of the sewage system including the seeding of grass over the system mantle.**

7.2 A notice pursuant to subparagraph 7.1 above is not effective until notice is actually received by the Chief Building Official and the applicant, owner or permit holder, as the case may be, receives confirmation of the reception of notice issued by the Municipality.

7.3 For the purposes of subparagraph 7.1, the time period referred to shall begin on the day following the day on which the notice is given and shall not include Saturdays, holidays or any other days when the Municipality's offices are not open for the transaction of business with the public.

8.0 FEES

8.1 APPLICATION FEE

8.1.1 The Chief Building Official shall calculate the required fees for the work proposed in accordance with Schedule "A" of this by-law and the owner shall pay such fees upon submission of the application for a permit.

8.1.2 Where the fees payable in respect of an application for a construction or demolition permit or a conditional permit are based upon the cost of valuation of the proposed work, the cost of valuation of the proposed work shall mean the total cost of all work regulated by the permit including the cost of all material, labour, equipment, overhead and professional and related services.

8.1.3 Where the fees payable in respect of an application for a construction or demolition permit or a conditional permit are based on a floor area, floor area shall mean the total floor space of all stories above and below grade measured as the horizontal area between the outside of the exterior walls of the building.

8.1.4 In connection with applications for conditional permits, fees shall be payable based upon the complete project, and not simply the work to be carried out pursuant to the conditional permit.

8.1.5 Where fees payable in respect of an application for a change of use permit are based on floor area, floor area shall mean the total floor space (determined in accordance with subparagraph 8.1.3 above) of all stories or parts thereof that are subject to the change of use.

8.1.6 As outlined in Schedule "A" attached hereto, the Chief Building Official may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee, and where disputed by the applicant, the applicant

may pay the required fee under protest and, within six (6) months of completion of the work, may submit an audited statement of the actual costs incurred, and where the audited costs are determined to be less than the valuation, the Chief Building Official shall issue a refund in accordance with paragraph 9 of this By-Law.

8.2 REFUNDABLE INSPECTION FEE

8.2.1 In addition to the fees paid at the time of application in accordance with paragraph 8.1 above, a refundable inspection fee shall be payable on an application for a permit in the amount as set out in Schedule "A" of this by-law.

8.2.2 Upon issuance of the final and/or occupancy permit, the refundable inspection fee shall be remitted to the applicant less any additional re-inspection fees incurred by the Municipality as set out in Schedule "A" where:

- (a) the permit holder or his or her authorized agent has provided notice of an inspection and the project was not ready for inspection at the time the Inspector attended the site; ~~or~~
- (b) an inspection has disclosed substantial non-compliance with and violations of the Building Code or any applicable law to the degree that, in the opinion of the Chief Building Official, a re-inspection is necessitated.
- (c) **notice to reschedule or cancel the inspection is not received 24hrs prior to the scheduled inspection; or**

8.2.3 **In the event that the entirety of the deposit is used for re-inspection fees prior to the completion of the project an additional refundable fee of \$500 shall be payable prior to any further inspections. This fee is refundable upon issuance of the final and/or occupancy permit, the refundable inspection fee shall be remitted to the applicant less any additional re-inspection fees incurred by the Municipality as set out in Schedule "A"**

8.3 CONSTRUCTION OR DEMOLITION WITHOUT A PERMIT

Any person or corporation who commences construction, demolition or changes the use of a building without a valid permit issued in accordance with this By-law shall, in addition to any other penalty under the Act, Building Code, or this By-Law, pay over and above the fee otherwise determined in accordance with this paragraph 8, a fee equal to the greater of \$200 or 40% of the amount calculated as the regular permit fee (to a maximum of \$10,000), whichever is greater, in order to compensate the Municipality for the additional work caused by such premature commencement of work.

8.4 ADDITIONAL FEES

Fees for services provided by the Municipality's Building Department not otherwise specifically dealt with in this By-law shall be as set out in Schedule "A" hereto **or as per By-Law 2018-039.**

9.0 REFUNDS

9.1 Upon the written request of the applicant or permit holder the Chief Building Official shall determine the amount of refund of permit fee, if any, that may be returned to the applicant or permit holder where:

- (a) an application for a permit is withdrawn;

- (b) the Chief Building Official refuses to issue a permit for which an application has been made;
- (c) the Chief Building Official revokes a permit after it has been issued; or
- (d) a valuation has been appealed by a permit holder in accordance with the procedure set out under subparagraph 8.1.6 of this By-law.

9.2 The amount, if any, of the refund shall be determined in accordance with Schedule "D" attached to and forming part of this by-law

10.0 REGISTERED CODE AGENCIES

The Chief Building Official is authorized to negotiate and execute service agreements with a Registered Code Agency to perform specified functions pursuant to Section 4.1 of the Act provided that the Registered Code Agency meets all requirements of the Act and the Building Code and funds are available within the operating budget of the Municipality's Building Department.

11.0 OFFENCE

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

12.0 REPEAL

By-laws 2005-110, 2007-94, 2013-123 and 2015-074 **2017-100** and any other by-laws or portions thereof conflicting with this by-law are hereby repealed.

13.0 SCHEDULES

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

14.0 SHORT TITLE

This by-law may be cited as the "Loyalist Township Building By-law."

15.0 COMING INTO FORCE

This by-law shall come into force and take effect on January 1, **2021**.

ENACTED AND PASSED this **XX**th day of **XXXXXXXX**, **2020**.

MAYOR

DRAFT

SCHEDULE "A" TO BY-LAW 2017-100

CLASSES OF PERMITS AND ASSOCIATED, RELATED AND OTHER FEES

CLASS OF PERMIT	FEE
Permit to Construct (s. 3.1 of By-law)	<p>2018 – \$12.00 per \$1,000 of construction value (as defined below) for the first \$1,000,000 in construction value, with a minimum charge of \$100.00.</p> <p>2019 – \$13.00 per \$1,000 of construction value (as defined below) for the first \$1,000,000 in construction value, with a minimum charge of \$100.00.</p> <p>2020 - \$14.00 per \$1,000 of construction value (as defined below) for the first \$1,000,000 in construction value, with a minimum charge of \$100.00.</p> <p>2021 - \$15.00 per \$1,000 of construction value (as defined below) for the first \$1,000,000 in construction value, with a minimum charge of \$100.00.</p> <p>In addition, the fee shall include \$10.00 per plumbing fixture, with a minimum charge for plumbing of \$100.00</p> <p>\$6.00 per \$1,000 of construction value for amounts between \$1,000,000 and \$6,000,000 of construction value</p> <p>\$4.00 per \$1,000 of construction value for amounts in excess of \$6,000,000</p>
Permit to Demolish (s. 3.2 of By-law)	\$150 for the first 5,000 square feet of gross floor area, plus an additional \$100 for each following increment or portion thereof of 5,000 square feet
Conditional Permit (s. 3.3 of By-law)	Regular Permit to Construct fees plus \$500, plus full compensation for any legal costs incurred by the municipality to prepare and register agreements
Change of Use Permit (s. 3.4 of By-law)	\$150 per application
Transfer of Permit (s. 3.5 of By-law)	\$150 per application
Partial Permit (s. 3.6 of By-law)	Regular Permit to Construct fees plus \$150 per application
Sewage system permit (s. 3.7 of By-law)	Class 2 sewage system (greywater pit) \$950
Sewage system permit (s. 3.7 of By-law)	Class 3 sewage system (cesspool) \$950
Sewage system permit (s. 3.7 of By-law)	Class 4 sewage system (septic system) \$950
Sewage system permit (s. 3.7 of By-law)	Class 5 sewage system (holding tank) \$950

Other Fees

Revision to Permit (s. 5.4(d) of the By-law)	\$100 per submission
Refundable Inspection Fee (s. 8.2.1 of the By-law)	\$500 (the entirety to be refunded less \$100 per each re-inspection necessitated by an event described in subsection 8.2.2 of the By-law) for all construction projects in excess of \$20,000
Lot Grading Certificate Review (s. 8.4 of the By-law)	\$210
Lot Grading Certificate Deposit (s. 8.4 of the By-law)	\$260 refundable deposit unless Certificate has to be resubmitted due to rejection of previous Certificate by Municipality in which case \$130 is to be deducted from the amount refundable for each resubmission
Written request for information regarding existing or partially constructed buildings in connection with compliance with zoning by-laws and/or the existence of outstanding work orders (s. 8.4 of the By-law)	\$75 payable prior to the release of the requested information
Written request for information regarding compliance with a subdivision agreement (s. 8.4 of the By-law)	\$75 payable prior to the release of the requested information
911 Address Sign Fee (s. 8.4 of the By-law)	\$75 per sign requested
Lot Grading Deposit -- Plan 1081 lots on Kildare Avenue, McKeown Crescent and Speers Blvd. (south of Mortensen Drive) (s. 8.4 of the By-law)	\$3,000
Review of septic system performance level for renovations or building additions	\$500
Review of septic system performance level for adding a pool, shed, or garage	\$250
Septic tank, installation only	\$750
Sewage system search	\$150 (if applying for a Review of septic system performance level of existing onsite sewage system this fee is included)
Minor variance and zoning by-law amendment applications for properties with onsite sewage systems	<ul style="list-style-type: none"> • Minor variance or zoning by-law amendments: \$450 • Minor variance or zoning by-law amendments with a performance review: \$700 • Minor variance or zoning by-law amendments with a Permit to Construct or Demolish a Septic System: \$1,150 • Subdivision or condominium applications: \$500 per lot assessment • Severance or lot addition applications \$500 per lot assessment • Certificate of approval renewals: \$150 • Additional inspections and Changes of Installers: \$250

Land severances with onsite sewage systems	review and assess land severance applications. The review is to ensure the proposed severed lot will be able to accommodate a conventional on-site sewage treatment system. The review will also ensure the proposal will not affect any existing onsite sewage systems. \$250
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Interpretation

For the purposes of determining construction value for residential projects:

A rate of \$145.00 per square foot shall be used for the gross floor area of the dwelling unit.

A permit fee value for accessory buildings to a residential use will be calculated on a construction value of \$50.00 per square foot for the gross floor area of a garage, \$30.00 per square foot for the gross area of a deck, covered decks and porches \$45.00 per square foot, and an estimated value of construction for the balance of residential accessory structures.

A permit fee value for basement renovations will be calculated on a construction value of \$40.00 per square foot of floor area being renovated ~~and~~

Permit fee values for farm buildings will be calculated on a construction value of \$20.00 per square foot for the gross floor area for building constructed as per standard construction and \$15.00 per square foot for fabric covered structures.

Miscellaneous Charges (s. 8.4 of the By-law)

The Chief Building Official is authorized to determine and charge reasonable fees for services requested and provided by or on his or her behalf that are not described in this Schedule.

SCHEDULE "B" to By-law 2017-100

PLANS AND SPECIFICATIONS

List of Plans, Specifications and other information required to accompany applications for permits:

One (1) paper set and one (1) pdf set to be provided with your application and one (1) paper set for Fire Department, when required.

1. Site Plan
2. Current Legal Survey for the property
3. Current owner's Deed for the property
4. Floor Plans
5. Foundation Plans
6. Framing Plans including Truss Layouts
7. Roof Plans
8. Reflected Ceiling Plans
9. Sections and Details
10. Building Elevations
11. Electrical Drawings
12. Heating, Ventilation and Air Conditioning Drawings
13. Plumbing Drawings
14. Fire Alarm and Sprinkler Plan
15. Heat Loss calculations, Duct Design Calculations and a duct layout drawing for the heating and ventilation system(s) (two sets)
16. Building Code Analysis/Matrix for any building which is a Small Building, Large Building or Complex Building, as described in Table 1.2.2.1 in Division C of the Building Code
17. Commitment to Review from Engineer or Architect
18. Building Code Analysis for the change of use of any building or part thereof;
19. Energy Efficiency Design Summary (EEDS) for Part 9 buildings (addressing SB-12) or a completed SB-10 form for large buildings and certain Part 9 buildings not covered by EEDS
- ~~20. Approval letter or permit from KFL&A Public Health for buildings requiring approval under Part 8 of the Building Code Approved permit for sewage system for rural properties and other properties not connected to Loyalist Township municipal sewage system.~~
21. Any other information required by the Chief Building Official in order to determine that the proposed construction; demolition or change in use will comply with the Building Code, the Act and any other applicable law.

Note: In the context of a specific application or class of applications, the Chief Building Official may, in his or her sole discretion, specify that not all the above-noted plans and specifications shall be required to accompany the application.

SCHEDULE "C" to By-law 2017-100

ACKNOWLEDGEMENT BY APPLICANT OF AN INCOMPLETE

APPLICATION

Building Permit Application Checklist

Items required for a complete building permit application submission

A. Project Information				
Building number, street name	Unit number	Lot/con.		
Municipality	Postal Code	Plan number/other description		
B. Preliminary Application Assessment		Provide	Outstandin	N/A
Complete building permit application form				
Deposit				
Schedule 1: Designer Information form				
Deed/Land Transfer				
Agent Authorization form				
Survey				
Construction drawings (two complete sets)				
Roof truss layout from manufacturer				
Floor joist layout from manufacturer				
Heat loss calculations, duct and ventilation design				
Energy Efficiency Design Summary (SB-12)				
Engineered details stamped by an Ontario Professional				
Commitment to Review from Engineer or Architect				
Septic system permit application approval from KFL&A				
Entrance approval (Township, L&A County, or MTO)				
Approvals from other agencies as required				
Site plan demonstrating all required information				
Grading plan prepared by an Ontario Land Surveyor				
C. Applicant Acknowledgment (to be completed if any required items are				

The applicant, for the purpose of the acknowledgement of an incomplete application, is the person authorized to submit this application on behalf of the owner and/or authorized agent of the owner.

I _____ of _____
 (print name) (address)

Do declare

1. THAT I am
 - The owner of the land that is the subject of the application
 - The owner's authorized agent (if the owner is a corporation or partnership, I have the authority to bind the corporation or partnership)
 - Authorized to submit this application on behalf of the owner and/or authorized agent.
2. THAT I have reviewed the information provided in Part B of this form and acknowledge that the requirements for a complete application have not been satisfied.
3. THAT the time period prescribed in OBC Division C, Table 1.3.1.3 Column 3 for notification of issuance or refusal of a permit does not apply to the subject application and
4. THAT this document satisfies the notification requirements set out in OBC Division C Sentence 1.3.1.3 (6).

Signature

Date

Schedule "D" to By-law 2017-100 REFUND**POLICY (S. 9.2 of the By-law)**

Pursuant to section 9.2 of the By-law, the fees that may be refunded shall be calculated by the Chief Building Official as a percentage of the fees payable under the By-law on the following basis:

- (a) 80% if only administrative functions have been performed;
- (b) 70% if only administrative and zoning functions have been performed;
- (c) 45% if only administrative, zoning and plan examination functions have been performed; and
- (d) 35% if a permit has been issued and no field inspections have been performed subsequent to permit issuance.

Notwithstanding the foregoing, no refund shall be made for an amount less than \$100.00.