

THE CORPORATION OF THE TOWNSHIP OF PLUMMER ADDITIONAL

BY-LAW NO. 2023-21

Repeals By-laws 2006-07 and 2007-19

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

Whereas pursuant to the Building Code Act, as amended, the Lieutenant Governor in Council has established a Building Code which is in force throughout Ontario to regulate all construction, demolitions, extensions, material alterations and changes of use with respect to buildings, for which the Council of the Township of Plummer Additional has appointed a Chief Building Official and such inspectors for the proper administration of the said Building Code.

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

Now Therefore, the Corporation of the Township of Plummer Additional ENACTS AS FOLLOWS:

SHORT TITLE

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

DEFINITIONS

2.1 In this by-law,

- a) "Act" means the Building Code Act, 1992, S.O. 1992, Chapter 23 as amended.
- b) "As constructed plans" means as constructed plans as defined in the Building Code.
- c) "Applicant" means the owner of a building or property who has applied for a permit and/or any person authorized by the owner to apply for a permit on the owner's behalf, or any person of a corporation empowered by statute to cause building construction or demolition of a building and anyone acting under the authority of such person or corporation.
- d) "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.
- e) "Building" means a building as defined in Section 1(1) of the Act.
- f) "Building Code" means the regulations made under Section 34 of the Act.
- g) "Chief Building Official" means the chief building official appointed by the by-law of The Township of Plummer Additional.
- h) "Corporation" means The Corporation of the Township of Plummer Additional.
- i) "Farm Building" means a farm building as defined in the Building Code.
- j) "Owner" means the registered owner of the land and includes lessee, mortgagee in possession and the person responsible for the property.
- k) "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.

- l) "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
- m) "Plumbing" means plumbing as defined in Section 1(1) of the Act.
- n) "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.
- o) "sewage system" means a sewage system as defined in Section 1(1) of the Act.
- p) "Prescribed value" means, as determined by the Chief Building Official, the value of construction of a proposed building or designated structure including the total value of all work, labour, equipment, overhead, services and materials in respect of its construction and of all professional and related services.

2.2 Terms not defined in this by-law shall have the meaning ascribed to them in the Act or the Building Code.

## PERMITS

### Classes of Permits

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

#### Partial Permits

3.2 When, in order to expedite work, approval of a portion of the building or project is desired prior to the issuance of a permit for the complete building or project, application shall be made and fees paid for the complete project. Complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed with the Chief Building Official.

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 that approval will necessarily be granted for the entire building or project.

## ADMINISTRATIVE PROCEDURES RELATING TO PERMITS

### Revision to Permit

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

#### Revocation of Permits

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

### Permit Application

4.3 To obtain a permit, the owner or agent authorized in writing by the owner shall file an application in writing by completing a prescribed form available from the Chief Building Official or from the Building Code website [www.obc.mah.gov.on.ca](http://www.obc.mah.gov.on.ca). Forms prescribed by the Corporation under clause 7(1)(f) of the Act shall be set out in Schedule "C" to this By-Law.

## **Building, Conditional and Demolition Permits**

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

- (1) Where application is made for a construction permit under Subsection 8(1) of the Act, the application shall:
  - (a) use the provincial application form, "Application for a Permit to Construct or Demolish"; and
  - (b) 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 this by-law for the work to be covered by the permit.
- (2) Where application is made for a demolition permit under Subsection 8(1) of the Act, the application shall:
  - (a) use the provincial application form, "Application for Permit to Construct or Demolish"; and
  - (b) 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 this By-Law for work to be covered by the permit; and
- (3) Where application is made for a conditional permit under subsection 8(3) of the Act, the application shall:
  - (a) use the provincial application form, "Application for Permit to Construct or Demolish";
  - (b) include complete plans and specifications, documents and other information as required by Sentence 2.4.1.1B of the Building Code and as described in this By-Law for work to be covered by the permit;
  - (c) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
  - (d) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained; and
  - (e) state the time in which plans and specifications of the complete building will be filed with the Chief Building Official.

## **Change of Use Permits**

5.1 Every application for change of use permit issued under subsection 10(1) of the Act shall be submitted to the Chief Building Official, and shall:

5.2 describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;

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

5.4 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 existing "sewage systems", if any;

5.4.1 be accompanied by the required fee;

5.4.2 state the name, address and telephone number of the owner; and

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

### **Equivalents**

5.5 Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a permit was issued, contains an equivalent material, system or building design for which authorization under section 9 of the Act is requested, the following information shall be provided:

5.5.1 a description of the proposed material, system or building design for which authorization

under section 9 of the Act is requested;

5.5.2 any applicable provisions of the Building Code; and

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

### **Plans and Specifications**

5.6 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. Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two complete sets of 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 forgoing, shall include such working drawings as set out in Schedule "B" to this By-Law unless otherwise specified by the Chief Building Official.

### **The Site Plan**

5.7 Site plans shall be referenced to an up-to-date survey and, where required to demonstrate compliance with the Act, the Building Code or other applicable law, a copy of the survey shall be submitted to the Chief Building Official. Site plans shall show:

- Lot size and the dimensions of the property lines and setbacks to any existing or proposed buildings;
- Existing and finished ground levels or grades;
- Existing rights-of-way, easements and municipal services;
- Proposed fire access routes and existing fire hydrant locations; and
- Location and dimensions of existing or proposed on site sewage systems.

### **Payment of Fees**

5.19 (a) Fees for a required permit shall be as set out in Schedule "A" to this by-law and are due and payable upon submission of an application for a permit. Where the fees payable in respect of an application for a partial permit or a conditional permit, fees shall be paid for the complete project. Where the fees payable in respect of an application for a construction or demolition permit issued under subsection 8(1) of the Act or a conditional permit under subsection 8(3) of the Act are based on the prescribed value of the proposed work, such value shall be as defined in this by-law.

(b) Permit Fees shall be doubled if construction has started before the permit is issued.

Payment of double fees will not relieve any person or corporation from:

- (ii) fully complying with the Ontario Building Code; or
- (iii) any penalty prescribed in the Act for starting or proceeding with work prior to obtaining a construction permit.

## **Refunds**

5.20 (a) 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, and upon written request, 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 "A" attached to and forming part of this by-law.

(b) Except as provided above, there shall be no refund of permit fees where a permit has been revoked or transferred.

## **NOTICE REQUIREMENTS FOR INSPECTIONS**

### **Prescribed Notices for Inspections**

6.1 A person to whom a permit is issued shall give notice of readiness for inspection to the Chief Building Official or registered code agency as the case may be. Such notice shall be given in accordance with the provisions of the Building Code for all mandatory inspections listed in the Building Code.

### **Improper Inspection Calls**

6.2 At the discretion of the Chief Building Official where the owner and/or agent gives notice for a specific inspection of any building, lot or parcel of land and the inspection cannot be properly carried out due to unfinished work, or the inspection is broken down to excessive site visits due to phasing of the project, or the inspection is requested to be performed outside of the regular office hours of the Corporation, the owner shall be responsible for all of the Corporation's costs, plus 20% overhead, relating to the inspection. Such costs shall be termed "Inspection Fee" and shall be paid to the Treasurer of the Corporation on demand.

## **PRESCRIBED FORMS**

### **Prescribing Forms**

6.3.1 The forms prescribed for use as applications for permits, for orders and for inspection reports shall be as set out in Schedule "C" to this by-law.

## **AS CONSTRUCTED PLANS**

### **As Constructed Plans**

7.7.2 The Chief Building Official 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.

## CODE OF CONDUCT

8.1 The Code of Conduct required under section 7.1-(1) of the Act shall be the "Employee Code of Conduct" which governs the conduct for Building Officials of the Corporation.

## APPOINTMENT OF RCA's

9.1 If the municipality directly appoints a registered code agency under Section 4.1 of the Act, an agreement must be completed.

The agreement with the registered code agency authorizes the agency to perform functions specified in the agreement. The agreements shall be in writing and as outlined in the Building Code under Article 2.22.1.1.

## CONFLICT OF BY-LAWS, CODES, REGULATIONS

10.1 Where the provisions of this by-law conflict with a provision of any other by-law in effect in the Municipality or any applicable government regulation, the provision that establishes the higher standard shall prevail. The by-law shall be read in conjunction with the Act and the Building Code and is hereby declared to be part thereof of the forgoing regulations.

## VALIDITY

11.1 Should any section, 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 the by-law as a whole or any part thereof, other than the part so declared to be invalid.

## PENALTY

12.1 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction under the *Provincial Offences Act* is liable to a fine and any other penalty imposed under the Act as defined in this by-law.

That by-laws 2006-07 and 2007-19 are repealed effective May 1, 2023, and are hereby replaced with by-law 2023-21.

READ THREE TIMES AND PASSED IN OPEN COUNCIL THIS 19<sup>th</sup> Day of April, 2023

A blue ink signature of Beth West, written in a cursive style, positioned above a horizontal line.

Mayor: Beth West

A blue ink signature of Lars Moffatt, written in a cursive style, positioned above a horizontal line.

Clerk: Lars Moffatt

Schedule "A" to By-law No. 2023-21 of  
The Corporation of the Township of Plummer Additional

**PERMIT FEES**

Effective May 1<sup>st</sup>, 2023, the fees payable by the applicant for a building/demolition permit shall be as follows:

Category or Type of Fee	Fee Schedule (Effective May 1, 2023)
Group 'C' – Low Density Residential	\$850 up to 1,200 square feet. \$0.70833 for buildings with a floor area over 1,200 sq. ft.
Group 'C' – Multiple Residential	\$825 up to 1,200 ft <sup>2</sup> . \$0.6875/ft <sup>2</sup> for buildings with a floor area over 1,200 ft <sup>2</sup> .
Group 'C' – Residential – Major Alterations, additions	\$750 up to 1,200 ft <sup>2</sup> . \$0.625/ft <sup>2</sup> for buildings with a floor area over 1,200 ft <sup>2</sup> .
Group 'C' – Garage, carport, accessory building,	\$200
Group 'C' –decks, docks, minor alterations, demolition	\$175
Group 'A', 'B', 'D', 'E', 'F' – new construction and major additions or alterations	\$880 up to 2,500 ft <sup>2</sup> . \$0.348/ft <sup>2</sup> for buildings with a floor area over 2,500 ft <sup>2</sup> .
Group 'A', 'B', 'D', 'E', 'F', demolition	\$175
Farm Buildings	\$750 up to 2,500 ft <sup>2</sup> . \$0.300/ft <sup>2</sup> for buildings with a floor area over 2,500 ft <sup>2</sup> .
Farm Buildings – Additions	\$670 up to 2,500 ft <sup>2</sup> . \$0.268/ft <sup>2</sup> for buildings with a floor area over 2,500 ft <sup>2</sup> .
Other permits: - Conditional - Change of Use - Permit Renewal - Moving Building - Signs - Temporary Structures - Woodstoves/Fireplaces	\$200
Plumbing	\$30.00 + \$12/fixture over 5 fixtures

**In addition, and for clarification purposes, permits are not required for the following renovations/construction:**

- Line Fences (must comply with zoning by-law)
- Landscaping
- Eves Troughs
- Painting
- Demolition of a detached accessory building of 15 sq. metres or less (161.459 sq. ft.)

- Air Conditioning units
- Drywall & interior renovations that do not change the structural integrity of the building
- Accessory structures under 15 sq. metres or less (161.459 sq. feet.), that do not hold a living quarter (must comply with Zoning by-law)
- Replacement of Windows and/or Doors with no structural change
- Replacement of Shingles/metal roof, if replacement material is the same as the original roofing material (ex. Shingle to Shingle or steel roof to steel roof replacement)
- Non-structural board replacements to existing decks (replacements that do not involve joists, support beams or guardings)

2. Exemptions:

Buildings and/or structures or any part thereof that are exempt from assessment by virtue of paragraphs 3, 9, 10 and 19, of Section 3 of The Assessment Act, R.S.O. 1970 and amendments thereto are exempt from permit fees but all other aspects of municipal, provincial and all other codes, regulations and by-laws must be adhered to in their entirety.

**REFUNDS**

3.If Building permit has been issued and applicable fees paid, project has not commenced, fees may be refunded as follows:

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

4.Renewal or re-assignment of permit where there is no change in proposed work - \$25.00 or one-half the original permit fee, whichever is lesser.

**SCHEDULE "B"**

This is Schedule "B" to By-Law No. 2023-21 respecting

List of Plans or Working Drawings to accompany applications for permits

1. Site Plan (two sets of Plans)
2. Floor Plans (two Sets)
3. Foundation Plans (two Sets)
4. Framing Plans (two Sets)
5. Roof Plans (two Plans)
6. Reflected Ceiling Plans (two Sets)
7. Sections and Details (two Sets)
8. Building Elevations (two Sets)
9. Electrical Drawings (two Sets)
10. Heating, Ventilation and Air Conditioning Drawings (two Sets)
11. Plumbing Drawings (two Sets)
12. Fire Alarm and Sprinkler Plan (two Sets)



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

**SCHEDULE "C"**

This is Schedule "C" to By-Law No 2023-21 respecting

Form 1 Application for Change of Use Permit (1)

Form 2 Application for the use of an equivalent (1)

Form 3 Change of Use Permit

Form 4 Field Review Report

Form 5 Confirmation of Commitment

Form 6 ASHRAE 90.1 Forms

Form 7 Building Code Assessment Sheet