



**BY-LAW NO. 2019-23**

**DATE:** June 5, 2019

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**THAT** By-law No. 2019-23

Being a By-law respecting construction, demolition, change of use permits, inspections, fees, and to rescind by-law 2015-09.

be introduced and read a **FIRST** and **SECOND** time.

**Carried** \_\_\_\_\_  
Signature

**Defeated** \_\_\_\_\_  
Signature

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**THAT** By-law No. 2019-23 be read a **THIRD** time, **PASSED**, **SIGNED** and **SEALED** this 5<sup>th</sup> day of June, 2019.

**Carried** \_\_\_\_\_  
Signature

**Defeated** \_\_\_\_\_  
Signature

<u>DIVISION LIST</u>	<u>FOR</u>	<u>AGAINST</u>
<b>First and Second Reading</b>		
Councillor Constable	_____	_____
Councillor Dixon	_____	_____
Councillor Gregory	_____	_____
Councillor Ryman	_____	_____
Mayor Robinson	_____	_____
<b>Third Reading</b>		
Councillor Constable	_____	_____
Councillor Dixon	_____	_____
Councillor Gregory	_____	_____
Councillor Ryman	_____	_____
Mayor Robinson	_____	_____

**THE CORPORATION OF THE MUNICIPALITY OF McDOUGALL**  
**BY-LAW NO. 2019-23**

**Being a By-law respecting construction,  
demolition, change of use permits, inspections,  
fees, and to rescind by-law 2015-09 .**

**WHEREAS** pursuant to Section 7. of the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended, empowers council to pass certain by-laws respecting construction, demolition and changes of use, conditional permits, inspections, fees and enforcement related matters of the *Building Code Act*.

**WHEREAS** the Council of each municipality is responsible for the enforcement of this *Act* in the municipality;

**AND WHEREAS** Sections 8, 9 & 10 of the *Municipal Act* S.O. 2001, c. 25 gives broad authority to the Municipality to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to Municipal issues.

**NOW THEREFORE BE IT ENACTED** as a by-law of the Council of the Corporation of the Municipality of McDougall, as follows:

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**1. Short Title**

**1.1.** This By-law may be cited as the “Building By-law”.

**2. Definitions in the By-law**

**2.1.** In addition to those definitions found in the Ontario Building Code Act, the following definitions shall apply for the purposes of the by-law:

**2.1.1.** “Act” means the Building Code Act, 1992, S.O. 1992, c. 23 as amended.

**2.2.** Additional/ Special Inspection means an inspection that is requested or required and carried out (at the discretion of the Chief Building Official) in connection with an existing permit where work was not substantially complete or deficient. This includes inspections requested on permits more than twelve (12) months old that were issued under a previous or present version of the building code and with or without records of an inspection being performed or requested for at least 1 year. This also includes an inspection required to be completed due to the municipal

approved building plans being absent from the site for reference during an inspection, as required by the Building Code. Also may be an inspection that is not in connection with a permit.

- 2.3.** "As constructed plans" means construction plans and specifications that show the building and the location of the building on the property as the building has been constructed.
- 2.4.** "B.M.E.C." means the Building Materials Evaluation Commission.
- 2.5.** "Building" means, the same as defined in Section 1.(1) of the Building Code Act
- 2.6.** "Building area" means the greatest horizontal area of a building above grade within the outside surface of the exterior walls occupied by the building (or within the outside surface of the exterior walls and the centre line of firewalls), but does not include roof overhang, chimneys and other similar projections equal to or less than one metre ( $\leq 1000$  mm, or 3'-3") measured from the building exterior walls or roof bearing members.
- 2.7.** "Building Code" means the Ontario Building Code Compendium, being the regulations made under section 34 of the Act.
- 2.8.** "C.B.O." means Chief Building Official where it appears in this by-law.
- 2.9.** "Chief Building Official" means the Chief Building Official appointed by by-law by the Corporation of the Municipality of McDougall for the purposes of enforcement of the Act.
- 2.10.** Completion Permit means a permit that is obtained to complete construction that has had a portion of the project completed without benefit of a permit. The permit fee for this class of permit includes the cost of any enforcement required to obtain compliance.
- 2.11.** Construction Revision means revised drawings required as a result of an inspection revealing construction that has not been carried out in accordance with the permit plans
- 2.12.** "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.
- 2.13.** "Contractor" means a person or organization that will provide labour, material, supervision, equipment or any combination of them directly to the Proponent in order to perform the Works, but may include a sub-contractor if appropriate in the context, and also includes the Proponent and the land owner if they undertake to do the work of a contractor.
- 2.14.** "Corporation" means the Corporation of the Municipality of McDougall.
- 2.15.** "Council" means the Council of the Corporation of the Municipality of McDougall.
- 2.16.** "Demolish" means to do anything in the removal of a building or any material part thereof and "demolition" has a corresponding meaning.
- 2.17.** "Designer" means a person who produces or provides some or all of the documents, information or opinions which are submitted in support of a building permit application or performs review of the construction project, and is restricted to design and/or review in the matters only for which they are qualified (unless exempt as prescribed in the Building Code).
- 2.18.** "Dormant Building Permit Review" means review by the Chief building official or their designate of a dormant building file. Dormant Building Permit means a building permit that has been issued for more than 18 months and has not had any inspection requested or carried out in the past 12 months.
- 2.19.** "Inactive permits" are permits for which there are no records of an inspection being done or requested for at least one (1) year and may be closed after one (1) year, provided no orders against project and no further construction shall occur until a new permit is applied for, appropriate fees paid, required documentation is submitted and a new permit is issued.

- 2.20. "Inspector" means an inspector appointed under section 3, 3.1, 4, 6.1 or 6.2 of the Act.
- 2.21. "Minister" means the Minister of Municipal Affairs and Housing.
- 2.22. "Municipality" means the Municipality of McDougall.
- 2.23. "Permit" means written permission or written authorization from the Chief Building Official to perform work regulated by this by-law and the Act.
- 2.24. "Person" means an individual, association, firm, partnership, corporation, trust, organization, trustee, or agent, and includes the heirs, executors, assigns, successors or legal representative of the Person.
- 2.25. "Principal authority" means the Council of the Municipality of McDougall.
- 2.26. "Proponent" means the person who will ultimately pay for the Works, but does not include a perspective tenant who will pay only rent, and does not include a landlord who will not ultimately pay for any portion of the Works and remains at arm's length from the building permit process.
- 2.27. "Works" means any construction, demolition or activity which is regulated by the Building Code, and is subject to application for a permit or has been permitted as required under the Act.

### **3. Classes of Permits**

- 3.1. Whereas clause 7.(1)(a) of the *Act* authorizes Council to prescribe classes of permits, the Council hereby prescribes the classes of permits, defined in Schedule A to this by-law. The classes of permits with respect to the construction, demolition and change of use of buildings and permit fees shall be set out in Schedule A of this by-law.
- 3.2. Other types of inspections, reports and record searches are as set out in Schedule A of this by-law, or Schedule A of the Tariff of Fee By-law.
- 3.3. The Council hereby delegates authority to the Chief Building Official to create and use additional classes of permits if the necessity for such additional classes becomes apparent.
- 3.4. The Council hereby authorizes the Chief Building Official to issue a single permit which authorizes work in one or more classes, at the sole discretion of the C.B.O.
- 3.5. Where signs are sufficiently described in an application for a permit and compliance can be confirmed with the *Act*, the Building Code and the Sign By-law, any class of permit issued is deemed to include the signs.

### **4. Specific building permit requirements/exemptions**

- 4.1. The following is to limit the requirement to obtain a building permit on some very specific repair work and replacement of materials for single family residential applications and their accessory uses only. All other requirements under the Building Code and the *Act* are to be met at all times.
- 4.2. Re-shingle of roof(s) of residential and their accessory building(s);
  - 4.2.1. It is a requirement to obtain a building permit to re-shingle a roof for a single family dwelling or accessory building when a change is made from one surface material type to another (e.g. asphalt type to metal and vice versa), when any structural changes or additions are made to the roof structure in all cases, and/or when replacing sub-sheathing (roof decking) over 6 m<sup>2</sup> (64 ft<sup>2</sup>) in area.
- 4.3. Re-siding of existing residential and their accessory building(s);
  - 4.3.1. It is a requirement to obtain a building permit to re-side (reface exterior walls) for a single family dwelling or accessory building when a change is made from one material type to another (e.g. vinyl to pre-finished wood and vice versa), when any structural changes or additions are made to the wall structure, when replacing exterior sheathing over 6 m<sup>2</sup> (64 ft<sup>2</sup>) in area, and/or when insulation and vapour barrier is added or replaced over 6 m<sup>2</sup> (64 ft<sup>2</sup>) in area.



- 4.4. Replacement of window(s) and/or door(s) of residential and their accessory building(s);
- 4.4.1. It is a requirement to obtain a building permit to replace window unit(s) and door unit(s) in a single family dwelling or accessory building when the unit(s) increase in size from the ones being replaced, when any structural changes (including vertical height) occur, when additional windows and location changes occur, and/or when any insulation and vapour barrier replacement over 6 m<sup>2</sup> (64 ft<sup>2</sup>) in area is encountered.

***Interior load-bearing wall(s), ceiling and floor framing of residential and their accessory building(s);***

- 4.5. A building permit is required when any structural changes are to occur to interior load-bearing partition walls, ceiling framing, subfloor replacement, structural floor elements, structural roof or wall components and/or when insulation and vapour barrier replacement is over 6 m<sup>2</sup> (64 ft<sup>2</sup>) in area.
- 4.6. Exterior Deck system(s) of residential and their accessory building(s);
- 4.6.1. It is a requirement to obtain a building permit to repair exterior decks for a single family dwelling or accessory building when replacing or repairing any structural components (including foundations), when replacing or repairing any guard (railing) system (minor repairs to existing guards are exempt), when constructing addition(s) to the deck area, when modification or addition of deck stairs occur (minor repairs to existing deck stairs are exempt). Note that when replacing guards with a pre-manufactured guard & railing system, proper documentation (engineer- stamped plans & details) to verify its compliance with requirements of the Building Code is required.
- 4.6.2. If only the deck surface (decking) is being replaced with the same or greater thickness of material than the original and is of equal or greater strength, a permit is not required.
- 4.7. Perimeter building foundation and weepers of residential and their accessory building(s);
- 4.7.1. It is a requirement to obtain a building permit to repair an exterior perimeter foundation and/or perimeter weepers for a single family dwelling or accessory building when any structural work (including structural repair) on the foundation system is being done including underpinning, replacement, increase in back fill height, change in the type of dampproofing, installation of new weeper system when there was none previously and insulating systems. A permit is not required for minor repairs to the foundation wall (e.g. small crack repairs).
- 4.8. Kitchen and bathroom cabinetry of a residential building and their accessory building(s);
- 4.8.1. It is a requirement to obtain a building permit when changing kitchen and bathroom cabinetry that will cause any structural work to the foundation, floor, wall, ceiling and/or roof system, when plumbing modifications beyond actual reconnect or minor modifications within the cabinet interior or room interior within 1.83 m (6'-0") of the actual fixture occur (provided no change to the configuration of the drainage and venting system is made) and/or when insulation and vapour barrier replacement is over 6 m<sup>2</sup> (64 ft<sup>2</sup>) in area.

***Note that accessory buildings are not permitted to have kitchens, but may have bathrooms.***

- 4.9. Fireplaces, woodstoves & chimneys of residential and their accessory building(s);
- 4.9.1. It is a requirement to obtain a building permit when installing new or replacing a fireplace or woodstove unit and/or appurtenant chimney when any structural components will be affected, when building envelope assemblies will be affected, when floor

protection is required and when the fireplace and/or chimney is of masonry (or like) construction.

4.9.2. WETT inspection reports are required to be submitted for woodstove and/or chimney installations by a certified installer.

4.9.3. Minor fireplace, woodstove or chimney repairs (including the supports for any of them) do not require a permit.

**5. Requirements for Building Permits**

5.1. Requirements for building permits for all buildings are outlined in the latest issue of the Building Code.

**6. Requirements for Applications**

**6.1. The Application**

6.1.1. Whereas clause 7.(1)(b) of the *Act* authorizes Council to prescribe that permit applications be accompanied by plans, specifications, documents or other information, and clause 7.(1)(f) of the *Act* authorizes Council to prescribe application forms, and paragraph 34.(1).28. of the *Act* authorizes application forms to be prescribed by the Minister, and whereas the Minister may not at the date of passing this by-law have prescribed forms, the Chief Building Official is hereby authorized to create and distribute suitable forms, and once created and distributed, the forms are hereby prescribed.

6.1.2. Where the C.B.O. or Minister has created forms and distributed them or otherwise made them available, an application for a permit under this by-law shall be made on either the form created by the C.B.O. or the Provincial standard form, whichever takes precedence. If the Provincial standard form is not suitable for class of permit requested, the C.B.O.'s form shall take precedence.

6.1.3. If neither form prescribed in sub-section 6.1.1. takes precedence, either may be used at the discretion of the applicant.

6.1.4. To obtain a permit, the owner or an agent authorized by the owner shall file an application in writing by completing a prescribed form available at the Municipality of McDougall service counter, or from our website [www.mcdougall.ca](http://www.mcdougall.ca), accompanied by the applicable plans, schedules, support documentation and with the applicable fees.

**6.2. Permit to Construct**

Where application is made for a permit to construct under subsection 8.(1) of the *Act*, the application shall:

6.2.1. Identify and describe in detail the work and the occupancy to be covered by the permit for which the application is made.

6.2.2. Describe the land on which the work is to be done, by a description that will readily identify and locate the building lot and would give the legal description of the land.

6.2.3. Include a minimum of two (2) sets of complete plans and specifications in accordance with section 8. of this by-law for the work to be covered by the permit and show the occupancy/use of all parts of the building.

6.2.4. State the valuation of the proposed work to be covered including materials and labour and be accompanied by the required fee.

6.2.5. State the names, addresses and telephone numbers of the owner and of the architect(s) or engineer(s), other designer(s) or contractor(s) where applicable.

6.2.6. Be accompanied by a written acknowledgment of the owner that he/she has retained an architect or professional engineer to carry out a field review of the construction where required by the Building Code.

6.2.7. Include approvals for any applicable federal and provincial statutes

& regulations, municipal by-laws, B.M.E.C. authorizations for new & innovative products and any other applicable law.

- 6.2.8. Be signed and dated by the owner or his/her authorized agent who shall certify the truth of the contents of the application.

**6.3. Permit to Demolish**

Where application is made for a permit to demolish under subsection 8.(1) of the *Act*, the application shall:

- 6.3.1. Contain the information required by all clauses under 6.2. (where applicable).
- 6.3.2. At the discretion of the Chief Building Official, include satisfactory proof that arrangements have been made with proper authorities and/or contractors for the cutting-off and plugging of all water, sewer, electric, telephone and other utilities and services as applicable.
- 6.3.3. Include documentation which identifies each class of waste which will be generated by the demolition and specifies the means by which each class will be disposed.
- 6.3.4. Include any other drawings and information as required by the Chief Building Official.
- 6.3.5. The Chief Building Official may waive the requirement for any of the above documents or approvals where found not applicable to the class of permit sought.

**6.4. Conditional Permit**

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

- 6.4.1. Contain the information required by all clauses under 6.2. (where applicable) covering the portion of the work for which immediate approval is desired.
- 6.4.2. Demonstrate that compliance with by-laws passed under sections 34 and 38 of the *Planning Act* and with such other applicable law as may be set out in the Building Code has been achieved in respect of the proposed building or construction.
- 6.4.3. State the reasons in writing why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted.
- 6.4.4. Provide in writing that the applicant is committed to entering into an agreement as described in clause 8.(3)(c) of the *Act*, including submission of a monetary security as described in sub-clause 8.(3)(c)(v).
- 6.4.5. Limit the request for conditional permit to that portion of the building which has been fully proven through full and complete design, compliance with the Building Code and applicable laws to meet the requirements and provide adequate interim design for the rest of the building to fully demonstrate how they relate to each other. The balance of the final design shall fully maintain integration with the conditionally-approved portion of the building and within the requirements of the Building Code.
- 6.4.6. State the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained.
- 6.4.7. State the time in which completed plans and specifications of the entire building with all components will be filed with the Chief Building Official by the applicant.
- 6.4.8. Contain any other information, plans and specifications concerning the complete project as required by the Chief Building Official.

- 6.5. From the date of issuance of a Conditional Permit, a maximum time limitation of ninety (90) days is put in place to submit the balance of the

required information and application in its entirety to the building department, after which time the appropriate actions may be taken as outlined in the Building Code.

- 6.5.1. The complete application and prescribed plans and specifications shall be accompanied by the required fee as prescribed in Schedule A of this by-law.
- 6.5.2. The Chief Building Official may waive the requirement for any of the above documents or approvals where found not applicable to the class of permit sought.
- 6.5.3. Where a permit is issued for part of a building or project, this shall not be construed to authorize beyond the plans for which approval was given nor will that approval necessarily be granted for the entire building or project.
- 6.5.4. The Council delegates the Chief Building Official to enter into agreements with the owner and/or applicant for a conditional permit within the guidelines of the Building Code provided all of the necessary requirements of all applicable laws including municipal by-laws have been met.

## **7. Change of Use Permit**

Where application is made for a change of use permit under subsection 10.(1) of the *Act*, the application shall:

- 7.1. Describe the building of which the occupancy is to be changed, by a description that will readily identify and locate the building lot and would give the legal description of the land.
- 7.2. Identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made.
- 7.3. Include plans and specifications which show the current and proposed occupancy of all parts of the building and which contain sufficient information to establish compliance with the requirements of the Building Code including floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capabilities.
- 7.4. Be accompanied by the required fee as prescribed in Schedule A of this by-law.
- 7.5. State the name, address and telephone number of the owner and spouse his or her authorized agent, and of the architect(s) or engineer(s), other designer(s) or contractor(s) where applicable.
- 7.6. Be signed and dated by the owner or his or her authorized agent who shall certify the truth of the contents of the application.

## **8. Plans and Specifications**

- 8.1. Each application for a permit shall, unless otherwise specified by the C.B.O., be accompanied by two (2) complete sets of the plans, specifications and other documents from which the Contractor will build or undertake to perform the Works.
- 8.2. Specifications, whether a separate document or written on a plan, shall clearly prescribe materials to be used and the manner of which they are to be installed. Specifications shall not be generic or give options to the Contractor. The C.B.O. will consider submissions from the Proponent, the Designer or the Contractor which give specificity to a generic specification for approval of a change to the plans under subsection 8.(12) of the *Act*.
- 8.3. Subsection 15.11(5) of the *Act* requires designers to be qualified, and may engage in the following activities:
  - a) Prepare a design or give other information or opinion concerning whether a building or part of a building complies with the Building Code, if the design, information or opinion is to be submitted to a Chief Building Official with,
    - i) an application for a permit,



- ii) a request for the authorization referred to in subsection 8.(12) or (13), or
  - iii) a report described in paragraph b).
- b) If a general review of the construction of a building or part of a building is required by the building code, prepare a written report based on the general review.
- 8.4.** 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 to the *Act*, the Building Code and any other applicable law.
- 8.5.** Notice of any material change to a plan, specification, document or other information on the basis of which a permit was issued shall be submitted in writing to the Chief Building Official for review prior to causing the change to be made. The change is not to be made without the C.B.O.'s written authorization.
- 8.6.** Plans shall be drawn and submitted on paper, and shall be accurately scaled and dimensioned in a durable, clear and legible manner, and shall include, but not limited to, working drawings as set out in this by-law, unless otherwise specified by the Chief Building Official.
- 8.7.** In addition to the application form as specified in Section 6., two (2) copies of each of the following documents shall be provided:
- 8.8.** A site plan, as described in Section 9. of this by-law.
- 8.9.** Scale drawing(s) of the floor plan(s) showing the size and the use of all rooms and floor areas and the overall dimensions of the building, locations of structural elements (including but not limited to lintels, point loads & supports, beams, pre-engineered products, etc.), interior wall locations, plumbing fixture locations and types, smoke alarm and carbon monoxide detection locations, attic and/or crawlspace access hatches, stair locations with direction of travel and any other pertinent information in regards to the energy efficiency requirements of the building.
- 8.10.** Scale drawing(s) of the foundation system(s) and floor system(s) showing size and spacing of footings, piers, posts/columns, locations and sizes of supporting beams and joists, point load supports, pre-engineered products, floor drains and/or sump pit locations, interior wall locations, plumbing fixture locations and types, smoke alarm and carbon monoxide detection locations, crawlspace access hatches, stair locations with direction of travel and any other pertinent information in regards to the energy efficiency requirements of the building.
- 8.11.** Scale drawing(s) of the roof system(s) showing size and spacing of roof framing members, over-framing, roof slope(s), roof lines indicating change in slope direction, chimney location(s), roof overhang(s) and any other projection as described in definition 2.1.6. of this by-law, outline of building below, structure to support point load framing (including ridge beams, girder trusses, etc.).
- 8.12.** Scale drawing(s) of (a) cross-section(s) of the proposed building from the foundation level to the roof peak and shall fully describe the details of the building, including applicable structure, wall, roof and floor assemblies, assembly thicknesses, footing depth(s), storey heights, overall building height (as defined in the comprehensive zoning by-law), headroom height in stairwells, roof slope(s), chimney height(s), connection details and room uses and as described in 8.9 . above.
- 8.13.** Scale drawing(s) of (a) wall section(s) showing in detail the construction of the wall identifying in detail the location of all materials used in the construction.
- 8.14.** Scale drawings exterior elevations (minimum of 2 sides if building is symmetrical) of the proposed building from proposed grade to roof peak and include the building height (as defined in the comprehensive zoning by-law), roof slope(s), chimney height(s), outline of foundation, height of foundation above grade, stairs, rails and guards for decks and other exits, notes and/or hatching depicting exterior finishes and any exterior structural

elements.

- 8.15. Drawing(s) and/or written specifications in respect to all materials and their uses for the proposed building, which are governed by the regulations under the *Act*, to fully explain how they are integrated within the design.
- 8.16. Scale drawing(s) and/or written specifications of structural, mechanical, electrical and fire detection & alarm systems for the proposed building when required by the C.B.O.
- 8.17. Heating, ventilation and air conditioning drawing(s) of the layout, types and sizing of all components (including type of heating system, ventilation system and fuel source), heat gain/loss calculations and an Energy Efficiency Design Summary as part of the application as described in section 6. of this by-law.
- 8.18. Stamped and signed engineered plans, sketches, or details as required by the Building Code and where pre-engineered products are used.
- 8.19. Manufacturer's layout for pre-engineered roof trusses and floor joists (may be preliminary with final layout and specifications being submitted to the C.B.O. prior to installation).
- 8.20. Any documentation required to support objectives-based proposals as described in Section 10. of this by-law.
- 8.21. Written permission or a valid Onsite Sewage System Permit issued by North Bay-Mattawa Conservation Authority or the Ministry of the Environment in respect to the waste disposal system which will adequately service the proposed building(s).
- 8.22. Written approval or a valid Work Permit from the Ministry of Natural Resources and/or Department of Fisheries and Oceans where the proposed building is on or above the Crown lake bed were required.
- 8.23. Written approval or a valid Building and Land Use Permit from the Ministry of Transportation where the proposed building is within the controlled area of 45 m (148 ft.) of the highway property limit or within 180 m (591 ft.) of the centre-point of an intersection, or as defined in the Building and Land Use Policy issued by the Ministry of Transportation.
- 8.24. Written approval or an Entrance Permit when a driveway is required to access the proposed building, either from the Ministry of Transportation where the proposed building is accessed from a provincial highway or from the Municipality where the proposed building is accessed from a municipally-maintained road (either seasonally or year-round).
- 8.25. Written approval or an appropriate permit from any government agency which is required for the class of permit sought.
- 8.26. Written documentation and specifications/recommendations supporting other authorized agreements such as requirements for noise and/or vibration studies dependent on proximity to railway property, easements for view as may be outlined in subdivision agreements, easements for hydro lines or other applicable by-laws or applicable laws.
- 8.27. All applications for building permits shall be made in the prescribed form provided by the Municipality, the Building Code and *Act* and bear the signature of the land owner or his/her agent and be dated and be accompanied by all applicable plans, specifications, and other required documents at the time of submission for a building permit.
- 8.28. Despite subsections 8.6. through 8.19. of this by-law, the Chief Building Official may accept a submission at his/her discretion which is in a digital (computer-readable) format.

Refer to subsection 8.6. of this by-law in regards to hardcopy prints.

## **9. Site Plan**

- 9.1. Where a new building is proposed, an existing building is to be enlarged (in height or area) or moved, the exterior walls or overhangs of an existing building will be altered, or existing site work will be extended, altered or repaired, a site plan shall be submitted with the permit application. It shall

be referenced to an up-to-date survey prepared by an Ontario Land Surveyor and two (2) copies of the survey shall be provided to the C.B.O. At the discretion of the C.B.O., a legible hand-drawn plan (drawn to scale) in lieu of a surveyors plan may be submitted, but still requires the same types of information.

- 9.2. A site plan shall be drawn and submitted on paper, and shall be accurately scaled and dimensioned to demonstrate compliance with the current comprehensive zoning by-law and/or applicable law, bearing the signature and date of the person that prepared the plan.
- 9.3. Site plans shall indicate the following:
- a) The legal description, civic address, lot size, property lines with dimensions of each as well as bearing in relation to North.
  - b) Size, area and use of all buildings currently and proposed on the subject property.
  - c) Setbacks measured horizontally and at right angles from property lines to any existing and/or proposed buildings from respective property line designations as defined in the comprehensive zoning by-law.
  - d) Existing and finished ground levels or grades when significant to the proposed project.
  - e) Existing rights-of-way, easements and municipal services.
  - f) The location of any existing or proposed sewage system (weeper bed location, tank location) and setbacks from these to other existing or proposed buildings, property lines, easements and water sources (well, pond, lake).
  - g) The location and voltage of overhead hydro-electric transmission lines.
- 9.4. Real property verification by an Ontario Land Surveyor of setbacks conforming to the most current comprehensive zoning by-law may be required prior to excavation, prior to proceeding past the foundation stage and once the building/structures' exterior is completed, if required by the Chief Building Official.

**Note: The Chief Building Official may specify that not all of the above- mentioned plans specified in Sections 7. and 8. are required to accompany an application for permit.**

## **10. Alternative Solutions for the Objective-Based Building Code**

- 10.1. 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 permit was issued contains alternative solutions for materials, systems or building designs for which authorization of the Building Code Div. B, 1.2.1. is required, the following information shall be provided:
- 10.2. A description of the proposed material, system or building design complying with the applicable acceptable solutions in Division B, as requested.
- 10.3. Provide documentation of alternative solutions that will achieve the level of performance required by the applicable acceptable solutions in respect of the objectives and functional statements attributed to the applicable acceptable solutions in Supplementary Standard SA-1 found in Vol. 2 of the Building Code.
- 10.4. Any other provision on the Building Code
- 10.5. For the purposes of 10.3 , the level of performance in respect of a functional statement refers to the performance of the functional statement as it relates to the objective with which it is associated in Supplementary Standard SA-1.

## **11. Permit Fees**

- 11.1. The fees payable for the various classes of permits shall be those set out in Schedule A of this by-law and are due upon submission of an application for a permit.

- 11.2. 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 cost of valuation of the proposed work, the cost of valuation of the proposed work shall mean the total value of all work included in the permit, including the cost of all material, labour, overhead and professional and related services, provided that where application is made for a conditional permit, fees shall be paid for the complete project.
- 11.3. Permit applications for other classes of permits which are not listed in Schedule A shall have a value affixed by the Chief Building Official for the purposes of establishing the permit fee and statistical reporting and shall be based on the rate structure calculations shown in Schedule A.
- 11.4. When the permit fee is determined by the chief Building Official and is disputed, the applicant shall pay the required fee under protest and within six (6) months of completion of the project submit an audited statement of the actual costs and where it is shown to be less than the value imposed by the Chief Building Official and a refund for the difference shall be issued.
- 11.5. In the case of withdrawal of an application or the 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 of this by-law. Application for refund must be made within six (6) months of the date of permit application in order to be eligible for a refund of any fee. The amount of the refund may be nil.
- 11.6. Every request for a fee refund shall be in writing, and shall unequivocally withdraw an application, state that a project will not commence, or state that the work is abandoned and will not resume. Upon receipt of such request, the Chief Building Official will cancel all applicable permits.
- 11.7. Refer to Schedule B of this by-law for refunds schedule.

## **12. Review Process**

### **12.1. Premature Application**

- 12.1.1. Whereas Div. C, 1.3.1.3. of the Building Code specifies time periods for processing a complete application, if during review of an application it is found to be incomplete or found to contravene applicable law, the Chief Building Official will advise the applicant and give the reasons in writing for the determination.
- 12.1.2. If an application has been found to be incomplete or contravenes applicable law, review of the application will be suspended and is no longer subject to the time periods set out in the Building Code.
- 12.1.3. Where 12.1.1. above has been applied, review of an application will be resumed when all of the required documentation has been provided which corrects the deficiency identified within the context above, and the re- submission fee has been paid. The re- submission fee is specified in Schedule B of this by-law.
- 12.1.4. The Chief Building Official may, at his/her discretion, waive the re- submission fee for a Registered Designer, a Qualified Designer or the owner (if he/she is the Designer) provided the Designer submits the required corrected document(s) promptly.

### **12.2. Revisions to Plans**

- 12.2.1. Where drawings, specifications or other documentation is submitted as a request for change on a permit already issued a review of the change must be performed by the C.B.O. and written authorization given prior to the change taking place at the project site.
- 12.2.2. The processing of the supplementary/altered information is subject to a revision fee which is specified in Schedule B of this by-law.



**12.2.3.** The Chief Building Official may, at his/her discretion, waive the revision fee depending on the extent or complexity of the proposed changes.

**12.3. Transfer of Permits**

**12.3.1.** When land changes ownership after a building permit has been issued, a building permit may be transferred to the new owner for a fee in accordance with Schedule A.

**12.3.2.** When a building permit is transferred, the new owner assumes all responsibility and may be required to provide additional information and, if necessary, proof of engagement of a design professional.

**12.3.3.** Changes made to plans submitted for the original building permit may require payment of an additional fee, as per 12.2. above.

Additional fees will reflect the differences (if any) in fee increases plus the transfer fee in Schedule A and new owners must assume all responsibility for the ownership of the property including outstanding permits and/or orders against it.

**12.4. Revocation of Permits**

**12.4.1.** Subject to provisions outlined in subsection 8.(10) of the *Act*, the Chief Building Official has the authority and may revoke a permit issued under the *Act*:

- a) If it was issued on mistaken, false or incorrect information,
- b) If, 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,
- c) 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,
- d) If it was issued in error,
- e) If the holder of the permit requests in writing that it be revoked, or
- f) If a term of the agreement under clause 8.(3)(c) of the *Act* has not been complied with.

**13. Time Limitations and Administration Fees**

**13.1. Description**

As permitted in the *Ontario Municipal Act* Part 12, sentence 391.(3), the following is a description of costs related to administration.

**13.2. Permit Administration Fee**

In addition to the fee Schedule A for calculating the estimated value of a building project for purposes of calculating permit fees and statistical reporting of estimated economic values, the following administration fee shall be added:

- a) \$150 for any permit fee value under \$500,
- b) \$200 for any permit fee of \$500 or more but less than \$1500,
- c) \$300 for any permit fee of \$1500 or more but less than \$3000,
- d) \$500 for any permit fee of \$3000 or more but less than \$6000,
- e) \$1000 for any permit fee of \$6000 or more.

This administration fee may be refundable under the following conditions:

- i) if the final inspection is requested by the owner or their authorized representative as described in Section 18. of this by-law, and
- ii) the final inspection is passed in accordance with the Building Code.

The percentage of the administration fee refund is based on the following;

- i) 100%, if the final inspection is completed within a three (3) year period of date of permit issuance,
- ii) 75%, if the final inspection is completed after more than a three (3) year period up to four (4) years from date of permit issuance,
- iii) 50%, if the final inspection is completed after more than a four (4) year period up to five (5) years from date of permit issuance,
- iv) 0%, if the final inspection is completed after more than a five (5) year period from date of permit issuance.

### **13.3. Old Permit Administration Fee**

An open building permit more than three (3) years old from date of permit issuance may be deemed "old" and therefore an additional administration fee may be applied for each succeeding year it remains open for any outstanding inspections that are requested. The old permit administration fee is specified in Schedule B of this by-law.

### **13.4. Construction/Demolition without a Permit Administration Fee**

**13.4.1.** At the discretion of the Chief Building Official, an administration fee for constructing or demolishing, or causing the construction or demolition of a building, prior to obtaining a building permit may be applied. In addition, charges of constructing/demolishing without a valid building permit may be filed with the Ontario Court of Justice.

All pertinent requirements of the latest issue of the Building Code shall be met including obtaining a valid building permit(s) and all required inspections. This may include the uncovering of any or all aspects of the project and a detailed engineering evaluation of all or part of the project by a qualified professional engineer, complete working drawings submitted and specifications for all aspects of the project.

**13.4.2.** Despite the allowance given above to obtain a permit after all requirements are met as described, the Chief Building Official may, at his/her sole discretion, instead order the removal of the work.

### **13.5. Premature Inspection Fee (additional inspection)**

**13.5.1.** At the discretion of the Chief Building Official, an additional fee shall be paid when additional inspections are required due to inspections being called for prematurely before the work is actually ready for an inspection. This is to be paid at the municipal office prior to the actual additional inspection taking place. The premature inspection fee is specified in Schedule B of this by-law.

### **13.6. Additional Inspection Fee**

**13.6.1.** Additional inspections deemed necessary by the Chief Building Official (applicable to existing buildings or defective/deficient new buildings/or would apply to portions of projects deemed requiring extensive re- inspections due to major faults or over-sights found in the project/construction) shall be subject to a fee, as specified in Schedule B of this by-law.

## **14. Inspections**

### **14.1. Notice for Inspections**

As per the *Building Code Act* 10.2(1), Notice of Readiness for Inspection, the prescribed person (owner or an authorized agent) shall notify the Chief Building Official that the construction is ready to be inspected.

**14.1.1.** Notice shall not be effective unless given in one of the following ways:

- a) Phone message given to the Municipality of McDougall Building Department at (705) 342-5252
- b) Fax message given to the Municipality of McDougall Building Department at (705) 342-5573.

- c) E-mail to the C.B.O. (or other municipal contact address)
- d) In person at the Municipality of McDougall Building Department counter or the office of the Chief Building Official.

**14.1.2.** In regards to both prescribed notices specified in the Building Code and additional notices required the owner or authorized agent shall notify the Chief Building Official at least two (2) business days prior to inspection of each completed stage of construction for which notice in advance is required under the Building Code.

**14.1.3.** Subsequent to receiving a notice of readiness to inspect pursuant to subsection 10.2(1) of the *Act*, the Chief Building Official shall cause an inspection to be made to which the notice relates.

**14.1.4.** The Chief Building Official will make every reasonable effort to schedule an inspection at the convenience of a permit holder, but the C.B.O. has the right to cause an inspection to be made at any time during the two full business days following the day upon which a notice of the completed stage of construction is received.

**14.1.5.** Notice must include the permit number, name of person requesting the inspection, type of inspection requested, civic address of property and name of owner. A contact number must be provided if you wish to receive confirmation of receipt of your request or for a contact number for the inspector.

## **14.2. Prescribed Notices for Inspections**

**14.2.1. The person to whom a building permit under section 8. of the *Act* is issued shall notify the Chief Building Official for all required inspections listed in the Ontario Building Code.**

## **14.3. Additional Notices**

**14.3.1.** As permitted under *Building Code Act* clause 7.(1)(e), additional notices for inspections may be required at the following stages of construction:

- a) commencement of construction of the building,
- b) substantial completion of structural framing for each storey, if the building is a type of building that is within the scope of Div. B of the Building Code, other than Part 9,
- 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,
- g) substantial completion of site grading,
- h) 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,
- i) completion and availability of drawings of the building as-constructed, and
- j) completion of a building for which an occupancy permit is required under article 1.3.3.4. or 1.3.3.5. of Div. C of the Building Code.

**14.3.2.** At the discretion of the Chief Building Official, any or all of the above- noted additional inspections may be required to be imposed on a building, and those shall be stated upon issuance of the permit.

#### **14.4. Plans on Site**

**14.4.1.** One copy of the building plans reviewed and approved for construction/demolition by the Building Department shall be kept on site at all times until final completion of the building.

**14.4.2.** One copy of any other authorizations from the B.M.E.C or rulings from the Minister used in the permit application shall be kept on site at all times until final completion of the building.

#### **15. As Constructed Plans**

Whereas clause 7.(1)(g) of the *Act* authorizes requirements being made with respect as to As Constructed plans and as indicated in Sentence 1.3.6.1(1) of Div. C of the Building Code, the Council hereby enacts that the Chief Building Official may, at his/her sole discretion, require any person responsible for construction of a building or any class of buildings to provide plans for the entire building, or any part or system of it, showing the as constructed state within sixty (60) days of the construction having been completed, and prior to the closing and archiving of the permit.

#### **16. Exterior finishing / Significant progress**

##### **16.1. Exterior finishing**

Exterior finishing of all new buildings, structures, renovations and additions to existing buildings shall be completed on the exterior with materials meeting the standards outlined in the Building Code and shall include installation of all window and door units, proper back-filling and grading etc. to the requirements of the Building Code within One (1) year period from completion of exterior framing, after which it may be deemed as an infraction of the Property Standards By-law, being a by-law prescribing standards for the maintenance and occupancy of property in the Municipality of McDougall.

#### **17. Significant progress**

In regards to all buildings, significant progress shall be shown on a project within one (1) year from date of issuance of the permit and in the following two (2) years, or the permit may be revoked at the discretion of the Chief Building Official. Should there be any changes at any time to the *Building Code Act* which would create a conflict with the time periods stated, the *Act* shall supersede this By-law (as per 35.(1) of the *Act*).

#### **18. Occupancy and Completion of a Building**

**18.1.** In addition to the regulations of Subsection 11.(1) of the *Act* which provide that no person shall occupy or use, or permit to be occupied or used, any building newly erected or renovated until notice of the date of this completion is given to the Chief Building Official (as per Div. C, 1.3.3.1.(1) of the Building Code), the following requirements must also be fulfilled:

- a) An inspection request is made and approved pursuant to such notice as outlined in Subsection 14.1 of this by-law.
- b) The occupancy inspection took place as requested and was deemed to be complete.
- c) There has been prior compliance with any order made by the Chief Building Official pursuant to the provisions of this by-law or Order of the *Building Code Act* or regulations.

**18.2.** Final interior and exterior inspections are to be requested once all substantial interior and exterior work related to the project is done including interior wall and ceiling facings, plumbing, heating/ventilating (HVAC), all exterior facings are in place, exterior grading (immediately adjacent to the building) extending to surface drainage, all safety requirements (both interior and exterior), all structural, all sewage system and electrical requirements have been met and any other mandatory requirements under the Building Code have been completed.



- 18.3. Final inspections are required prior to closing a building permit. They may be in conjunction with or subsequent to a required occupancy permit.
- 18.4. It is the responsibility of the owner of the property to request a final inspection (once all other inspections have been completed and passed) on all projects at the time of substantial completion.
- 18.5. Should there be any changes at any time to the building Code Act which creates a conflict with the requirements stated; the Act shall supersede this by-law.

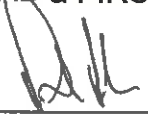
19. **General Provisions & Severability**


- 19.1. If any provision, or part of a provision, of this by-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the by-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.
- 19.2. In the event of any conflict between any provisions of this by-law and any other by-law heretofore passed, the provisions of this by-law shall prevail.

20. **Transition and Commencement**

By-law No. **2019-23** comes into force and takes effect upon the passing of this by-law, and by-law 2015-09 is hereby rescinded.

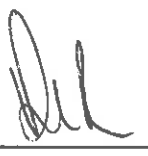
READ a FIRST and SECOND time this 5<sup>th</sup> day of June, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

READ a THIRD time, PASSED, SIGNED and SEALED this 5<sup>th</sup> day of

June, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



## Schedule A of By-law 2019-23

### Permit Fee Schedule

Listed below are designations for calculating building values for the purpose of building permit fees and for various government agencies for statistical purposes.

These calculations are not for municipal property assessment (tax) purposes.

The various classes of permits listed below are used for each portion of the building that meets the criteria. For example a portion of a dwelling that is living space is calculated as such and a portion of a building that is garage is calculated accordingly, as are open decks, covered decks, etc.

The various classes of permits listed below also apply to additions to existing buildings. Calculations will be generated based on the proposed use(s) and area(s) of the addition(s). Existing uses will not be taken into consideration unless required by the Building Code.

Certain buildings/structures classified as Designated Structures shall have the estimated construction value provided by the applicant and the municipal levy applied to determine the actual permit fee. The permit fee shall be at the discretion of the C.B.O.

#### Calculation of Permit Fee for Class of Building

<u>Sample Fee calculations:</u>	
1500 sf home with crawl space and attached 600 sf garage:	1500 x \$1.88/sf = \$ 2,820
(municipal levy)	600 x \$0.72/sf = \$ 432
Plus Admin. fee (Building By-law, ss. 13.2.)	Total permit fee = \$ 3,252
<u>Total fee payable upon application</u>	<u>+\$ 500</u>
	<u>= \$ 3,752</u>
1500 sf home with unfinished basement and attached 600 sf garage	
Finished Floor Area	1500 x \$1.88/sf = \$2,820
Unfinished basement	1500 x \$0.72/sf = \$1,080
Garage	600 x 0.72/sf = \$ 432
<u>Total permit fee</u>	<u>\$4332</u>
Plus Admin. Fee (Building By-law, ss. 13.2)	+ \$500
<u>Total fee payable upon application</u>	<u>\$4,832</u>
<b>(NOTE: Flat rate items listed below are set rates for particular categories + Administration fee (Building by-law, ss. 13.2.).</b>	

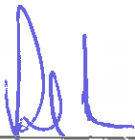
<b>1. <u>Residential Uses (Single Family including Accessory Dwelling)</u></b>	<b><u>\$ / sf</u></b>
<b>1.1. <u>Residential Living space/area</u></b> Finished living space in year-round and seasonal dwellings (each storey based on the sum of all finished floor areas measured to the outside of the outside walls but does not include unfinished basements.)  Detached guest cabin/sleeping cabin (bunkie) Living space in a accessory building  Hunt camps	<b>\$1.88</b>
<b>1.2. <u>Unfinished Basement</u></b> Unfinished basement floor area ( measured to the outside of the outside walls)	<b>\$0.72</b>
<b>1.3. <u>Finishing Interior of Basement</u></b> Creating finished living space in a basement of a year-round or seasonal dwelling in an existing unfinished area	<b>\$0.96</b>
<b>1.4. <u>Attached Accessory Spaces/Buildings</u></b> Garages, Enclosed (screened-in) porches, Solariums, 3-season (Muskoka) rooms, Covered decks, etc.	<b>\$0.72</b>
<b>1.5. <u>Exterior Open Decks</u></b> Decks and balconies (attached or detached) with no roof cover	<b>\$0.42</b>
<b>1.6. <u>Detached Accessory Buildings</u></b> Garages (1 storey and 1½ storey w/ unfinished storage loft) Storage buildings, Boathouse, Carports, Wood sheds, Open and screened-in porches, gazebos (not fully enclosed, no windows), Saunas, etc.	<b>\$0.72</b>
<b>1.7. <u>Foundation replacement</u></b> (both pier and perimeter types) New foundations under any type of existing buildings based of square footage of building.	<b>\$0.48</b>
<b>1.8. <u>Minimum Fee</u></b> The minimum fee for all classes of buildings in section 1. shall be:	<b>\$150</b>
<b>2. <u>All Other Uses</u></b>	<b><u>\$ / sf</u></b>
<b>2.1. <u>Assembly, Service and Retail Use</u></b> Buildings containing major occupancies classified as A, D or E, with or without being constructed together with another major occupancy in a building (each storey), >10% of floor area of a storey	<b>\$1.92</b>
<b>2.2. <u>Residential Use (Single or Multiple)</u></b> Buildings containing a major occupancy classified as C, with or without being constructed together with another major occupancy in a building (each storey), >10% of floor area of a storey	<b>\$2.10</b>

<b>2.3. <u>Care and Treatment Use</u></b> Buildings containing a major occupancy classified as B, with or without being constructed together with another major occupancy in a building (each storey), >10% of floor area of a storey	<b>\$2.40</b>
<b>2.4. <u>High-Hazard Industrial Use</u></b> Buildings containing a major occupancy classified as F1, with or without being constructed together with another major occupancy in a building (each storey), any or all floor area of a storey	<b>\$2.10</b>
<b>2.5. <u>Low- and Medium-Hazard Industrial Use</u></b> Buildings containing major occupancies classified as F2 or F3, with or without being constructed together with another major occupancy in a building (each storey), any or all floor area of a storey if F2, >10% of floor area of a storey if F3 a) Frame shell with minimal or no interior finishing or insulating b) Interior finished	<b>\$0.90</b> <b>\$1.20</b>
<b>2.6. <u>Accessory Buildings serving All Other Uses</u></b> Sheds, garages, etc. being accessory to main use	<b>\$0.72</b>
<b>2.7. <u>Farm buildings</u></b> Barns, sheds, etc. on operational farms	<b>\$0.25</b>
<b>2.8. <u>Minimum Fee</u></b> The minimum fee for all classes of buildings in section 2. shall be:	<b>\$200</b>
<b>2.9. <u>Minor Interior and Exterior renovations</u></b> Minor in nature – based on up to 30% of each existing floor area affected by the alteration or repair (with minor structural changes)	<b>\$200</b>
<b>2.10. <u>Major Interior and Exterior renovations, alterations, repairs</u></b> Major renovations – based on more than 30% but less than 60% of each existing floor area affected by the alteration or repair (with minor structural changes), no rebuilds Value of construction to be determined by Chief Building Official	<b>\$12 per \$1000 of const. value</b>
<b>3. <u>Flat-Rate Projects</u></b>	<b>Rate</b>
<b>3.1. <u>Demolition Permit</u></b> All types and sizes of buildings/structures over 10 m <sup>2</sup> (±108 ft <sup>2</sup> )	<b>\$80</b>
<b>3.2. <u>Designated Structures</u></b> Any of the projects identified in Div. A, 1.3.1.1. of the Building Code	<b>\$150</b>
<b>3.3. <u>Plumbing Permit</u></b> Modifications, alterations, additions, extensions to existing interior and/or not contained within a building/structure.	<b>\$150</b>
<b>3.4. <u>Chimney, Fireplace, Woodstove Permit</u></b> New stove and/or chimney, major repairs to existing	<b>\$150</b>
<b>3.5. <u>Installation of solar panels</u></b>	<b>\$250</b>
<b>3.6. <u>Docks</u></b>	



Any type, any size	<b>\$150</b>
<b>3.7. <u>Foundation Repairs</u></b> Limited to repairs of existing and small structural changes. No replacements or enlargements.	<b>\$150</b>
<b>3.8. <u>Other</u></b> Minor alterations found in Section 4. of the by-law (re-roofing, re-siding, replace windows/doors, foundation protection & drainage) Private Swimming Pools  Moving an existing accessory building from one location to another on the same property/lot/parcel	<b>\$150.</b>
<b>3.9. <u>Signs</u></b> Any sign as described in Div. A, 1.3.1.1. and Div. B, 3.15. of the Building Code (may be subject to obtaining a sign permit through the Municipality under the Sign By-law)	<b>\$150</b>
<b>3.10. <u>Temporary Structure</u></b> When permitted and under the conditions allowed (e.g. Tents as per Building Code)	<b>\$100</b>
<b>3.11. <u>Conditional permits</u></b> Flat rate as noted in addition to the full cost of the permit fee as calculated using the above sections in this Schedule.  Security deposit as per agreement between applicant and C.B.O.	<b>\$300</b>
<b>3.12. <u>Transfer of Permit</u></b> From preceding owner to the succeeding owner	<b>\$100</b>
<b>3.13. <u>Change of Use Permit</u></b> As per the Building Code, with no construction occurring	<b>\$150</b>

Passed the 5<sup>th</sup> day of June, 2019



Mayor



Clerk



## **Schedule B of By-law 2019-23**

### **Administration & Other Fees**

Schedule B pertains to Building By-law items (both calculated and flat rate) pertaining to a particular building permit + Administration fees (see Building By-law, section 12.).

#### **1. Refund of Permit Fees (as per section 11):**

<u>Status of Permit / Inspection process</u>	<u>% of Fee for Refund</u>
a) Complete Application and	75% maximum plans filed, but not reviewed.
b) Application filed,	50 % maximum plans reviewed.
c) 1 Inspection performed	40%
2 Inspections performed	30%

#### **2. Resubmission fee (as per section 12.1.3.)      \$100**

#### **3. Revisions to plans (as per section 12.2.2.)      \$50 per page (full-size sheet)**

#### **4. Old Permit Administration Fee (as per section 13.3.)    \$150 per inspection**

#### **5. Building without a Permit (as per section 13.4.)**

- a) Any permit with a permit fee less than or equal to \$150 - Admin. Fee    \$100
- b) Any permit with permit fee greater than \$150 and less than \$600 -Admin. Fee \$250
- c) Any permit with a permit fee greater than or equal to \$600 - Admin. Fee \$400

Note: Admin. fee applied cannot be greater than amount of permit fee.

#### **6. Alternative solution**

When there is a request for an alternative solution  
when applying for a permit or change to a permit the complexity  
may require an outside person with specialized knowledge  
to perform a peer review

\$500 plus cost of peer review

#### **7. Premature inspection fee (as per section 13.5.) \$150 per inspection**

#### **8. Additional/Special inspection fee (as per section 13.6.)      \$150 per inspection**

#### **9. Registration of Orders issued under the Building code act.**

Registration on property title of Orders issued under the  
Building Code Act

\$150 plus the cost of  
Registration and Removal

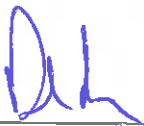
**10. File /Drawings**

Request for copies of their own drawings and file documents \$50 plus the cost of copies.


**11. Notes:**

1. No refund shall result in the retention by the Municipality of McDougall of an amount of \$150 or less.
2. No refund will be given when application or written request for refund is not made within six (6) months of issuance of permit.
3. No refund of the "cost" portion of any permit will be made.

Passed the 5<sup>th</sup> day of June, 2019

  
\_\_\_\_\_

Mayor

  
\_\_\_\_\_

Clerk



## **Schedule C of By-law 2019-23**

### **Code Of Conduct For Building Officials**

The Code of Conduct applies to the Chief Building Official and inspectors 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 this Code of Conduct is to promote appropriate standards of behavior 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.

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 plan examination duties impartially and in accordance with the highest professional standards.
5. At all times abide by the highest moral and ethical standards and avoid any conduct which could bring or tend to bring Building Officials to disrepute.
6. Comply with the provisions of the *Building Code Act*, the Building Code and other Acts or Laws which 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 their knowledge and understanding of the best current building practices, the building laws and Codes relevant to their inspection and plan examination function.
9. Extend professional courtesy to all.
10. Adhere to the Municipality's Code of Conduct for its employees with relevant employment standards and corporate policies.



## Breaches of the Code of Conduct

The Ontario *Building Code Act* provides that the performance of Building Officials will be measured against this Code of Conduct. The Municipal administration will review any allegations brought forward that the Code of Conduct has been breached. Disciplinary action arising from violations of this Code of Conduct is the responsibility of the Municipal employer and will be based on the severity and frequency of the violation in accordance with relevant employment standards and corporate policies.