

THE CORPORATION OF THE TOWNSHIP OF STRATHROY-CARADOC

BYLAW NO. 30-06

A BYLAW TO PROVIDE FOR CONSTRUCTION, DEMOLITION, CHANGE OF USE AND OCCUPANCY PERMITS, INSPECTIONS AND RELATED MATTERS

WHEREAS the *Building Code Act, S.O. 1992*, as amended, including all regulations to said Act, (hereinafter referred to as the *Building Code Act*) establishes requirements respecting construction, demolition and change of use permits, inspections and related matters;

AND WHEREAS Section 7 of the *Building Code Act* empowers Municipal Councils to pass bylaws respecting construction, demolition and change of use permits and related matters;

AND WHEREAS the Council of the Township of Strathroy-Caradoc desires to enact a new building bylaw for the issuance of permits and related matters, including a fee schedule for all applicable fees.

NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF STRATHROY-CARADOC AS FOLLOWS:

1. DEFINITIONS

In this bylaw:

"Act" means the *Building Code Act, S.O. 1992*, as amended.

"Building" shall have the same meaning as defined in the *Building Code Act*.

"Building Permit" means permission or authorization, in writing by the Chief Building Official, to perform work related to any building or part thereof regulated by this bylaw.

"Chief Building Official" means the person appointed as such under Section 3 of the *Building Code Act* by Council or in his/her absence the Building Inspector.

"Construction Value" means costs of construction including materials, labour and profit but not including land.

"Corporation" means the Corporation of the Township of Strathroy-Caradoc.

"Council" means the Council of the Corporation of the Township of Strathroy-Caradoc.

"Inspector" means a person appointed as such under Section 3 of the *Building Code Act* by Council.

"Person" means an individual, association, firm, partnership, corporation, trust, incorporated company, or other legal representative of a person to whom the same can apply accordingly to law.

"Plumbing" shall have the same meaning that it has in the *Building Code Act*, and any other term defined in the said Act will have the same meaning in this bylaw.

"Regulations" means the regulations made under the *Building Code Act* as applicable.

"Township" means the Corporation of the Township of Strathroy-Caradoc.

2. **ADMINISTRATION**

Requirement for a permit

Permits shall be required with respect to the construction and demolition of buildings as set out in Schedule "A" to this bylaw.

Application for a permit

To obtain a permit the property owner or his/her authorized agent shall file an application by completing the prescribed forms available at the office of the Chief Building Official of the Township or on the Township's website.

Except as otherwise permitted by the Chief Building Official, every application shall:

- i) identify and describe in detail the work, use and occupancy to be regulated by the permit for which the application is made;
- ii) describe the land on which the work is to be done by a description that will readily identify and locate the property;
- iii) be accompanied by sets of plans in accordance with Schedule "B" and specifications sufficient to determine compliance with the *Professional Engineers Act, R.S.O., 1990*, as amended, or the *Architects Act, R.S.O., 1990*, as amended, and without limiting the generality of the foregoing, said plans and specifications shall show:
 - The dimensions of the proposed building or work;
 - The proposed use of each room of floor area in the proposed building or work;
 - The dimensions of the land on which the building is proposed to be situated, and the location of the existing and proposed buildings thereon;
 - Where applicable, location of existing and/or proposed septic tank and tile field thereon;
 - The dimensions of all existing buildings;

- In the case of plumbing, the location of drains, pipes, traps and other works or appliances that are, or are to be a part of or connected with the plumbing system, as required by the Chief Building Official;
- Complete the Designer's Information Form (Form 1) as required;
- State the names, addresses and telephone number, and Building Code Identification number where applicable, of the owner, architect, engineer or other designer or constructor;
- State builder's Ontario New Home Warranty Program (TARION) Number, where applicable;
- Where the application is for the construction of a home as defined by the *Ontario New Home Warranties Plan Act, R.S.O., 1990*, as amended, and the applicant is not a builder as defined by the Act, the applicant shall sign a declaration in accordance with Schedule "E" to this bylaw;
- Be accompanied, where applicable, by any other certificates or approvals required by law;
- Contain such other information as the Chief Building Official considers necessary to determine whether any work or use conforms with the *Building Code Act*, any other Act, this bylaw, or any provisions contained in a Subdivision Agreement or other agreement between the owner or previous owner(s) and the Corporation;
- State whether any fill is going to be brought in or removed from the property;
- Be signed by the property owner or his/her authorized agent who shall certify the truth of the contents of the application.

Where application is made for a demolition permit under section 8(1) of the Act, the application shall include:

- (a) complete plans and specifications, documents and other information as required by Article 2.4.2.2B and Sentence 2.4.1.1B(2) of the Building Code and as described in this bylaw for the work to be covered by the permit;
- (b) a completed set of drawings when Section 2.3 of the Building Code applies;
- (c) proof satisfactory to the Chief Building Official, that arrangements have been made with the proper authorities for the cutting off and plugging of all services; and
- (d) a security deposit in such an amount as prescribed by the Chief Building Official to ensure that the site will be backfilled and graded with clean fill material to his or her satisfaction and that all private drain connections will be

excavated and properly sealed at the property line.

Applications shall not be considered complete until the requirements of Section 2 have been satisfied.

3. PLANS, SPECIFICATIONS AND INFORMATION

Plans shall be drawn to scale and submitted upon paper or other durable material or format at the discretion of the Chief Building Official. Scales for plans and drawings shall be in accordance with Schedule "B" to this bylaw.

Unless otherwise permitted by the Chief Building Official, site plans shall be referenced to a current plan of survey, certified by a registered Ontario Land Surveyor, and a copy of such survey shall be submitted and site plans shall indicate:

- Location of proposed buildings by dimensions from property lines;
- The similarly dimensioned location of every existing building on the property;
- All water courses;
- Percent of building coverage, landscape area and driveway coverage;
- Existing and proposed grade elevations referenced to an established geodetic bench mark or datum point at or adjacent to the site, where such established geodetic bench mark or datum point exists within $\frac{1}{2}$ kilometre of the site;
- Where applicable, location or proposed sewage envelope and contingency area with dimensions from property lines, buildings, water courses and sub-surface tiles.

A sufficient number of copies of the site plan shall be submitted for approval and circulation in accordance with Schedule "C" to this bylaw.

Plans must show lot drainage of the lot in relation to the adjoining lots.

Plans must show that the finished grade will be at least 45 centimetres above the crown of the finished road unless an alternative drainage plan has been submitted for approval by the Chief Building Official, prior to the issuance of a building permit.

4. APPROVAL IN PART

When, in order to expedite work, a permit for a portion of a building project is desired prior to the issuance of a permit for the whole project, application shall be made for that portion of the work desired, together with sufficient information relative to the whole of the work proposed and the Chief Building Official may at his/her discretion issue such permit. All permit fees must be paid prior to the start of any work.

A survey certificate or other acceptable technical data clearly showing actual building

location shall be available to the Chief Building Official for approval upon completion of foundation and prior to continuing construction.

5. **FEES**

Fees for a required permit shall be in accordance with Schedule "C" to this bylaw.

All permit fees are due and payable at the time of issuance of the permit.

In the case of the non-commencement of any project after the issuance of a permit and upon written request the Chief Building Official shall determine the amount of refund of permit fees, if any, that may be returned to the permit holder, in accordance with Schedule "D" to this bylaw.

Before passing a bylaw to change fees under this bylaw, notice shall be given in accordance with Section 2.23.1.2 of *Ontario Regulation 236/05*.

6. **INSPECTION REQUIREMENTS AND OCCUPANCY**

Subject to Section 10.2(1) of the *Building Code Act*, the person to whom a permit has been issued or his/her agent shall notify the Chief Building Official one business day in advance of all required inspections.

Required inspections shall be those listed in Schedule "F" to this bylaw.

Required testing and procedures shall be in accordance with Schedule "G" to this bylaw.

Grading Certificates

For new single detached, duplex or semi-detached dwellings the permit holder shall:

- (a) pay a \$2,500 lot grading deposit; and
- (b) provide within seven (7) months of occupancy, a final grading certificate:
 - (i) bearing the signature and seal of a professional engineer or Ontario Land Surveyor certifying that the finished elevations and grading of the land generally conforms with the approved design of the subdivision grading plans;
 - (ii) where no accepted area or subdivision grading plan exists, bearing the signature and seal of a professional engineer, or a Landscape Architect (a member of the Ontario Association of Landscape Architects), or Ontario Land Surveyor certifying that the finished elevations and grading of the land generally conforms to the lot grading plan.
 - (iii) together with a Plan of Survey showing final building location.

7. **REQUIREMENTS FOR OCCUPANCY**

No plumbing or sewage system that has been constructed, repaired, renewed or altered shall be put into use until it is inspected and found to be in compliance with the *Building Code Act*, the *Building Code* and the provisions of this bylaw.

Occupancy of newly erected buildings shall be in accordance with the requirements of the *Building Code Act* and the *Ontario Building Code* Sections 2.4.3.1 and 2.4.3.2.

8. **FIRE SAFETY**

The enforcement of the section of the *Building Code Act* respecting fire safety matters shall be the responsibility of the Chief Building Official. All drawings and information submitted with an application for a permit to construct a building other than a single family dwelling or building and structures accessory to residential usage shall be reviewed by the Fire Chief for compliance with the fire safety requirements of this regulation prior to the issuance of a permit by the Chief Building Official.

9. **PLUMBING**

The Corporation shall carry out or cause to be carried out such inspections of plumbing to ensure compliance with the *Building Code Act* and the provisions of this bylaw.

Where an inspection is required under this bylaw it shall be the responsibility of the permit holder or the authorized agent of the permit holder to call for such inspections.

No plumbing shall be constructed, reconstructed, renewed, repaired or altered by any person unless a permit therefore has been obtained pursuant to the provisions of the bylaw.

A permit is not required where:

- A valve, faucet, fixture or leak is repaired;
- A valve, faucet or fixture is replaced;
- A stoppage is forced out; or
- A replacement water heater is installed.

10. **ON-SITE SEWAGE SYSTEMS**

The Corporation shall carry out or cause to be carried out such inspections to ensure compliance with the *Building Code Act*, the *Ontario Building Code* and provisions of this bylaw.

Where an inspection is required under this bylaw it shall be the responsibility of the permit holder or the authorized agent of the permit holder to call for such inspections.

No on-site sewage system shall be constructed, reconstructed, renewed, repaired or altered by a person unless a permit therefore has been obtained pursuant to the

provisions of the bylaw.

11. SEVERABILITY

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

12. ENFORCEMENT

It is the responsibility of the Chief Building Official to enforce the requirements of this bylaw and the requirements of the *Building Code Act* and the *Ontario Building Code* in the Township of Strathroy-Caradoc.

13. CONTRAVENTION OF BYLAW – OFFENCE

Neither the granting of any permit nor the approval of the drawing or any specifications, nor any inspections made by the Chief Building Official, or his/her authorized agent, shall in anyway relieve the owner of such building, or the person responsible for the provision of service, labour or materials to the building from the full and sole responsibility for carrying out the work or satisfying the requirements of this bylaw, the *Building Code Act*, and any other applicable legislation.

Every person who contravenes any provision of this bylaw is guilty of an offence and on conviction is liable to a fine as provided in Sections 36 of the *Building Code Act* and any other applicable legislation.

14. REPEAL

This bylaw hereby repeals Bylaw No.'s 56-01 and 15-05 of the Corporation of the Township of Strathroy-Caradoc.

15. FORCE AND EFFECT

This bylaw shall come into force and take effect upon the date of its final passing in Open Council, except Schedule "C"- 'Classes of Permits and Fees' that shall become effective on the dates noted on that Schedule.

16. SHORT TITLE

This bylaw may be cited as "The Building Bylaw".

Read a **FIRST, SECOND** and **THIRD time** and **FINALLY PASSED** in Open Council this 5th day of June, 2006.

Original signed by Mel Veale

Original signed by Angela Toth

Mayor

Clerk

Schedule "A"

Requirements for Permits

The following construction procedures require Building Permits to be obtained:

- New homes
- Additions
- Demolitions
- Moving of any Building
- Swimming pools, pool fence inspection for real estate deals
- Accessory buildings exceeding 9.29 square metres (100 square feet)
- Garages and carports
- Renovations involving structural and/or use changes
- Mechanical system alterations and additions (furnace, air conditioning, plumbing, etc.)
- Woodstoves and fireplaces
- Industrial buildings
- Institutional buildings
- Commercial buildings
- Multi-family buildings
- Plumbing as defined by the Plumbing Code
- Septic installations/improvements;
- Change of use (residential to retail, etc.)

Schedule "B"

Plans Required

Single Family Residential Structures and Accessory Buildings:

Site Plan/Plot Plan - 2 copies

Scale 1" = 20' (1:250) or as approved by the Chief Building Official

Details to be shown:

Building Elevations

Drainage/Grading

Utility Services

Buildings and Structures

Fences

Driveways

Major Trees and Landscaping Features

Abutting property, buildings and services

Sewage envelope

Footing and Foundations Plans:	2 copies - Scale ¼" = 1' 0" (1:50)
Floor Plans:	2 copies - Scale ¼" = 1' 0" (1:50)
Cross Sections:	2 copies - Scale ¼" = 1' 0" (1:50)
Elevations:	2 copies - Scale ¼" = 1' 0" (1:50)
Plumbing/Electrical:	2 copies - Scale ¼" = 1' 0" (1:50)
Fireplace Details:	2 copies - Scale ¼" = 1' 0" (1:50)
Septic & Tile Field Details	2 copies - Scale ¼" = 1' 0" (1:50)

Multi-family residential structures, Industrial, Commercial, etc.:

Same as above, except 6 copies of Site Plan and 3 copies of the balance of the above documents are required for review and approval. The Chief Building Official may require additional drawings and specifications, if necessary. All drawings are to be at scale acceptable to the Chief Building Official.

**Schedule "C"
Classes of Permits and Fees**

<u>INDUSTRIAL</u>	CURRENT RATE	100 % COST RECOVERY (See charges in columns to the right)	Eff. July 1, 2006	Eff. July 1, 2007	Eff. July 1, 2008
	NEW \$0.35/ft2	\$1,500 UP TO 2,500 ft2 + \$.60/ft2 OVER	\$1,000 UP TO 2,500 ft2 + \$0.45/ft2 OVER	\$2,000 UP TO 2,500 ft2 + \$.55/ft2 OVER	\$3,000 UP TO 2,500 ft2 + \$.60/ft2 OVER
	MAJOR ADDITION / ALTERATION SAME \$ AS ABOVE	\$1,500 UP TO 2,500 ft2 + \$.60/ft2 OVER	\$500 UP TO 2,500 ft2 + \$0.60/ft2 OVER	\$1,000 UP TO 2,500 ft2 + \$0.60/ft2 OVER	\$1,500 UP TO 2,500 ft2 + \$0.60/ft2 OVER
<u>COMMERCIAL</u>	NEW \$.40/ft2	\$3,200 UP TO 2,500ft2 \$1.28/ft2 OVER	\$1,000 UP TO 2,500 ft2 + \$0.60/ft2 OVER	\$2,000 UP TO 2,500 ft2 + \$1.00/ft2 OVER	\$3,200 UP TO 2,500 ft2 + \$1.28/ft2 OVER
	MAJOR ADDITIONS / RENOVATIONS				
	\$.40/ft2	SAME FEES AS INDUSTRIAL	\$0.60/ft2	\$0.60/ft2	\$0.60/ft2

INSTITUTIONAL

NEW \$.75/ft2	SAME FEES AS COMMERCIAL	\$1,000 MIN. \$0.93/ft2	\$2,000 MIN. \$1.11/ft2	\$3,000 MIN. \$1.28/ft2
MAJOR ADDITIONS / RENOVATIONS				
\$.75/ft2	SAME FEES AS INDUSTRIAL. AND COMMERCIAL	\$500 MIN. \$0.60/ft2	\$1,000 MIN. \$0.60/ft2	\$1,500 MIN. \$0.60/ft2

RESIDENTIAL

SINGLE FAMILY DWELLING NEW \$.55/ft2	\$1,700.00 UP TO 1,500 ft2 \$1.13/FT2 over	\$1,200 MIN. UP TO 1,500 ft2 + \$0.75/ft2 OVER	\$1,500 MIN. UP TO 1,500 ft2 + \$0.95/ft2 OVER	\$1,700 MIN. UP TO 1,500 ft2 + \$1.13/ft2 OVER
MULTIPLE RESIDENTIAL				
\$.55/ft2	\$2,100/UNIT UP TO 1,500ft2 \$1.40/ft2 over	\$1,200 MIN. UP TO 1,500 ft2 + \$0.84/ft2 OVER	\$1,500 MIN. UP TO 1,500 ft2 + \$1.13/ft2 OVER	\$1,700 MIN. UP TO 1,500 ft2 + \$1.40/ft2 OVER
ADDITIONS/RENOVATIONS				
\$.40/ft2	\$1,500 UP TO 1,500 ft2 \$ 1.00/ft2 over	\$300 MINIMUM FEE UP TO 800ft2 \$.60/ft2 OVER	\$400 MINIMUM UP TO 800 ft2 \$.80/ft2 OVER	\$500 MINIMUM FEE UP TO 800 ft2 \$1.00/ft2 OVER
GARAGE/CARPORT/ ACCESSORY BLDG./DECK POOL/WOODSTOVE				
\$.10/ft2; MINIMUM \$50	\$.10/ft2 MINIMUM \$50	\$.10/ft2 MINIMUM \$50	\$.10/ft2 MINIMUM \$50	\$.10/ft2 MINIMUM \$50

**FARM
BUILDINGS**

NEW / ADDITIONS

\$0.15/ft2	\$1,800 up to 2,500ft2	\$.40/ft2	\$.64/ft2	\$.72/ft2
\$0.10/ft2	\$.72/ft2 OVER	MINIMUM \$500	MINIMUM \$1,000	MINIMUM \$1,800
\$0.05/ft2				

**FARM BLDG. / ACCESSORY
STRUCTURES i.e.: POLY
BARN**

HAY SHEDS

SAME AS ABOVE	\$250 UP TO 2,500ft2 \$.10/ft2 over	\$.10/ft2 MINIMUM \$150	\$.10/ft2 MINIMUM \$200	\$.10/ft2 MINIMUM \$250
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SEPTIC

NEW \$350	FLAT FEE OF \$250	\$250	\$250	\$250
REPLACE \$200				

**OTHER
PERMITS /
DEMOLITIONS
AND PERMIT
RENEWALS**

\$50	\$150 FLAT FEE	\$150	\$150	\$150
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Schedule "D"

Refund of Permit Fees

Fees that may be refunded shall be calculated as follows:

Fees paid less minimum applicable fee x 80%

Request for refunds must be submitted in writing unless otherwise approved by the Chief Building Official.

Schedule "E"

Township of Strathroy-Caradoc ONHWP Declaration

I, _____ hereby declare that this application for a home is for my personal use as a residence or income property and is not built for speculation or sale to a third party, and I am not a builder as defined by Ontario New Home Warranties Plan Act, 1990, as amended*.

Signed: _____

Witnessed: _____

Dated: _____

* Under this Act, all vendors and builders constructing homes for sale must be registered by the Registrar of the Warranty Program. Persons building homes for their own use or those building dwelling units built and sold for seasonal purposes or for occupancy for temporary periods do not need to be registered.

Schedule "F"

Required Inspections

The following inspections are required, if applicable:

- Site inspection prior to commencing any work
- Readiness to construct footings
- Foundation completeness and ready to backfill
- Completion of framing
- Completion of insulation and vapour barriers, and air barriers
- Completion of ductwork and piping for heating, ventilation and air conditioning systems
- Commencement of construction re: solid fuel fired appliances and associated chimneys
- Substantial completion of fire separations and fire protection equipment systems and emergency lighting
- Substantial completion of Interior Finishes and mechanical systems and equipment
- Substantial completion of exterior cladding, grading and accesses
- Building Sewer
- Water Service Connection
- Underground plumbing, including storm drainage
- Rough-in plumbing -- drains, wastes and vents
- Rough-in plumbing -- water distribution system
- Final plumbing
- Public pools/spas
- Septic System
 - i) Site Inspection
 - ii) System completed and ready to backfill

In addition to the above inspections, where the building is within the scope of parts of the Building Code, other than part 9, inspections are required for the substantial completion of:

- Structural framing of each storey
- Installation of vapour barriers
- Rough-in of heating, ventilation, air-conditioning and air contaminant extraction equipment

Pool Fence inspection prior to filling pool.

Pool Fence inspection requested due to a pending sale of property to determine fence compliance.

Schedule "G"

Required testing and procedures

Plumbing systems shall be tested as required in the Plumbing Code. The following tests shall be conducted:

Horizontal Drainage Piping - Underground:

Ball test required and witnessed by an Inspector

Drains/Wastes/Vents:

Water or Air test required

Final Plumbing:

Smoke test required and witnessed by an Inspector

Potable Water Systems:

Hydrostatic or air test required.