

THE CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE

BY-LAW NO. 2013-63

**Being a By-law respecting Construction, Demolition
and Change of Use Permits and Inspections**

WHEREAS Section 7 of the Building Code Act, 1992 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 McNab/Braeside enacts as follows:

1. This by-law may be cited as the Building By-law.
2. 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.
3. 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.
4. 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.
5. To obtain a permit, the owner or an agent authorized in writing by the owner shall file an application in writing by completing a prescribed form available at the offices of the municipality. The prescribed form shall be as set out in Schedule "C" to this By-law.
6. Every application for a permit shall be submitted to the Chief Building Official, and contain the following information:
 - (i) Where application is made for a building permit under subsection 8(1) of the Act, the application shall:
 - (a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made,
 - (b) describe the land on which the work is to be done, by a description that will readily identify and locate the building lot,
 - (c) include complete plans and specifications as described in this by-law for the work to be covered by the permit and show the occupancy of all parts of the building,
 - (d) state the valuation of the proposed work including materials and labour,
 - (e) state the names, addresses and telephone numbers of the owner, architect or engineer, where applicable, or other designer or constructor,
 - (f) be accompanied by a written acknowledgment of the owner that he has retained an architect or professional engineer to carry out the field review of the construction where required by the Building Code, and
 - (g) be signed by owner or his or her authorized agent who shall certify the truth of the contents of the application.

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- (ii) Where application is made for a demolition permit under subsection 8(1) of the Act, the application shall:
 - (a) contain the information required by clauses (1)(a) to (g), and
 - (b) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, telephone or other utilities and services.
 - (iii) Where application is made for a conditional permit under subsection 8(3) of the Act, the application shall:
 - (a) contain the information required by clauses (1)(a) to (g),
 - (b) contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require,
 - (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.
 - (iv)
 - (a) In the event that the property, which is the subject of a building permit is transferred, the person to whom it is transferred shall apply to the Chief Building Official to transfer the building permit to the new owner.
 - (b) The new owner shall complete the prescribed form set out in Schedule D.
 - (c) Upon the completion of the transfer of the building permit, the new owner shall become responsible for the work that has been done pursuant to the permit and for the completion of the work.
 - (d) In the event that the Chief Building Official or the Township of McNab/Braeside seeks to enforce the provisions of the Building Code Act, its regulations, or this by-law, with respect to the work to be done pursuant to the permit, the person to whom the permit is transferred shall be responsible for compliance.
7. Every application for a change of use permit issued under subsection 10(1) of the Act shall be submitted to the Chief Building Official, and shall:
- (a) describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building,
 - (b) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made,
 - (c) 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 capacities,

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- (d) state the name, address and telephone number of the owner,
 - (e) be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.
8. 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:
- (a) a description of the proposed material, system or building design for which authorization under section 9 of the Act is requested,
 - (b) any applicable provisions of the Building Code,
 - (c) evidence that the proposed material, system or building design will provide the level of performance required by the Building Code.

9. 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 the 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 foregoing, shall include such working drawings as set out in Schedule "B" to this By-law unless otherwise specified by the Chief Building Official.

10. Site plans shall be referenced to an up-to-date survey and, when 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:

- a) lot size and the dimensions of property lines and setbacks to any existing or proposed buildings,
 - b) existing and finished ground levels or grades, and
 - c) existing right-of-way, easements and municipal services.
11. a) Fees for a required permit shall be as set out in Schedule "A" to this By-law and are due and payable upon issuance of a permit. 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 issued under subsection 8(3) of the Act are based on a floor area, floor area shall mean the total floor space of all storeys above and below grade measured as the horizontal area between the exterior face of the exterior walls except that floors below grade shall be calculated as 50% of their total area. Provided that where application is made for a conditional permit, fees shall be paid for the complete project.
- b) Where fees payable in respect of an application for a change of use permit issued under Subsection 10(1) of the Act are based on a floor area, floor area shall mean

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the total floor space of all storeys subject to the change of use.

12. The owner or an authorized agent shall notify the Chief Building Official at least two business days prior to each stage of construction for which notice in advance is required under the Building Code.
13. The forms prescribed for use as applications for permits, for orders and for inspection reports shall be set out in Schedule "C" to this By-law.
14. 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.

AND FURTHER, that this By-Law shall come into force and effect immediately upon the passing thereof, and;

AND FURTHER, that By-Law # 2001-15 is hereby rescinded.

BE IT FURTHER ENACTED, that all By-Laws or parts thereof, and all or any Resolutions of Council contrary thereto, or inconsistent herewith, be and the same are hereby repealed.

READ a first time this 17th day of December, 2013.

READ a second time this 17th day of December, 2013.

READ a third and final time and passed this 17th day of December, 2013.

MAYOR

CAO/CLERK

SCHEDULE "A"

This is Schedule "A" to By-Law No. 2013-63
respecting Classes of Permits and Permit Fees

Class of Permit	Fees
- Minimum Permit Fee	\$ 50.00
- Residential Building Permit G.F.A. x	\$.35
- Comm/Industrial/Institutional Building Permit G.F.A. x	\$.55
- Building Accessory to a Residential Unit	\$ 75.00
Over 375 sq. ft. G.F.A. x	\$.20
- Demolition Permit.	\$ 25.00
- Plumbing Permit	\$ 10.00 per fixture
As shown on Building Form D	
Min. for new construction.	\$100.00
Min. for additions/repairs	\$ 50.00
- Alterations/Renovations Permit.	\$ 75.00
including an outdoor wood burning furnace	
- Conditional Permit.	\$ 50.00
- HVAC Permit	\$ 50.00
- Change of Use Permit.	\$ 50.00
- Revision or Renewal of permit	\$ 50.00
- Porch/Carport	\$ 50.00
.....	
- <i>Permit to Install an Interior Wood Burning Appliance/Chimney No Fee</i> (Inspection and Certification arranged by Property owner and submitted to CBO)	
- McNab/Braeside Municipal Buildings	No Fee
- Other Buildings, farm buildings, storage buildings, greenhouses, fabric covered buildings	\$.15/sq. ft.

SCHEDULE "B"
This is Schedule "B" to By-law No. 2013-63
respecting

List of Plans or Working Drawing to accompany applications for permits

- 1) The Site Plan
- 2) Floor Plans
- 3) Foundation Plans
- 4) Framing Plans
- 5) Roof Framing Plans
- 6) Sections and Details
- 7) Building Elevations
- 8) Heating, Ventilation and Air Conditioning Drawings
- 9) Plumbing drawings

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. 2013-00 respecting Forms

- | | |
|--------|--|
| Form 1 | Application for Building Permit including Conditional Permit, Demolition Permit, Change of Use Permit, Plumbing Permit |
| Form 2 | Site Plan |
| Form 3 | Building Permit (various classes if necessary) Conditional Permit, Demolition Permit, Change of Use Permit |
| Form 4 | Inspection Report |
| Form 5 | Orders (various types) |

SCHEDULE "D"

This is Schedule "D" to By-Law No. 2013-63
respecting

APPLICATION TO TRANSFER A BUILDING PERMIT

Building Permit No. _____

Original Applicant _____

Address _____

Permit Transferred To: _____

Address _____

Phone: Home _____

Work _____

I, the undersigned, understand that the transference of a Permit shall not be deemed as a waiver of any of the provisions of any by-laws or requirements of the Building Code Act, or Regulations made thereunder, notwithstanding anything included in or omitted from the plans or other material filed in support of or in connection with the Building Permit.

I acknowledge that in the event the permit is transferred, any changes from plans or specifications filed for the Building Permit, is prohibited, unless authorized by the Chief Building Official, and such could result in an Order to Comply, and/or a charge being preferred and a summons issued by the Provincial Court

I acknowledge that in the event that the Chief Building Official or the Township of McNab/Braeside seeks to enforce the provisions of the Building Code Act, its Regulations, or this by-law, with respect to the work to be done pursuant to the permit, I shall be responsible for compliance.

Date _____

Signature _____

Authorized: _____

Date _____

C.B.O. _____