

The Corporation of the City of Burlington
City of Burlington By-law 66-2019

Being a By-Law under the *Act* respecting *construction, demolition,*
change of use, occupancy, transfer of *permits* and inspections. File: 565-01, PB-21-19

Whereas pursuant to the *Act*, S.O. 1992 c.23 as amended, the Lieutenant Governor in Council has established a *Building Code* which is in force throughout Ontario; and

Whereas section 7 of the *Act*, S.O. 1992 c.23 as amended, empowers Council to pass by-laws respecting *construction, demolition,* change of use, transfer of *permits,* inspections, and the setting and refunding of fees;

Now therefore the Council of the Corporation of the City of Burlington enacts as follows:

SHORT TITLE

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

Part 1
DEFINITIONS

1.1 In this By-law;

"*Act*" means the *Building Code Act*, S.O. 1992, c.23 as amended.

"*Applicant*" means the *owner* of a building or property who applies for a *permit* or any person authorized by the *owner* to apply for a *permit* on the *owner's* behalf including but not limited to the *Architect, Professional Engineer, Contractor* and/or builder.

"*Architect*" means the holder of a license, certificate of practice or a temporary license issued under the *Architects Act* as defined in the *Building Code*.

"*Building Code*" or "*OBC*" means any regulation made under section 34 of the *Act*.

"*Chief Building Official*" means a *Chief Building Official* appointed by a By-law by the Corporation of the City of Burlington for the purposes of enforcement and administration of the *Act*.

"*City*" means the City of Burlington.

"*Construct*" or "*construction*" means *construct* as defined in subsection 1(1) of the *Act*.

"*Corporation*" means the Corporation of the City of Burlington.

"*Demolish*" or "*demolition*" means *demolish* as defined in subsection 1(1) of the *Act*.

"*Director*" means the Director of the Building & By-Law Department.

“*Fast Track Service*” means, when authorized by the *Chief Building Official*, an expedited plan examination service conducted outside the normal review process with no guarantee of earlier *permit* issuance.

“*Inspector*” means an *inspector* appointed by a by-law by the Corporation of the City of Burlington for the purposes of enforcement of the *Act*.

“*Limiting Distance Agreement*” is an agreement between abutting land owners and the municipality which allows the limiting distance to be measured to a point beyond the property line of a property as detailed in Div. B, sentences 3.2.3.1.(11) and 9.10.14.2.(4) of the *OBC*.

“*Occupancy Permit*” means a permit authorizing occupation of a building or part of a building prior to its completion as set out in Div. C, Subsection 1.3.3. of the *OBC*.

“*Owner*” means the registered *owner* of a property and includes a lessee, a mortgagee in possession, and any person who proves to the satisfaction of the *Chief Building Official* that they are the authorized agent of the *owner* of a property.

“*Permit*” means permission or authorization given in writing from the *Chief Building Official* to perform *work*, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the *Act* and *OBC*.

“*Permit Holder*” means the *owner* to whom a *permit* has been issued or where a *permit* has been transferred, the new *owner* to whom the *permit* has been transferred.

“*Professional Engineer*” means a person who holds a licence or temporary licence under the *Professional Engineers Act*, as defined in the *OBC*.

“*Registered Code Agency*” means a *registered code agency*, as defined in subsection 1(1) of the *Act*.

“*Sewage System*” means a *sewage system*, as defined in the *OBC*.

“*Work*” means *construction* or *demolition* of a building or part thereof, as the case may be.

“*Zoning Certificate*” means a Zoning Clearance Certificate issued by the Zoning Section of the Department of Community Planning.

1.2. Words or terms not defined in this By-law shall have the meaning ascribed to them in the *Act* and/or the *OBC*.

Part 2 CLASSES OF *PERMITS*

2.1. Set out – Schedule A

Classes of *permits* required for *construction*, *demolition* or change of use are set forth in Schedule “A” attached to this By-law.

Part 3
PERMITS

3.1. File application – on forms – prescribed

To obtain a *permit*, an *applicant* shall file an application electronically or in writing, on forms prescribed by the Province of Ontario and available from the *Chief Building Official* or from the Ministry of Municipal Affairs and Housing website, www.mah.gov.on.ca, and supply any other information relating to the application, as required by the *Chief Building Official*.

3.2. Information submitted – *Chief Building Official*

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

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

(a) use the provincial application form, “Application for a *Permit to Construct* or *Demolish*”;

(b) include complete plans and specifications, documents and other information as required by Div. C, 1.3.1.3.(5) of the *Building Code* and as described in this By-law for the *work* to be covered by the *permit*;

(c) provide a completed Commitment to General Review by *Architects* and/or *Professional Engineers* form where a building is required to be designed by an *Architect* or a *Professional Engineer* [Div. C, subsection 1.2.1. of the *OBC*]; and

(d) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4 of this By-law, and Schedule “C” attached to this By-law.

(2) Where application is made for a *demolition permit* under subsection 8(1) of the *Act*, the *applicant* shall:

(a) use the provincial application form, “Application for a *Permit to Construct* or *Demolish*”;

(b) Where the *demolition* of a building is required to be reviewed by a *Professional Engineer* [Div. C, 1.2.2.3 of the *OBC*], include applicable plans and specifications, documents and other information as required by Div. C, 1.3.1.1.(3) and Div. C, 1.3.1.3.(5) of the *OBC* and as described in this By-law for the *demolition* to be covered by the *permit*;

(c) include a completed “Demolition Pre-*Permit* Clearance Form” available in the Building Section of the Building & By-Law Department; and

(d) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4 of this By-law, and Schedule “C” attached to this By-law.

- (3) Where application is made for a conditional *permit* under subsection 8(3) of the *Act*, the application shall:
- (a) use the provincial application form, “Application for a *Permit* to Construct or Demolish”;
 - (b) include complete plans and specifications, documents and other information as required by Div. C, 1.3.1.3.(5) of the *OBC* and as described in this By-law for the *work* to be covered by the *permit*;
 - (c) state the reasons why the *applicant* believes that unreasonable delays in *construction* would occur if a conditional *permit* is not granted;
 - (d) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
 - (e) state the time in which plans and specifications of the complete building will be filed with the *Chief Building Official*;
 - (f) be subject to the *applicant* entering into an agreement as provided for in subsection 8(3) of the *Act*; and
 - (g) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4 of this By-law, and Schedule “C” attached to this By-law.
- (4) Where application is made for a sewage *permit* issued under subsection 8(1) of the *Act*, the application shall:
- (a) use the provincial application form, “Application for a *Permit* to Construct or Demolish”;
 - (b) include complete plans and specifications, documents and other information as required under Div. C, 1.3.1.3.(5) of the *OBC* and as described in this By-law for the *work* to be covered by the *permit*;
 - (c) include a site evaluation which shall include all of the following items, unless otherwise specified by the *Chief Building Official*:
 - (i) the date the evaluation was done;
 - (ii) the name, address, telephone number and signature of the person who prepared the evaluation; and
 - (iii) a scaled site plan showing:
 - the legal description, lot size, property dimensions, existing right-of-way, easements or municipal/utility corridors;
 - the location and applicable clearances of items listed in Column 1 of Div. B, Tables 8.2.1.5., 8.2.1.6.A., 8.2.1.6.B. and 8.2.1.6.C. of the *OBC*;;
 - the location of the proposed *sewage system*;

- the location of any unsuitable, disturbed or compacted areas;
 - proposed access routes for system maintenance;
 - depth to bedrock;
 - depth to zones of soil saturation;
 - soil properties, including soil permeability; and
 - soil conditions, including the potential for flooding; and
- (d) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4 of this By-law, and Schedule “C” attached to this By-law.
- (5) Where application is made for a change of use *permit* issued under subsection 10(1) of the *Act*, the application shall:
- (a) use the provincial application form, “Application for a *Permit* to Construct or Demolish”;
- (b) describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;
- (c) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
- (d) include complete plans and specifications showing the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the *OBC*, including: floor plans; details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, and details of the existing *sewage system*, if any;
- (e) state the name, address and telephone number of the *owner*;
- (f) be signed by the *owner* or their authorized agent who shall certify the truth of the contents of the application; and
- (g) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4 of this By-law, and Schedule “C” attached to this By-law.
- (6) Where application is made for a transfer of *permit* because of a change of ownership of the land, as permitted under clause 7.(1)(h) of the *Act*, the application shall:
- (a) use the prescribed form available in the Building Section of the Building & By-Law Department;
- (b) provide the names and addresses of the previous and new land *owner*;
- (c) provide the date that the land ownership change took place;
- (d) describe the *permit* that is being transferred; and

(e) provide all applicable documentation as set out in Part 4 of this By-law, Subsection 4.1. to 4.4. of this By-law, and Schedule “C” attached to this By-law.

3.2.2. *Zoning Certificate*

(1) Except as set out in 3.2.2(4), a current *zoning certificate* shall be submitted with every application for building *permit*. An application for a *zoning certificate* shall include the following:

(a) Identify and describe in detail the *work*, use and occupancy to be covered for which the proposal is made;

(b) Identify in detail the existing use (where applicable) and proposed use for which the premises are intended; and

(c) Be accompanied by sufficient plans and specifications to the satisfaction of the Zoning Section of the Department of Community Planning, including a site plan referenced to a current survey and complete architectural drawings and details to determine whether the proposal complies with the current Zoning By-law.

(2) Be accompanied by the fee as set out in the Development Applications Fee Schedule as amended.

(3) Be accompanied by documents and information relating to applicable law as set out in Section 8.(2) of the *Act* and Div. A, Article 1.4.1.3. of the *OBC*.

(4) The *zoning certificate* described in 3.2.2(1) is not required where it meets the exemptions set out in the “Zoning Clearance Exemption Form” available in the Zoning Section of the Department of Community Planning.

(5) *Expiration of Zoning Certificates*

A *zoning certificate* will be considered, by the *Director*, to have expired where no building *permit* application relating to the issued *zoning certificate* has been received by the *Chief Building Official* within one year from issuance of the *zoning certificate*.

3.3. Incomplete Applications

3.3.1. An application is deemed to be incomplete [Div. C, 1.3.1.3.(6)(a) *OBC*] if the application:

(1) Does not contain the plans and specifications prescribed by this By-law,

(2) Does not contain the information and documents prescribed by this By-law which enable the *Chief Building Official* to determine whether the proposed building, *construction* or *demolition* will contravene any Applicable Law as defined in the *OBC*; or

(3) The proposed building, *construction* or *demolition* will contravene any Applicable Law.

3.3.2. The *Chief Building Official* will provide reasons for the decision in writing to the *applicant* in accordance with Div. C, 1.3.1.3.(6)(b) of the *OBC*.

3.4. Partial *permits* – requirements

3.4.1. The *Chief Building Official* may consider approval of a portion of the building or project prior to the issuance of a *permit* for the entire building or project where,

- (1) An application has been made and all applicable fees have been paid for the entire project; and
- (2) Complete plans and specifications covering the portion of the *work* for which immediate approval is desired have been filed with the *Chief Building Official*.

3.4.2. Where a partial *permit* is requested the full building or project application is deemed to be incomplete.

3.5. Partial *permits* – limitations

Where a *permit* is issued for part of a building or project, this shall not be construed to authorize *construction* beyond the area or stage of work for which approval was given, nor that approval will necessarily be granted for the entire building or project.

3.6. Inactive *permit* application

Where an application for a *permit* remains incomplete or inactive for six months after it is made, the application may be deemed by the *Chief Building Official* to have been abandoned and notice thereof shall be given to the *applicant*. If an application is deemed to be abandoned, a new application must be filed for the proposed *work*.

3.7. Alternative Solutions

Where a proposed material, system or building design differs from the “acceptable solution” in Division B of the *OBC*, then it is treated as an “alternative solution”. The following information shall be provided to the *Chief Building Official* in support of the alternative solution:

- (1) A description of the proposed material, system or building design for which an alternative solution is requested.
- (2) Documentation that the alternative solution will achieve the level of performance required by the applicable acceptable solutions in Division B of the *OBC* in respect to the objectives and the functional statements attributed to the applicable acceptable solutions in MMA Supplementary Standard SA-1, as stipulated in Div. A, 1.2.1.1(1)(b).
- (3) Documentation described in Div. C, article 2.1.1.1. and such other information or documentation as may be required by the *Chief Building Official*.
- (4) Each application for consideration of an alternative solution shall be accompanied by a non-refundable fee as stipulated in Schedule “A” attached to this By-law.

3.8. *Occupancy Permits*

3.8.1. Buildings described in Div. C, sentence 1.3.3.1. (1) of the *OBC*

An *occupancy permit* for buildings described in Div. C, sentence 1.3.3.1.(1) of the *OBC*, other than dwelling units, including additions and renovations to those buildings, shall be issued where the *Chief Building Official* has determined that the requirements for occupancy in Div. C, sentence 1.3.3.1.(2) of the *OBC* have been met and has authorized the occupancy of the building or part thereof.

3.8.2. New residential buildings described in Div. C, article 1.3.3.4. of the *OBC*

An *occupancy permit* for new residential buildings described in Div. C, article 1.3.3.4. of the *OBC*, [including detached, semi detached and most townhomes], shall be issued where the *Chief Building Official* has determined that the requirements for occupancy in Div. C, sentence 1.3.3.4.(3) of the *OBC* have been met and has authorized the occupancy of the building or part thereof.

3.8.3. Buildings described in Div. C, article 1.3.3.5. of the *OBC*

An *occupancy permit* for buildings described in Div. C, article 1.3.3.5. of the *OBC* shall be issued where the *Chief Building Official* has determined that the requirements for occupancy in Div. C, sentence 1.3.3.5.(3) of the *OBC* have been met and has authorized the occupancy of the building or part thereof.

3.8.4. Non-refundable fee

Each application for an *occupancy permit* shall be accompanied by a non-refundable fee as stipulated in Schedule “A” attached to this By-law.

Part 4

PLANS AND SPECIFICATIONS

4.1. Information sufficient to determine conformity

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*, change of use or transfer of *permit* will conform with the *Act*, the *OBC* and any other Applicable Law.

4.2. Two complete sets required unless specified

Each application shall, unless otherwise specified by the *Chief Building Official*, be accompanied by two complete sets of the plans, documents and specifications as described in this By-law and Schedule “C” attached to this By-law.

4.3. Plans drawn to scale on durable material – legible

Plans shall be drawn to legible scale on paper, (maximum size of A1 or 594mm x 841mm or 24” x 36”, an ISO standard, for drawings submitted for building *permits*), electronic media approved by the *Corporation* or other durable material and shall be legible to scale.

4.4. Site plans referenced to plan of survey – certified
Site plans shall be referenced to an up-to-date survey and, when required to demonstrate compliance with the *Act*, the *OBC* or other Applicable Law, a copy of the survey shall be submitted to the *Chief Building Official*. Site plans shall clearly indicate:

- (1) rights-of-way, easements and municipal services;
- (2) lot size and the dimensions of property lines and setbacks to any existing or proposed buildings; and
- (3) existing and proposed finished ground levels or grades.

4.5. Surveyor’s certificate – location of foundation

A surveyor’s certificate, prepared by a registered Ontario Land Surveyor, shall be submitted and approved prior to commencement of the framing or the above grade portion, and shall show the location of the foundation or foundations on the lot for any new dwelling, or addition to a dwelling: including: detached, semi-detached, duplex, triplex, four-plex, and row house. Elevations shall be given for the top of foundation(s).

4.6. As constructed plans

On completion of the *construction* of a building, the *Chief Building Official* may require a set of as constructed plans, including a plan of survey showing the location of the building.

4.7. Plans – property of *Corporation*

Plans and specifications furnished according to this By-law or otherwise required by the *OBC* and the *Act* become the property of the *Corporation* and will be dealt with accordingly.

Part 5 REGISTERED CODE AGENCIES

5.1. *Registered Code Agency* – hired by *Chief Building Official*

The *Chief Building Official* is authorized to enter into and sign contracts for service agreements with *Registered Code Agencies* and appoint them to perform specified functions from time to time in order to maintain the time periods for *permits* prescribed in subsection Div. C, 1.3.1.3. of the *OBC*.

5.2. Duties of *Registered Code Agency*

The *registered code agency* may be appointed to perform one or more of the specified functions described in section 15.15 of the *Act*.

Part 6 FEES AND REFUNDS

6.1. Fees – Schedule “A”

6.1.1. The *Chief Building Official* shall determine the required fees for the *work* proposed

calculated in accordance with Schedule “A” attached to this By-law and the *applicant* shall pay such fees.

6.1.2. If a fee cannot be calculated in accordance with Schedule “A” attached to this By-law, or where no new floor area is created, or where materials, systems or equipment regulated by the *OBC* render it impractical to determine the *permit* fee on the basis of the classifications noted in this Schedule, the *permit* fee payable shall be 1% of the projects *construction* value or as determined by the *Chief Building Official*.

6.1.3. The *Chief Building Official* shall calculate the fee and the *applicant* shall pay such fee upon application except that where the *permit* fee is in excess of \$50,000 an *applicant* may elect to pay 50% of the full *permit* fee at the time of building *permit* application and the balance at time of *permit* issuance.

6.1.4. No *permit* shall be issued until all fees have been paid in full.

6.2. Revisions to *permits* – fee

Where the *applicant* for a building *permit* or other *permit* makes material changes to plans, specifications or calculations after submission to the Building Section for approval, the *Chief Building Official* may increase the required *permit* fee or fees by applying the rates in Schedule “A” attached to this By-law to these changes and require payment of such increased fee or fees before the applications for *permit*, *permits* or approvals are issued.

6.3. *Work* prior to *permit* issuance at any stage of *construction* – fee

Any person and/or Corporation who commences *construction*, *demolition* or changes the use of a building before a building *permit* has been issued by the *Chief Building Official*, shall in addition to any other penalty under the *Act*, *OBC*, or this By-law, pay an additional fee as detailed in Schedule “A” attached to this By-law in order to compensate the *Corporation* for the cost of the additional administrative and regulatory actions incurred by such early start of *work* without a *permit*. Where a project receives phased *permits*, the additional fee shall be based on the overall *permit* fee.

6.4. Additional fee and penalty

Payment of the additional fee in section 6.3 shall not relieve any person and/or other corporate entity from complying with the *OBC* and other Applicable Law or from any penalty prescribed by the *Act* for commencing *construction* prior to obtaining a building *permit*.

6.5. *Fast Track Service*– fee

Where the *applicant* for a building *permit* requests a *Fast Track Service*, additional fees as detailed in Schedule “A” attached to this By-law shall apply.

6.6. Conditional *permit* – fee

Where the *applicant* for a building *permit* requests and is granted a conditional *permit*, additional fees as detailed in Schedule “A” attached to this By-law shall apply.

6.7. Limiting distance – fee

Where the *applicant* for a building *permit* enters into a *limiting distance agreement*, additional fees as detailed in Schedule “A” attached to this By-law shall apply.

6.8. Administrative fees

Fees collected under this Section are not refundable unless specifically stated in this By-law.

6.9. Refunds

6.9.1. Where there is a written request for a refund of *permit* fees paid, the *Chief Building Official* shall determine the amount of the fees to be refunded in accordance with Schedule “B” attached to this By-law.

6.9.2. There shall be no refund of *permit* fees where a *permit* has been revoked under paragraphs 8(10)(a) or (f) of the *Act*.

6.10. Minimum permit fee – not refundable

Notwithstanding 6.9, no refund will be made which shall result in the retention by the City of a sum less than the minimum permit fee payable

6.11. Changing *Permit* Fees

6.11.1. Compliance with Div. C, 1.9.1.2. of the *OBC*

Prior to passing a By-law to change any fees listed under Schedule “A” attached to this By-law, the *City* shall comply with the requirements set under Div. C, 1.9.1.2. of the *OBC*.

6.11.2. Indexing of permit fees

Upon passing of a By-law as set out in 6.11.1 above, the fee rates within Schedule “A” attached to this By-law are to be indexed to the overall % increase for the total Human Resource expenditures as approved in the annual budget in relation to the Building Section and are to be adjusted annually on February 1. Flat fee rates shall be rounded to the nearest dollar amount (increments of half dollar shall be rounded up). All other fees shall be rounded to the nearest cent.

Part 7

TRANSFER OF *PERMITS*

7.1. Application – completed by new *owner*

Where the ownership of the land is transferred after a *permit* is issued, the ownership of that *permit* may be transferred if the new land *owner* completes the *permit* application form in accordance with the requirements of Part 3 of this By-law.

7.2. Fee – Schedule “A”

A fee shall be payable on an application for a transfer of *permit* as provided in Schedule “A” attached to this By-law.

7.3. *New owner – permit holder – upon transfer*

The *new owner* shall, upon a transfer of a *permit*, be the *permit holder* for the purpose of the *Act* and the *OBC*.

Part 8

REVOCATION OF *PERMITS*

8.1. *Notice of revocation*

Prior to revoking a *permit* under sub-section 8(10) of the *Act*, the *Chief Building Official* may serve a notice by personal service, electronic service or registered mail at the last known address to the *permit holder*.

8.2. *Deferral of revocation*

A *permit holder* may, within ten (10) business days from the date of service of a notice under this Part, request in writing that the *Chief Building Official* defer the revocation by stating reasons why the *permit* should not be revoked. The *Chief Building Official* having regard to any changes to the *Act*, *OBC* or other Applicable Law may allow the deferral, in writing.

8.3. *Fee for deferral*

A request for deferral shall be accompanied by the non-refundable fee therefore set out in Schedule “A” attached to this By-law.

Part 9

LIMITING DISTANCE AGREEMENT

9.1. *Entering into an agreement*

An *applicant* may enter into a *limiting distance agreement* with the *City* as provided for in Div. B, 3.2.3.1.(11) or in Div. B, 9.10.14.2.(4) of the *OBC*.

Part 10

NOTICE REQUIREMENTS FOR INSPECTION

10.1. *Notice prior to each stage – Chief Building Official*

10.1.1. The *permit holder* shall notify the *Chief Building Official* of each stage of *construction* for which a mandatory notice is required under Div. C, 1.3.5.1. of the *OBC*. The *permit holder* shall provide the notice of completion as prescribed by Section 11 of the *Act*, or where occupancy is required prior to completion, notice of inspection to ensure that the requirements of Section 11 of the *Act* and Div. C, 1.3.3.1, 1.3.3.2, 1.3.3.3.,1.3.3.4 and 1.3.3.5. of the *OBC* are complied with.

10.1.2. In addition, the *permit holder* shall notify the *Chief Building Official* of the stages of *construction* as required under Div. C, sentence 1.3.5.2.(1) of the *OBC* (excluding clause (i)).

10.2. Effective when received – *Chief Building Official*

A notice pursuant to this part of the By-law is not effective until received by the *Chief Building Official*.

10.3. Time periods – inspections

Upon receipt of proper notice, the *inspector* shall undertake a site inspection of the building to which the notice relates in accordance with the time periods stated in Div. C 1.3.5.3. of the *OBC* and Section 11 of the *Act*.

Part 11
MODIFIED REQUIREMENTS

11.1. Discretion of *Chief Building Official*

The *Chief Building Official* may waive the requirements of Part 4 of this By-law or Schedule “C” attached to this By-law with respect to any particular applications. Where the *Chief Building Official* exercises his/her discretion as set out in this section, the requirements of this By-law are deemed to be modified accordingly.

11.2. Fences at *Construction* and *Demolition* Sites

11.2.1. In addition to the requirements pertaining to Public Way Protection as set out in the regulations for *Construction* Projects made pursuant to the Occupational Health and Safety Act, the *permit holder* shall comply, and shall not cause or permit any builder or constructor under the *permit* to fail to comply with the provisions of this section.

11.2.2. Where, in the opinion of the *Chief Building Official*, a *construction* or *demolition* site presents a particular hazard to the public, the *Chief Building Official* may require the *owner* to erect such fences as the *Chief Building Official* deems appropriate to the circumstances.

11.2.3. In considering the hazard presented by the *construction* or *demolition* site, the necessity for fences and the height and characteristics of such fences, the *Chief Building Official* and/or *Inspector* shall have regard for:

- (1) the proximity of the building site to other buildings;
- (2) the proximity of the *construction* or *demolition* to the lands accessible to the public;
- (3) the hazards presented by the *construction* or *demolition* activities and materials;
- (4) the feasibility and effectiveness of the site fences; and
- (5) the duration of the hazard.

11.2.4. Every fence required by this Section shall:

- (1) be erected so as to fully enclose all areas of the site which represent a hazard;
- (2) create a continuous barrier and be sufficient to deter unauthorized entry;

- (3) have a height of not less than 1.2m above grade at any point, unless the *Chief Building Official* or *Inspector* determines that a greater minimum height is necessary;
- (4) if of chain link *construction*, the chain link shall be securely fastened to at least 38mm diameter metal tube or pipe or the same thickness T-bar posts. Such metal posts shall not be more than 3m on centre and embedded into the ground, providing a secure and rigid support;
- (5) if of wood *construction*, the exterior face shall be at least 12.7mm thick exterior grade plywood, particle board or equivalent material constructed so as not to provide footholds for climbing. The fencing shall be supported by at least 38mm wide by 89mm thick posts spaced at not greater than 2.5m on centre and embedded into the ground, providing a secure and rigid support;
- (6) if constructed of plastic mesh, snow fencing or other similar materials, be securely fastened to T-bar posts at not greater than 2m on centre and embedded into the ground providing a secure and rigid support; and
- (7) be maintained in a vertical plane, and in good repair.

11.2.5. All fencing shall be maintained in a structurally secure manner and painted or otherwise treated to inhibit deterioration.

11.2.6. A fence may be provided with openings sufficient to accommodate *construction* vehicles, machines and any other equipment providing services to the site provided that these openings are closed off when no *construction* or *demolition* is being carried out on site including daily shut-downs.

11.3. Environmental Impacts

11.3.1. The *applicant* and/or contractor shall make every effort to minimize the amount of dust generated during *demolition*. A method of dust control can be, but is not limited to, wetting-down the *construction* debris during the actual *demolition*.

11.3.2. Consideration for neighbouring properties shall be given when *construction* processes generate dust. The Ministry of Environment and/or Ministry of Health will be contacted when complaints occur.

11.3.3. Where the *applicant* and/or contractor believes that hazardous materials exist in a building, the Halton Region Health Department and/or the Ministry of the Environment & the Ministry of Labour shall be contacted and an assessment shall be made prior to the start of *demolition*. Hazardous materials shall be safely removed as required by the respective authority(ies).

11.3.4. If required by the *Chief Building Official*, a report from a *Professional Engineer* with respect to the impacts of vibration from the proposed *construction* methods and the measures to be employed to mitigate such impacts may be submitted as part of an application for *construction* and/ or *demolition*.

11.3.5. If required by the *Chief Building Official*, a *demolition* control plan may be required for buildings where existing conditions, including proximity to adjacent property, justify such a requirement.

11.3.6. If required by the *Chief Building Official*, full or partial draping of a building under *construction*, particularly high-rise projects, may be required in order to mitigate potential impact of flying debris on neighbouring properties and pedestrians.

11.3.7. *Construction* noise to be limited to hours specified in Noise By-law 19-2003 as amended.

11.4. Code of Conduct

The *Chief Building Official* and *inspectors* shall be governed by the Code of Conduct set out in Schedule "D" attached to this By-law with respect to exercising powers and performing duties under the *Act*.

Part 12 REPEAL – ENACTMENT

12.1. Previous By-law

By-Law 13-2018 and all of its amendments are hereby repealed.

12.2. Short title

This By-law may be referred to as the Building Permit By-law.

12.3. Schedules

The Schedules attached to this By-law are a part of this By-law.

12.4. Effective date

This By-law comes into force on January 1, 2020.

Enacted and passed this 16th day of December 2019.

Mayor Marianne Meed Ward _____

City Clerk Angela Morgan _____

SCHEDULE "A"

CLASSES OF PERMITS AND PERMIT FEES

1. CALCULATION OF PERMIT FEES FOR CONSTRUCTION:⁽⁶⁾

Permit fees shall be calculated based on the formula given below, unless otherwise specified in this schedule:

$$\text{Permit Fee (rounded to the nearest dollar)} = \text{SI} \times \text{A}$$

Where: SI = Service Index for Classification of the work proposed and, A = floor area in m² of work involved.

2. MINIMUM PERMIT FEE

Notwithstanding the fees indicated below, a minimum fee of \$280.00 shall be charged for all work, unless otherwise indicated.

3. CLASSES OF PERMITS AND FEES

| A. CONSTRUCTION – NEW BUILDINGS, ADDITIONS, MEZZANINES | Service Index (SI) \$/SM Unless otherwise indicated |
|---|---|
| Group A (Assembly Occupancies) | |
| Recreational Facilities – arenas ⁽¹⁾ ,/gymnasiums/pools/theatres | 24.27 |
| Schools/libraries | “ |
| Places of Worship | “ |
| Restaurants | “ |
| Outdoor patio | 7.35 |
| Portable classroom (School) | 280.00 ⁽⁷⁾ |
| Interior alterations/renovations | 9.49 |
| Group B (Detention Occupancies) | |
| Institutional | 27.51 |
| Hospital/Nursing Home | “ |
| Interior alterations/renovations | 11.89 |

| A. CONSTRUCTION – NEW BUILDINGS, ADDITIONS, MEZZANINES | Service Index (SI) \$/SM Unless otherwise indicated |
|---|---|
| Group C (Residential Occupancies) | |
| Detached, semi, townhouse, additions (up to 300 SM – total area) | 17.15 |
| Detached, semi, townhouse, additions (over 300 SM – total area) | 22.12 |
| Attached/detached garage or deck, carport, covered deck/patio Excavating basement or crawl space Basement walkout/exterior stairs/accessory building (shed) | 280 ⁽⁷⁾ (for each item) |
| Apartment buildings, hotels, or stacked townhouses (1-3 storeys) | 15.79 |
| Apartment buildings or hotels (4-7 storeys) | 19.10 |
| Apartment buildings or hotels (more than 7 storeys) | 22.40 |
| Interior alterations/renovations | 6.10 |
| Group D (Business and Personal Services Occupancies) | |
| Office buildings: (up to 10 storeys) shell only (up to 10 storeys) finished (more than 10 storeys) shell only (more than 10 storeys) finished | 17.95 23.85 19.60 25.50 |
| Other business and personal services | 24.13 |
| Interior alterations/renovations | 9.49 |
| Group E (Mercantile Occupancies) | |
| Retail stores: Shell Finished | 16.70 23.85 |
| Interior alterations/renovations | 9.49 |
| Group F (Industrial Occupancies) | |
| Warehouse/Manufacturing: First 4650 SM Additional area over 4650 SM | 13.27 9.06 |
| Parking Garages: New Repairs | 7.02 2.91 |
| Interior alterations/renovations | 6.48 |
| Miscellaneous (other) | |
| Farm building/accessory building/greenhouse | 4.37 |

| A. CONSTRUCTION – NEW BUILDINGS, ADDITIONS, MEZZANINES | Service Index (SI) \$/SM Unless otherwise indicated |
|--|---|
| Additional Scopes of Work (All Occupancies) | |
| Mezzanines | |
| Open storage | 7.70 |
| Enclosed office mezzanine | See Group D |
| New/alterations to sprinkler system or standpipe & hose system (if applicable, added to the base <i>permit</i> fee) | 0.91 (530 minimum) |
| New/alterations to fire alarm (if applicable, added to the base <i>permit</i> fee) | 711.00 ⁽⁷⁾ |
| Electromagnetic locking device (if applicable, added to the base <i>permit</i> fee) | 280.00 ⁽⁷⁾ (131.00 for each Additional locking Device) |
| Dust collectors (if applicable, added to the base <i>permit</i> fee) | 550.00 ⁽⁷⁾ (for each item) |
| Commercial kitchen exhaust hood and/or fire suppression systems (if applicable, added to the base <i>permit</i> fee) | 550.00 ⁽⁷⁾ (for each item) |
| Spray booth (if applicable, added to the base <i>permit</i> fee) | 550.00 ⁽⁷⁾ (for each item) |
| Shelf and rack storage systems | 4.17 (530 minimum) |
| Rack storage systems | 1.99 (530 minimum) |
| Repairs or re-cladding of walls (wall area) or re-roofing (building area) | 0.92 |
| Shoring and/or building excavation | 4.17 |
| Residential <i>Occupancy Permit</i> for dwelling units [Div. C, 1.3.3.4.(4)] detached, semi detached & most townhomes, etc.] | 141.00/dwelling unit |
| <i>Occupancy Permit</i> for residential buildings [other than Div. C, 1.3.3.4.(4) detached, semi-detached or most townhomes,] & Care Facilities (B3) | 255.00 ⁽⁷⁾ (+28.00/suite for multiple unit buildings) |
| <i>Occupancy Permit</i> for new buildings, additions and renovations [other than residential buildings & Care Facilities (B3) listed above] | 280.00 ⁽⁷⁾ |

| B. STAND ALONE & MISCELLANEOUS WORK | Service Index (SI) \$/SM Unless otherwise indicated |
|--|---|
| Balcony/chimney repairs | 107.00/balcony/chimney |
| Moving/relocation of a building | 477.00 ₍₇₎ |
| Temporary tents and stages ⁽¹⁾⁽²⁾ (>60 SM) | 280.00 ₍₇₎ |
| Temporary tents and stages ⁽¹⁾⁽²⁾ (>225 SM) | 400.00 ₍₇₎ |
| <i>Demolition</i> (up to 600 SM) | 280.00 ₍₇₎ |
| <i>Demolition</i> (>600 SM) | 784.00 ₍₇₎ |
| All designated structures listed per Div. A. 1.3.1.1. | 477.00 ₍₇₎ |

| C. MECHANICAL | Service Index (SI) \$/SM Unless otherwise indicated |
|--|---|
| New/alterations to HVAC ₍₉₎ | 1.05 |
| Furnace replacement ₍₉₎ | 280.00 ₍₇₎ |
| Fireplace/wood stove (Solid Fuel Burning Appliance) ₍₉₎ | 280.00 ₍₇₎ |
| New air-conditioning unit/roof top unit ₍₉₎ | 280.00 ₍₇₎ |

| D. PLUMBING | Service Index (SI) \$/SM Unless otherwise indicated |
|--|--|
| Site Servicing/private water lines ₍₉₎ | 4.48/M |
| Backflow prevention devices and/or backwater valves ₍₉₎ | 321.00 ₍₇₎ (130.00 for each additional device) |

| E. ON-SITE SEWAGE SYSTEM | Service Index (SI) \$/SM Unless otherwise indicated |
|---|---|
| New septic system ₍₉₎ | 1143.00 ₍₇₎ |
| Septic system assessment ₍₉₎ | 280.00 ₍₇₎ |
| Septic system repair ₍₉₎ | 523.00 ₍₇₎ |
| Sewer conversions ₍₉₎ | 280.00 ₍₇₎ |

| F. SIGNS | Service Index (SI) Flat rate Unless otherwise indicated |
|-------------------------------|---|
| Fascia and Pylon/Ground Signs | |
| Up to 2.5 sq. m. | 280.00 ⁽⁷⁾ |
| 2.5 sq. m. to 8.0 sq. m. | 388.00 ⁽⁷⁾ |
| over 8 sq. m. | 775.00 ⁽⁷⁾ |
| Billboard | 775.00 ⁽⁷⁾ |

| G. OTHER FEES | Service Index (SI) \$/SM Unless otherwise indicated |
|---|---|
| H.O.M.E.S Program (Halton Original Model Express Service) | 1160.00/model |
| Model home certification | 1160.00/model |
| <i>Fast Track Service</i> ⁽³⁾ In addition to the regular <i>permit</i> fee payable for the entire project. A required premium fee equal to the greater of 50% of the regular <i>permit</i> fee or the min/max of: Commercial projects New detached & semi detached residential dwellings Residential – Other than new detached and semi detached residential dwellings | min. 750 – max. 20000 min. 541 – max. 10000 min. 250 – max. 10000 |

| | |
|---|--|
| Alternative solution application/equivalency application | 1519.00 plus any additional fees incurred in the evaluation process such as third party testing/independent consulting review |
| Additional Plan Review (Resubmission) Where a non-compliant resubmission is submitted above and beyond the first resubmission. (ie. Second resubmission/review) | 155.00/hr of review |
| Revision to issued <i>permit</i> Where an <i>applicant</i> makes a material change to a plan, specification, document, or other information, following the issuance of a building permit. (includes first hour of review time) | 477.00 ⁽⁵⁾ 155.00/hr of review |
| Fire Watch/Fire Plan Review and approval of Fire Watch/Fire Plans during construction | 500.00 |
| Change of use <i>permit</i> (Flat rate includes 4 hours of review time) | 687.00 ⁽⁵⁾ 155.00/hr of review |
| Conditional <i>permit</i> | 20% of full <i>permit</i> fee |

| G. OTHER FEES (continued) | Service Index (SI) \$/SM Unless otherwise indicated |
|--|--|
| Model Changes: Before <i>permit</i> is issued ⁽⁵⁾ After <i>permit</i> is issued ⁽⁵⁾ | 280.00 ⁽⁵⁾ 550.00 ⁽⁵⁾ |
| <i>Limiting Distance Agreement</i> | 687.00 ⁽⁷⁾ |
| Transfer of <i>permit</i> – new ownership | 280.00 ⁽⁷⁾ |
| Deferral of revocation of <i>permit/permit</i> extension | 280.00 ⁽⁷⁾ |
| <i>Work prior to permit</i> issuance at any stage of <i>construction</i> ⁽⁴⁾ <i>Permit</i> Value 5000 or less <i>Permit</i> Value greater than 5000 | 100% of full <i>permit</i> fee ⁽⁸⁾ 5000 plus an additional fee equal to 10% of the permit fee in excess of 5000 ⁽⁸⁾ |
| Re-inspection fee: Where an inspection is premature or requires re-inspection due to an infraction identified at a previous inspection which was not remedied, and requires the <i>inspector</i> to re-visit the site to complete the necessary inspection, upon notice to the <i>owner</i> an additional fee will be required, payable prior to re-inspection. | 280.00/inspection |
| Order to Comply is issued pursuant to section 12 or section 13 of the <i>Act</i> , to offset additional investigative and administrative costs. | 300.00 ⁽⁸⁾ |
| Stop Work Order is issued pursuant to section 14 of the <i>Act</i> , to offset additional investigative and administrative costs. | 600.00 ⁽⁸⁾ |
| Unsafe Order is issued pursuant to section 15.9 of the <i>Act</i> , to offset additional investigative, inspection, administration and rectification of unsafe buildings. | 300.00 ⁽⁸⁾ |
| Registration of Order on Title | Actual Legal Cost ⁽⁸⁾ |
| Discharge of Order on Title | Actual Legal Cost ⁽⁸⁾ |

4. MISCELLANEOUS CHARGES

For classes of *permits* not described or included in this schedule, a reasonable *permit* fee shall be determined by the *Chief Building Official*⁽⁶⁾.

5.a) INTERPRETATIONS

The following explanatory notes are to be observed in the calculation of *permit* fees:

- Floor area of the proposed *work* is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls (excluding residential garages).
- In the case of interior alterations or renovations, area of proposed *work* is the actual space receiving the *work* (i.e. tenant space).
- Mechanical penthouses and floors, mezzanines, lofts, habitable attics, and interior balconies are to be included in all floor area calculations.
- Except for interconnected floor spaces, no deductions are made for openings within the floor area (i.e. stairs, elevators, escalators, shafts, ducts, etc.).
- Unfinished basements for single detached dwellings (including semis, duplexes, and townhouses, etc.) are not included in the floor area.
- Attached garages and fireplaces are included in the *permit* fee for single detached dwellings and attached dwellings.
- Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable.
- Ceilings are included in both new shell and finished (partitioned) buildings. The Service Index for ceiling applies only when alterations occur in existing buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.
- Where *demolition* of partitions or alteration to existing ceilings is a part of an alteration or renovations *permit*, no additional charge is applicable.
- Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major classification for the floor area on which they are located.
- The occupancy categories in the Schedule correspond with the major occupancy classifications in the *OBC*. For mixed occupancy floor areas, the Service Index for each of the applicable occupancy categories may be used, except where an occupancy category is less than 10% of the floor area.

b) REFERENCES

- (1) Includes air supported structures and structures with removable roofs.
- (2) As defined in Zoning By-law and does not include facilities described in (1) above or Group "A" structures as defined in *OBC* and/or requiring the professional services of an *Architect* and/or *Professional Engineer*.
- (3) As defined in 1.1.10 of the Building Permit By-law.

- (4) As outlined in 6.3 of the Building Permit By-law.
- (5) In addition to Flat Rate fee, *permit* fee will be adjusted should there be an increase in floor area.
- (6) Fee could be determined as per *Chief Building Official* as per 6.1 of the Building Permit By-Law.
- (7) Fees are flat fees.
- (8) Payment of these fees does not relieve any person and/or corporation from complying with the *Act*, the *Building Code*, or any Applicable Law.
- (9) Stand alone work only.

SCHEDULE "B"

REFUND OF *PERMIT* FEES

1. Unless required by sentence 2, the *permit* fees that may be refunded under subsection 6.9 of this By-law will be a percentage of the *permit* fees payable.

| Work Performed | Refund |
|--|---|
| (a) Administration where no plans examination has commenced | 90% |
| (b) Administration and Plans examination only has commenced | 45% |
| (c) The <i>permit</i> has been issued and no field inspections have taken place | 35% |
| (d) The <i>permit</i> has been issued and field inspections have been performed subsequent to the <i>permit</i> issuance | 35% reduced by 5% for each field inspection performed |

2. Notwithstanding sentence 1 above, no refund is to be made which shall result in the retention by the City of a sum less than the minimum *permit* fee.

SCHEDULE "C"

SCHEDULE OF DRAWINGS, SPECIFICATIONS AND DOCUMENTS REQUIRED FOR *CONSTRUCTION, DEMOLITION, AND CHANGE OF USE PERMITS*

- 1.0 Two sets/copies of the following list of drawings, specifications and documents are required to be submitted in order for the various types of Building *Permit* Applications listed to be considered a complete application pursuant to Clause 7(1)(b) of the *Act*, 1992 as amended:
- (a) *Demolition* (Full or partial)
- (i) Proof of those arrangements have been made with the proper authorities for the cutting off and capping of all water, sewer, gas, electric and telephone or other utilities and services. [Pre-*demolition* Clearance Form]
 - (ii) Description of the structural design characteristics of the building and method of *demolition* prepared by a *Professional Engineer* where deemed necessary by the *Chief Building Official*, Div. C, 1.3.1.1..
 - (iii) Where a building is designated under the *Heritage Act*, approval must be obtained from Heritage Burlington LACAC.
 - (iv) Where a building is required to be reviewed by a *Professional Engineer* [Div. C, 1.2.2.3. of the *OBC*], provide a completed Commitment to General Review by *Architects* and *Professional Engineers* form.
- (b) On-Site *Sewage System*
- (i) Requirements (ii) and (iv) below shall be prepared by a Qualified Designer (as defined in the *OBC*), except for the replacement of a septic tank of equal size or larger.
 - (ii) Site Evaluation Report, including soil permeability, and soil conditions, including the potential for flooding.
 - (iii) Site plan (property survey) and/or and lot grading/drainage and servicing plan.
 - (iv) *Sewage system* design and drawings.
- (c) Residential Deck or Porch *Permit*
- (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Site plan (property survey)
 - (iv) Foundation plan
 - (v) Floor plan (framing)
 - (vi) Elevation(s)
 - (vii) Cross-section and detail of guards
- (d) Residential Accessory Buildings
- (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Site plan (property survey)
 - (iv) Foundation plan / eng. floor slab
 - (v) Floor plan (one per floor & include framing)

- (vi) Building elevations (min. 4)
 - (vii) Building section (min. 1)
- (e) Residential Addition or Renovation *Permit*
- (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Site plan (property survey)
 - (iv) Foundation plan
 - (v) Floor plan (one per floor & include framing)
 - (vi) Building elevations (min. 3)
 - (vii) Building section (min. 1)
 - (viii) Private *sewage system* evaluation where applicable
 - (ix) Heat loss / heat gain calculations and furnace make/model and duct design layout (where applicable)
- (f) New Residential Detached or Semi-Detached House
- (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Where applicable, a complete on-line *sewage system permit* application
 - (iv) Site plan (property survey)
 - (v) Floor plan (one per floor)
 - (vi) Floor and roof framing plans/truss specifications sealed by *Professional Engineer*
 - (vii) Building elevations (min. 4)
 - (viii) Building section (min. 1)
 - (ix) Mechanical ventilation form
 - (x) Heat loss / heat gain calculations and furnace make/model and duct design layout
 - (xi) Energy Efficiency Design Summary
- (g) New Residential Townhouse, Tri-plex or Four-plex
- (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Approved Site Plan (agreement and drawings)
 - (iv) Floor plan (one per floor)
 - (v) Floor and roof framing plans / truss specifications sealed by a *Professional Engineer*
 - (vi) Building elevations (min. 4)
 - (vii) Building section (min. 1)
 - (viii) Mechanical ventilation form
 - (ix) Heat loss / heat gain calculations and furnace make/model and duct design layout
 - (x) Energy Efficiency Design Summary

- (h) New Residential Apartment Building
 - (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Approved Site Plan (agreement and drawings)
 - (iv) Geotechnical Investigation Report (2 copies)
 - (v) Site plan (property survey)
 - (vi) Floor plan (one per floor)
 - (vii) Foundation plan and details (include de-watering & shoring where applicable)
 - (viii) Floor and roof structural plans
 - (ix) Building elevations
 - (x) Building sections
 - (xi) Window & door / hardware schedules
 - (xii) Room finish schedules
 - (xiii) Mechanical drawings (plumbing and HVAC)
 - (xiv) Electrical drawings (lighting, fire alarm system)
 - (xv) Sprinkler shop drawings if applicable
 - (xvi) Standpipe shop drawings if applicable
 - (xvii) Energy Efficiency Design Summary

- (i) New Non-Residential Building or Addition (Part 3 or 9 Building)
 - (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Approved Site Plan (agreement and drawings)
 - (iv) Geotechnical Investigation Report (2 copies)
 - (v) Site plan (property survey)
 - (vi) Floor plan (one per floor)
 - (vii) Foundation, framing and roof plans
 - (viii) Building elevations
 - (ix) Building section (min. 1)
 - (x) Window schedule
 - (xi) Door & hardware schedule
 - (xii) Wall sections and/or details
 - (xiii) Mechanical plans (plumbing & HVAC)
 - (xiv) Electrical plans (general lighting, emergency/exit lighting, and fire alarm system)
 - (xv) Automatic sprinkler and standpipe drawings where applicable
 - (xvi) Private *sewage system* evaluation where applicable
 - (xvii) Energy Efficiency Design Summary

- (j) Non-Residential Renovation (Part 3 or 9 Building)
 - (i) Site plan (property survey), and/or key plan
 - (ii) Floor plan(s)
 - (iii) Door, hardware and partition schedule
 - (iv) Building elevations if exterior *work* proposed
 - (v) Building section if exterior *work* proposed
 - (vi) Mechanical plans (plumbing & HVAC) where applicable
 - (vii) Electrical plans (lighting, fire alarm system) where applicable
 - (viii) Energy Efficiency Design Summary

- (k) Designated Structures

The following plans prepared and stamped by a registered *Architect* or *Professional Engineer*,

 - (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Site plan (property survey)
 - (iv) Floor plan and roof plan (where applicable)
 - (v) Elevations (where applicable)
 - (vi) Sections and details (where applicable)

- (l) Commercial Exhaust Hood (NFPA 96)
 - (i) Floor plan
 - (ii) Mechanical plan, details and section

- (m) Electro-Magnetic Locking Devices
 - (i) Floor plan
 - (ii) Electrical plan, details of inter-face with fire alarm system

- (n) Plumbing or Backflow Prevention Devices ONLY Plumbing
 - (i) Plumbing Layout – Floor Plan & Details

Backflow Prevention Devices

 - (i) Schematic drawing of backflow preventer in system including expansion tank, strainer & existing equipment (water meter)
 - (ii) Site plan or floor plan showing location of backflow preventer
 - (iii) Specification for the backflow preventer & other parts
 - (iv) Survey from Region of Halton or a letter stating the use of the water line being protected and hazard being designed for
 - (v) For existing ICI buildings where the backflow is for a sprinkler system provide complete sprinkler system hydraulic calculations (including backflow) & a riser drawing showing the location of the backflow preventer. All drawings & calcs must be stamped by a *Professional Engineer*.

- (o) Private Water & Sewer Systems *Permits* ONLY (Site Servicing)
 - (i) Approved Site Plan or Partial Site Plan Approval (agreement and drawings)
 - (ii) Regional Connection Permit (Region of Halton)
 - (iii) Property Survey (Architectural Site Plan)
 - (iv) Site Services plans (showing all sanitary, storm, domestic water and fire mains) sealed by a *Professional Engineer*
 - (v) Cross sections & profiles sealed by a *Professional Engineer*
 - (vi) Details and general notes sealed by a *Professional Engineer*

- 2.1 Unless otherwise specified by the *Chief Building Official* plans or working drawings showing and detailing the following information shall accompany all building *permit* applications. A building *permit* application is not complete until such plans are attached to it.

- 2.2 The site plan (property survey) drawing shall show:
 - (a) Survey property boundaries and dimension, all building lines, bearing of meters and bounds and compass orientation (legal description),
 - (b) The location, use, height and dimensions of any existing and proposed building(s) including, but not limited to front, side, and rear yard dimensions and relationships to adjoining property lines, condominium corporation lines and buildings, common element lines (where applicable),
 - (c) Relation of buildings and finished grade to existing elevations and storm water drainage control plan on site where applicable, and
 - (d) All existing and proposed parking layouts, retaining walls, swimming pools, accessory buildings and any other such physical additions necessary to the site.

- 2.3 The lot grading, drainage and servicing plan(s) shall show:
 - (a) The property lines, building location, sidewalks, driveways, curb cuts, swales, all utility services and new/existing service connections,
 - (b) Existing and proposed spot elevations for this project and adjacent properties, slopes of driveways, sidewalks and swales, direction of drainage flow, and
 - (c) Location of storm water catchment area, catch basins, below grade and above grade utilities and connections into services at property line.

- 2.4 The *architectural* drawings shall show:
 - (a) *OBC* matrix, foundation and grade details,
 - (b) Each floor plan with exact dimensions of the layout of all proposed areas and identify each with room names,
 - (c) All wall thickness and type of *construction*, window and door openings and schedules, elevator, sections and details of all walls, stairs and exits, fire walls, fire separations, shaft and duct openings and other related pertinent information,
 - (d) Building elevations, cross sections and wall sections showing all floor to floor heights, materials and thickness, etc., and
 - (e) Specifications where applicable.

- 2.5 The structural drawings shall show:
- (a) All foundation, floor, roof and wall structural elements indicating sizes, shapes and proper locations, and all dead and live design loads and conditions of loading,
 - (b) All reinforced concrete work indicating thickness and strength of concrete, size spacing minimum cover and type of reinforcing steel,
 - (c) All lintels, column and beam locations and their size and snowdrift loading,
 - (d) Where applicable de-watering report and shoring or pile driving,
 - (e) Flow Control Roof Drainage Declaration to be completed, and
 - (f) Specifications where applicable.
- 2.6 The mechanical and electrical drawings shall show:
- (a) Mechanical drawings are to show the plumbing, heating, ventilation and air conditioning including legends and schedules for compliance with the *OBC*. For Part 9 buildings, if room allows this information can be shown on the same plan as the architectural,
 - (b) Electrical drawings are to show lighting, emergency lighting, exit signs, fire alarm systems and their legends and schedules for compliance with the *OBC*. For Part 9 buildings, if room allows this information can be shown on the same plan as the architectural,
 - (c) Sprinkler and standpipe drawings are to include floor plans and riser diagrams to locate the entire system including connections, sprinkler heads, and
 - (d) Specifications where applicable.
- 2.7 The on-site *sewage system* report shall include the following:
- (a) The name, mailing address and telephone/fax numbers of the person who prepared the report and the system installer,
 - (b) The date the evaluation was complete,
 - (c) The provincial *sewage system* installer's registration number, date of issuance, and the name of the qualified person supervising the *work* to be done under the *permit*,
 - (d) A scaled map of the site showing;
 - (i) Legal description, lot size, property dimension, existing rights-of-way, easements or municipal/utility corridors,
 - (ii) The locations of items listed in Column 1 of Div.B, Tables 8.2.1.6.A, 8.2.1.6.B and 8.2.1.6.C of the *OBC*,
 - (iii) The location of the proposed *sewage system*,
 - (iv) The location of any unsuitable, disturbed or compacted areas, and
 - (v) The proposed access routes for system maintenance, and
 - (e) Soil investigation including;
 - (i) Depth to bedrock,
 - (ii) Depth to zones of soil saturation,
 - (iii) Soil properties and permeability,
 - (iv) Potential for flooding

- 2.8 The following supporting documentation shall accompany applications for a *permit* unless otherwise waived by the *Chief Building Official*:
- (a) Real property report (survey plan) prepared by an Ontario Land Surveyor,
 - (b) Driveway access permit approved by the authority having jurisdiction as may be applicable,
 - (c) Approval by the Ministry of the Environment for the design and *construction* of a private sewage disposal and water supply systems where applicable,
 - (d) Where applicable, approvals by agencies such as but not limited to the Ontario Ministry of Labour, Environment, Ontario Liquor Control Board, Ontario Fire Marshall's Office, Conservation Halton, and Niagara Escarpment Commission,
 - (e) Minister's Rulings from the Ministry of Municipal Affairs and Housing, with respect to products not addressed in the *OBC*, and
 - (f) Such other approvals as may be required to demonstrate compliance with Applicable Law.

SCHEDULE "D"

Code of Conduct for Building Officials and Inspectors

1.0 Introduction

The City of Burlington maintains this Code of Conduct in accordance with the provisions of the *Act*. This Code of Conduct applies to the *Chief Building Official* and *Inspectors* as appointed and reflects the City of Burlington Building Section's commitment to the highest standards of professionalism, technical competence, skill, honesty, and integrity.

2.1 Purpose

The purpose of this Code of Conduct is:

- To promote appropriate standards of behaviour and enforcement by the *Chief Building Official* and *Inspectors* in the exercise of a power or the performance of a duty under the *Act* or the *Building Code*;
- To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the *Chief Building Official* and *Inspectors* in the exercise of a power or the performance of a duty under the *Act* or the *Building Code*; and
- To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the *Act* or the *Building Code* by the *Chief Building Official* and *Inspectors*.

3.1 Standards of Conduct and Professionalism

In addition to The City of Burlington's Code of Conduct, the *Chief Building Official* and *Inspectors* for the City of Burlington undertake at all times to:

- Act in the public interest, particularly with regard to the safety of building works and structures;
- Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
- Maintain current accreditation to perform the functions assigned to them;
- Comply with the provisions of the *Act*, the *Building Code* and any other *Act* or *Law* that regulates or governs the *Chief Building Official* or *Inspectors* or their functions;
- Not act beyond their level of competence or outside their area of expertise in their capacity of performing their duties in accordance with the provisions of the *Act*;
- Apply all relevant building laws, regulations and standards impartially and independently and in accordance with the highest professional standards; and
- Extend professional courtesy during the performance of their duties.

4.0 Guideline for responding to misconduct allegations

The *Act* provides that the performance of the *Chief Building Official* and *Inspectors* will be measured against this Code of Conduct. In response to any allegation of a breach of this Code of Conduct, the *Chief Building Official*, in conjunction with the Human Resources Department, shall direct an investigation and where appropriate, recommend disciplinary action against any *Inspector* who fails to comply with this Code of Conduct. Where the allegation is against the *Chief Building Official*, the Executive Director of Community Planning, Regulation and Mobility and the Executive Director of Human Resources will direct the investigation and make such recommendations as are reasonable.

In determining the appropriate discipline, the *Chief Building Official*, the Executive Director of Community Planning, Regulation and Mobility and the Executive Director of Human Resources or designate will have regard to the relevance of the conduct to the official's powers and responsibilities as well as the severity of any misconduct.

Disciplinary action arising from violations of this Code of Conduct is the responsibility of the City of Burlington's administration and will be based on the severity and frequency of the violation in accordance with relevant employment agreements, employment laws/standards and privacy requirements.