

THE CORPORATION OF THE TOWN OF LAURENTIAN HILLS

By-Law NO. 20 - 05

BEING a By-Law to establish Municipal Building Procedures, Regulations and prescribe permit fees development charges and other fees as applicable to building, zoning and related matters.

WHEREAS the Municipal Act c. 25 S.O. 2001 as amended and the Building Code Act c. 23 S.O. 1992 as amended, require the Councils of municipalities to pass By-Laws and regulations respecting the construction and/or demolition of buildings and issuing of permits to govern the same.

NOW THEREFORE the Council of the Corporation of the Town of Laurentian Hills enacts as follows that:

1. DEFINITIONS in this By-Law:

- (a) Act means the Building Code Act, c.23 S.O. 1992 as amended from time to time
- (b) Building means
 - i a structure occupying an area greater then ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof, including all plumbing, works, fixtures and service systems appurtenant thereto,
 - ii a structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto,
 - iii plumbing not located in a structure, a sewage system; or,
 - iv structures designated in the building code.
- (c) Chief Building Official means the Chief Building Official appointed by the Council of the Corporation of the Town of Laurentian Hills for the purpose of the enforcement of the Act
- (d) Church means a place of worship as defined in the Assessment Act
- (e) Him/His means and shall be read and understood to be either male or female
- (f) Highway means any roadway as defined in the Highway Traffic Act
- (g) Town means the Corporation of the Town of Laurentian Hills

2. PERMITS

- 2.1 No person shall, or shall cause to, construct, alter, repair, move, situate or demolish in full or in part a building or structure in the Town unless a permit for such purpose has been issued by the Chief Building Official
- 2.2 Classes of permits with respect to the construction and demolition of buildings shall be as set out in Schedule 'A', attached hereto
- 2.3 To obtain a permit the owner or his authorized agent shall file an application in writing by completing the prescribed forms from the Town office
- 2.4 Except as otherwise permitted by the Chief Building Official, every application shall identify and describe in detail the work and occupancy to be covered by the permit, for which application is made; including:
 - (a) description of the land on which the work is to be done, that will readily identify and locate the building lot
 - (b) complete plans and specifications as requested

- (c) the valuation of the proposed work and the required fee
 - (d) the names, addresses and telephone number of the owner, architect, engineer or other designer and constructor
 - (e) the signature of the owner or his authorized agent shall certify the truth of the contents of the application
- 2.5 Subject to section 8.-(10) of the Building Code Act c.23 S.O. 1992 as amended, building permits are automatically revoked and must be renewed:
- (a) where they are issued in mistaken or false information
 - (b) where after six months after its issuance, the construction or demolition in respect of which a permit was issued has not, in the opinion of the Chief Building Official, been seriously commenced or
 - (c) where the construction or demolition of the building is in the opinion of the Chief Building Official, substantially suspended or discontinued for a period of more than one year

3. PLANS, SPECIFICATIONS AND INFORMATION

- 3.1 Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed work will conform with the Act, Regulations thereunder, the Zoning By-Law and any other applicable law
- 3.2 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, with seal, shall be submitted
- 3.3 Plans shall be drawn to scale upon paper, cloth or other durable material for new construction and with appropriate scale for renovation
- 3.4 The Chief Building Official shall require the applicant to produce the entrance approval from the appropriate authority in respect to any building proposed to be constructed fronting on any Provincial or County Highway, before the issuance of a building permit
- 3.5 No permit will be issued in respect of a new building or a major alteration or repair to an existing building unless receipted proof that connection has been made and/or applied for to the supply of Municipal Water and Sewage, in Chalk River where a connection is possible, with the appropriate fees paid to the Town AND where municipal service are not available, a permit for the installation of adequate sewage disposal system has been approved by the Chief Building Official and for water service the Medical Officer of Health or his designate
- 3.6 No permit will be issued in respect of a new building until proof of payment of the Charges as set out in Schedule 'A' attached hereto are provided to the Chief Building Official
- 3.7 No permit will be issued where the proposed use or location of a building is in contravention of the Town Zoning By-Law
- 3.8 It is a condition of the issuance of any permit that the permit shall not be assigned or transferred to another owner or builder without the approval of the Chief Building Official and the payment of the required fee
- 3.9 No work shall commence until the building permit issued is prominently displayed on the site of work

3.10 No permit shall be issued on or for Heritage Designated properties until the required procedures have been complied with; as set out by the Ontario Heritage Act c. O.18 R.S.O. 1990 as amended, if applicable

4. TEMPORARY PERMITS

4.1 A temporary building permit will be required:

(a) to construct any shack, shanty, or other temporary structure. Any such structure built by an employer for the housing accommodation of their labourers or workmen engaged in work of a temporary or seasonal nature shall be dismantled and removed as soon as the work in connection with which it was erected has terminated. The Chief Building Official shall determine the termination date.

4.2 A restricted permit for a temporary building may be issued by the Chief Building Official authorizing the placement, erection or existence of a building or part thereof, for a limited time

4.3 A permit for a temporary building may be extended provided that permission in writing is granted by the Chief Building Official

5. SPECIAL PROVISIONS

5.1 The owner or his authorized agent shall notify the Chief Building Official at least forty (48) eight hours in advance of the following stages of construction:

(a) commencement of construction
(b) readiness to construct footings
(c) substantial completion of the structural framing
(d) substantial completion of the insulation and vapour barriers
(e) substantial completion of the plumbing and heating systems
(f) substantial completion of fire separations and systems
(g) substantial completion of interior finishes
(h) substantial completion of exterior cladding and site grading
(i) completion and availability of drawings of the 'building' as constructed

5.2 (a) Where in the opinion of the Chief Building Official it is necessary for public safety, the owners shall cause to be erected on the street line adjacent to any building being constructed, altered, repaired or wrecked, demolished, a suitable type of board fence, at least six (6) feet in height and with sufficient overhead boarding to protect passers by. No such fence shall be removed until the work has been completed and permission for that purpose has been obtained from the Chief Building Official

(b) No unused building material, debris, material from any building being wrecked, demolished or material from excavation shall be placed on or allowed to accumulate on any highway, public street, alley or land

5.3 No person shall in any manner obstruct the free passage of water in drains, gutters or watercourse by buildings, landscaping or any other means. Nor shall they reroute any of the above without written permission of the Chief Building Official

5.4 No person shall remove from a building or site any order issued by the Chief Building Official or his appointee, without first obtaining permission from the Chief Building Official

6. FEES

- 6.1 Fees for a required permit shall be in accordance with Schedule 'A' attached hereto and forming part of this By-Law
- 6.2 When the fees are based on cost or valuation of the proposed work, such valuation shall mean the total cost of the work. That shall be the work regulated by the permit as well as electrical, plumbing or health branches and shall include the cost of professional and related services
- 6.3 Where the Chief Building Official places a valuation on the cost of work and if the permit applicant holder disagrees with this valuation, the prescribed fee determined by the Chief Building Official, shall be paid before the issuance of the permit. Upon completion of the work, if the actual cost of the work was less than the valuation placed by the Chief Building Official, an audited statement may be submitted detailing the cost of all component parts of the work. The Chief Building Official shall, if the statement contains the cost of all component parts of the work upon which the valuation was required to be based, value the work in accordance with testament and recommend the appropriate refund
- 6.4 The fees contained in Schedule 'A' to this By-Law may be waived or modified at the discretion of the Chief Building Official, with the concurrence of the Chief Administrative Officer, for minor repairs and renovations to buildings, outbuildings i.e. garden sheds, tool sheds, gazebos etc... or for the re-roofing and replacement of siding, of buildings in the residential classifications and for the additions of small porches or decks or for the repairs of such in the residential classifications

7. ENFORCEMENT

- 7.1 Any person convicted of a breach of the provisions of this By-Law shall forfeit and pay at the discretion of the convicting Magistrate a penalty not exceeding the sum of one thousand dollars (\$1,000.00) for each offence; exclusive of all costs
- 7.2 In addition to any penalty imposed under the provisions of paragraph 7.1 any building constructed, altered; repaired or placed in contravention of this By-Law may be pulled down or removed on instruction from the Chief Building Official or other person authorized by the Council, and the expense of such removal or pulling down shall be paid by the owner and may be recovered in like manner as municipal taxes

8. SEVERABILITY

- 8.1 Should any section, or part of a section of this By-Law be declared by a Court of competent jurisdiction to be invalid, the same shall not affect any other provision of this By-Law in whole or part thereof
- 8.2 Nothing in this By-Law shall or is intended to contravene with the Building Code Act, c.23 S.O. 1992 as amended
- 8.3 Where any discrepancy occurs the Building Code Act and Regulations made thereunder shall take precedence

9. SCHEDULES

- 9.1 All schedules to this By-Law attached hereto and forming part of this By-Law being the fees chargeable for permits, for construction, development charges, zoning changes and hearings and Committee of Adjustment Hearings and the applications and other forms required may be amended from time to time without amending this By-Law or affecting another portion thereof

10. REPEAL

- 10.1 By-Law No's. 23-01, 17-00, 8-02 and any other By-Law or part of a By-Law or parts that govern building, construction or the fees thereto are hereby repealed and rescinded.

11. COMMENCEMENT

- 11.1 This By-Law shall come into force and affect on 1 July, 2005
- 11.2 Any applications or plans filed for review on or before 30 June, 2005 shall be processed under the previous fee structure

READ a first and second time this 20th day of June, 2005

READ a third time and finally passed the 20th day of June, 2005

MAYOR

CLERK

**THE CORPORATION OF THE TOWN OF LAURENTIAN HILLS
SCHEDULE 'A' TO
By-Law No. 20 - 05**

Section A.1	New Construction or Reconstruction	FEES
1.1	Minimum Fee	\$ 100.00
1.2	Valuation in excess of \$20,000.00 per m\$	\$ 5.00
1.3	In addition to the above, a one time only permit fee for new residential construction per dwelling unit provided in the building described in the application, the permit fee shall be a single payment of and further, in multi unit new construction or conversion including bedrooms in a lodging house/hotel that are let for hire or rent the permit fee shall be an additional unit in addition to the fee for the first unit	\$ 100.00 \$ 100.00 per
	AND in new Commercial Construction for any purpose a one time only permit fee shall be, in addition to and as well as any other fee or fees in the schedule	\$ 1.95 per sq.m.
1.4	Churches/Legions/Service Clubs maximum fee	\$ 25.00
1.5	GENERAL: Private garages and/or carports built at the time of original construction are included in the foregoing fees. Buildings moved in whole, in part, or dismantled and reassembled on a new location shall be charged for the permit fees in accordance with new construction. Nothing in this section shall or be construed to override the provisions of the Building Code Act in allowing the construction or reassembly of old buildings.	
Section A.2	Renovations or additions to existing buildings	
2.1	Minimum Fee	\$ 45.00
2.2	Valuation in excess of \$5,000.00	\$ 9.00 per m\$
2.3	Garages and/or carports minimum fee valuation in excess of \$3,000.00 and not in conjunction with other work	\$ 9.00 per m\$

2.4 Churches/Legions/Service Clubs maximum \$ 15.00

Section A.3 Demolition

3.1 Residential buildings or buildings owned by recognized charities \$ 30.00

3.2 Commercial building or building in which a commercial enterprise is operated (This fee shall apply to the building or portions of a building. The Zoning By-Law shall be the guide as to designations) \$ 50.00

Section A.4 Heritage Designated Properties if applicable

4.1 The fees contained in this Schedule and the forms contained in the other Schedules of this By-Law shall apply to all heritage designated buildings

4.2 The provisions of the Ontario Heritage Act and Regulations shall apply to the issuance of any permit issued to or for a heritage designated building

4.3 Heritage buildings are those designated by By-Law under the provisions of the Ontario Heritage Act, Chapter 337, R.S.O. 1980 as amended

Section A.5 Transfer of Permit

5.1 To transfer any permit from one owner to another with the approval of the Chief Building Official \$ 20.00

5.2 To examine revised plans once a permit has been issued \$ 45.00

Section A.6 Occupancy of Building

6.1 Occupancy permit (included in the initial price under new construction) No Charge

6.2 To authorize occupancy of a building prior to completion \$ 60.00

Section A.7 Renewal of Lapsed Permits

7.1 To renew any permit after expiry (See section 2.5 of the By-Law) \$ 45.00

Section A.8 Swimming Pools

8.1 For the construction of an in ground or above ground swimming pools and support structures \$ 45.00

Section A.9 Temporary Permits

9.1 For the issuance of any temporary permit \$ 35.00 per month

Section A.10 Minor Repairs and Renovations

10.1 Minimum fee \$ 25.00

- 10.2 The minimum fee may apply to minor repairs see section 6.4 of the By-Law

Section A.11 Refunds

- 11.1 A refund of fees paid for a permit under the above section 'A' is authorized under the following circumstances: at the discretion of the Chief Building Official in consultation with the Chief Administrative Officer
- (a) if no work for which the permit was issued has commenced and the applicant or his agent provides a written statement that the work will not be commenced
 - (b) the refund of a permit fee shall void and rescind the Permit for which the refund fee is applied

Section B.1 Zoning Change

- 1.1 Applications for a change of zoning must be accompanied by a fee. (This is a minimum non-refundable fee. Charges incurred or disbursements over this amount, shall be charged to the applicant, plus the costs charged by outside agencies) \$1,100.00
- 1.2 Application for a change of the Official Plan must be accompanied by a fee. (This is a minimum non-refundable fee. Charges incurred or disbursements over this amount, shall be charged to the applicant, plus the costs charged by outside agencies) \$1,500.00

Section B.2 Minor Variances

- 2.1 Applications for minor variance shall be accompanied by a fee. (This is a minimum non-refundable fee. Charges incurred or disbursements over this amount, shall be charged to the applicant, plus the costs charged by outside agencies) \$ 500.00

Section B.3 Appeals

- 3.1 Notice of appeals filed shall be accompanied by a fee, plus the costs payable to the Ontario Municipal Board as may be set from time to time (For appeals on Zoning or Variance) \$ 250.00

Section B.4 Site Plan Agreements

- 4.1 Site Plan Agreements shall be accompanied by a fee as set per agreement plus the applicant shall pay for the cost of registration and any other direct associated costs \$ 200.00

Section B.5 Severance Applications

- 5.1 Applications for the processing of an application for a severance shall be accompanied by a fee as set; per severed lot \$ 200.00
- 5.2 There shall be no fee for the retained lot

Section C.1 Sale of Copies

- 1.1 A charge for a copy of the Zoning By-Law shall be \$ 30.00
- 1.2 A charge for a copy of the Zoning By-Law to be mailed \$ 35.00
- 1.3 A charge for a copy of the Official Plan shall be \$ 15.00

Section E.1 Water Hook up (town)

- 1.1 A deposit shall be collected for the cost of water and sewer hook up to the property line which if not sufficient, the additional amount shall be charged to the owner and/or contractor and if in excess of the actual cost the unexpended portion shall be refunded to the owner and/or contractor, save the \$30.00 licence portion \$ 1,330.00

Section F.1 Sewage System Fees (Septics)

Private non municipal systems

- 1.1 Class 2 systems (grey water) \$ 200.00
- Class 3 systems (cesspool) 200.00
- Class 4 systems (leaching bed, filter bed) 250.00
- Class 5 systems (holding tank) 250.00
- (a signed agreement with a licenced pumper shall be required)
- An engineered designed system 250.00
- 1.2 for inspections and comments relating to sewage systems and applications under the Planning Act
- Consents for each lot to be severed \$ 100.00
- Minor variance 25.00
- Plan of Subdivision review for each lot 75.00

For all applications under this section the following are required site plan, septic tank elevation, trench bed elevation, filter bed elevation, cross section(s) or at the Chief Building Official's discretion

Section G.1 Certificates

- 1.1 Tax certificates issued in writing for any purpose, legally authorized, such certificates must be requested in writing and the fee paid prior to the issuance of the certificate \$ 45.00
- 1.2 Compliance certificates to ensure compliance with zoning on property, such must be requested in writing and the fee paid prior to the issuance of the certificate . The fee has a limit of four questions. Additional questions are \$15.00 each \$ 45.00

Section H.1 General

- 1.1 All fees payable in this schedule are payable to the Town of Laurentian Hills and are separate from any fees payable to any other body or any legal fees paid by the Town for any application