

THE MUNICIPALITY OF NORTH PERTH BY-LAW NO. 7-2023

A By-law respecting Construction, Demolition and Change of Use Permits, Site Alteration and Inspections

WHEREAS Section 7 of the Building Code Act, S.O. 1992, c. 23, as amended, empowers municipal councils to pass by-laws respecting construction, demolition and change of use permits and inspections and related matters;

AND WHEREAS Section 35 of the Building Code Act, S.O. 1992, c. 23, as amended provides that Act and the Building Code supersede all municipal by-laws respecting the construction or demolition of buildings;

AND WHEREAS Section 3(1) of the Building Code Act, S.O. 1992, c. 23, as amended provides that the council of each municipality is responsible for the enforcement of this Act in the municipality;

AND WHEREAS Section 3(2) of the Building Code Act, S.O. 1992, c. 23, as amended provides that the council of each municipality shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction;

AND WHEREAS Section 142 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes a Municipality to pass by-laws to prohibit, regulate or require a Permit for, and impose conditions upon, the placing or dumping of Fill, removal of Topsoil or alteration of the grade of land;

NOW THEREFORE the Council of The Municipality of North Perth enacts as follows:

1. CITATION AND DEFINITIONS

1.1 Short Title

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

1.2 Definitions

In this by-law,

- a) **“Act”** means the Building Code Act, S.O. 1992, c. 23, as amended;
- b) **“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, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone acting under authority of such person or corporation.

- c) “**As constructed plans**” means as constructed plans as defined in the Building Code;
- d) “**Architect**” means a holder of a license, a certificate of practice, or a temporary license under the Architect’s Act as defined in the Building Code;
- e) “**Building**” means a building as defined in Section 1(1) of the Act;
- f) “**Building Code**” means regulations made under Section 34 of the Act;
- g) “**Chief Building Official**” means the Chief Building Official (CBO) appointed by the by-law of the Municipality of North Perth for the purposes of enforcement of the Act and this by-law;
- h) “**Complete application**” means a building permit application in accordance with Article 1.3.1.2 Division C of the Building Code, submitted with all required approvals appended in order to comply with the building permit timelines as noted in Article 1.3.1.3 Division C of the Building Code;
- i) “**Conditional permit**” means a permit issued by the Chief Building Official under subsection 8(3) of the *Act*;
- j) “**Construct**” means construct as defined in subsection 1(1) of the *Act*;
- k) “**Corporation**” means the Municipality of North Perth;
- l) “**Demolish**” means demolish as defined in subsection 1(1) of the Act;
- m) “**Farm Building**” means a farm building as defined in the Building Code;
- n) “**Final Occupancy**” means when all outstanding items on a partial Occupancy including grading have been completed;
- o) “**Owner**” means, in respect of the property on which the construction is to take place, the registered owner of the land and, except for conditional permits, may include a lessee, mortgagee in possession and the person acting as the owner’s authorized agent;
- p) “**Partial Occupancy**” means a permit issued to allow occupancy of a building prior to its completion in accordance with Article 1.3.3.2 Division C of the Building Code;
- q) “**Partial Permit**” means a permit issued by the chief building official to construct part of a building;
- r) “**Permit**” means written permission or written authorization from the Chief Building Official to perform work regulated by this by-law and the Act, or to change the use of a building or part of a building or parts thereof or, in the case of an occupancy permit, to occupy a building or part of a building or parts thereof;
- s) “**Permit Holder**” means the person to whom the permit has been issued and who assumes the primary responsibility for complying with the *Act* and the Building Code;
- t) “**Plumbing**” means plumbing as defined in Section 1(1) of the Act;
- u) “**Residential construction site**” means any construction site in respect of which a building permit has been issued for the construction of a new building consisting of a single dwelling unit where such excavation is within 2 m of another occupied dwelling unit except where the site is within a registered plan of subdivision which subdivision is being developed for the first time;
- v) “**Site Alteration**” means activities such as the removal of Topsoil from land, the placement or dumping of fill on land, the alteration of the grade of land, the change in grade or drainage patterns on the land, or excavation by any means, including the clearing or stripping of vegetation from the land, the

compaction of soil or the creation of impervious surfaces, or any combination of these activities, and “alter” or “alteration” has a corresponding meaning;

w) “**Sewage System**” means a sewage system as defined in Section 1(1) of the Regulations

1.3 Terms not defined in this By-law shall have the meaning ascribed to them in the *Act* or the Building Code.

2. CLASSES OF PERMITS

Classes of permits required for any stage of construction, demolition, change of use, occupancy of a partially complete building, conditional permits, site alteration permit and other classes as set forth in Schedule “A” appended to and forming part of this by-law.

3. REQUIREMENTS FOR PERMIT APPLICATIONS

3.1 General Requirements

3.1.1 Every permit application shall meet the minimum requirements of this section and shall:

- a) be submitted by an applicant;
- b) be made in writing to the Chief Building Official on forms prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the Chief Building Official; and
- c) be accompanied by the required fees calculated in accordance with the Municipality of North Perth’s Fees and Licenses By-law.

3.1.2 To be considered a complete application, every permit application shall be accompanied by the approval documents issued by the agencies responsible for the applicable laws listed in the building code, where those agencies issue approval documents and the law applies to the construction or demolition being proposed.

3.1.3 An application for a permit may be refused by the Chief Building Official where it is not a complete application.

3.1.4 The Chief Building Official may, as deems appropriate, provide prescribed forms in an electronic format and may allow for the electronic submission of completed permit application forms.

3.1.5 Notwithstanding subsection 3.1.4, completed forms generated electronically or submitted through the Municipality’s website shall be subject to the endorsement of the applicant.

3.1.6 The Chief Building Official may deem an application for a permit to have been abandoned and cancelled six months after the date of filing, unless such application is being seriously proceeded with.

3.2 Application for Permit

To obtain a permit an applicant shall file a “complete application” in writing on forms regulated by the Province of Ontario and those required by the Chief Building Official.

Every application for a permit shall be submitted to the Chief Building Official, and contain the information listed in Schedule D.

3.2.1 Construction Permit

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

- (a) use the provincial application form, “Application for a Permit to Construct or Demolish” including the estimated valuation of the proposed work including material and labour and signed by the applicant, who shall certify as to the truth of the contents of the application;
- (b) include two complete sets of plans, specifications, forms, documents and other information required by Article 1.3.1.3 Division C of the Building Code, and as prescribed in this by-law for the work to be covered by the permit;
- (c) include the proposed or existing occupancy of all parts of the building; and
- (d) include the required fee as prescribed by The Municipality of North Perth’s Fees and Licenses By-law.

3.2.2 Demolition Permit

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

- (a) use the provincial application form, “Application for a Permit to Construct or Demolish” accompanied by proof satisfactory to the Chief Building Official that arrangements have been made with the property authorities for the termination and capping of all the water, sewer gas, electric, telephone or other utilities and services and describing the method of demolition, including the methods of discarding waste material and location of where waste material is to be taken. Approval shall be obtained from the Manager of Environmental Services prior to disposing at the municipal landfill site;
- (b) include two complete sets of plans, specifications, forms, documents and other information required by Article 1.3.1.3 Division C of the Building Code, and as described in this by-law for the work to be covered by the permit;
- (c) include the existing occupancy of all parts of the building;
- (d) include the required fee as prescribed by the Municipality of North Perth’s Fees and Licenses By-law.

3.2.3 Conditional Permit

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 two complete sets of plans, specifications, forms, documents and other information required by Article 1.3.1.3 Division C of the Building Code and as described in this by-law for the work to be covered by the permit;
- (c) include the proposed or existing occupancy of all parts of the building;
- (d) include the required fee as prescribed by The Municipality of North Perth's Fees and Licenses By-law.
- (e) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
- (f) state the necessary approvals, which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
- (g) include an agreement in writing by the applicant and such other persons as the Chief Building Official determines with the Corporation dealing with the matters required pursuant to Section 8(3)(c) of the Building Code Act; and
- (h) state the time in which plans and specifications of the complete building will be filed with the Chief Building Official.

3.2.4 Change of Use Permit

Where application is made for a Change of Use permit issued under Subsection 10(1) of the Act, the application shall be submitted to the Chief Building Official and 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, as required by the Chief Building Official, the current and proposed occupancies of the building or part of a building for which the application is made;
- (d) include, as may be required by the Chief Building Official, 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, *as amended* including floor plans, details of walls, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities and details of the existing sewage system, if any;
- (e) include the required fee as prescribed by The Municipality of North Perth's Fees and Licenses By-law;
- (f) state the name, address and telephone number of the owner; and

- (g) be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.

3.2.5 Plumbing Permit

Where application is made for a plumbing permit 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 the required fee as prescribed by The Municipality of North Perth's Fees and Licenses By-law.
- (c) include such other information, methods and specifications concerning the complete project as the Chief Building Official may require.

3.2.6 Sewage System Permit

Every application for a sewage system permit shall be submitted to the Chief Building Official and contain the following information:

- (a) use the provincial application form, "Application for a Permit to Construct or Demolish";
- (b) include two complete sets of plans, specifications, forms, documents and other information required by Article 1.3.1.3 Division C of the Building Code, and as described in this by-law for the work to be covered by the permit;
- (c) include the required fee as prescribed by The Municipality of North Perth's Fees and Licenses By-law;
- (d) a site evaluation, which shall include all of the following items, unless otherwise specified by the Chief Building Official:
- (aa) the date the evaluation was done;
 - (bb) name, address, telephone number and signature of the person who prepared the evaluation;
 - (cc) a scaled map of the site showing:
 - the legal description, lot size, property dimensions, existing rights-of-way, easements or municipal/utility corridors;
 - the location and clearance of items listed in Article 8.2.1.5 and 8.2.1.6. of the Building Code;
 - 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.

3.2.7 Site Alteration Permit

A site alteration permit will be required where any works on a site, whether a building permit is issued or not, except where such site alteration is governed by an agreement, such as a site plan agreement, or a subdivision agreement.

Applications for a site alteration permit shall include grading and drainage plans consistent with the requirements of North Perth's "Development Guidelines". Submissions shall include grading and drainage plans, and where a change in use will generate more than 4 residential units a stormwater management statement outlining how stormwater is to be handled. Submissions shall:

- Conform to the site plan provisions of the Servicing Guidelines,
- Provide topographic information on the site and a least 10 m. onto adjacent sites,
- Provide for positive, piped drainage of all parking areas that may be suitable for more than 3 vehicles.

3.3 Revision to Permit

After 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 a 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 authorization.

3.4 Plans and Specifications

3.4.1 Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether the proposed construction, demolition or change of use will conform with the Act, the Building Code, and any other applicable law.

The Chief Building Official may require, where deemed appropriate, that a professional engineer and/or architect conduct a peer review for all or part of the work with the expense to be borne by the applicant.

3.4.2 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.

3.4.3 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 information as set out in Schedule "B" to this By-law unless otherwise specified by the Chief Building Official.

3.4.4 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;
 - (c) existing rights-of-way, easements, municipal services and fencing; and
 - (d) proposed fire access routes and existing fire hydrant locations.
- 3.4.5 The granting of a permit, the review of the drawings and specifications or inspections made by the Chief Building Official or an inspector shall not in any way relieve the owner of a building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this by-law, the Act and the Building Code including ensuring that the occupancy of the building, or any part thereof, is in accordance with the terms of this by-law and the Building Code.
- 3.4.6 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.

3.5 Equivalent

The Chief Building Official may allow the use of materials, systems and building designs that are not authorized in the Building Code in accordance with Section 9 (1) of the Ontario Building Code Act.

4. FEES

- 4.1 Fees for a required permit shall be as prescribed in The Municipality of North Perth’s Fees and Licenses By-law.
- 4.2 Where application is made for a conditional permit, the conditional application fee set out in The Municipality of North Perth’s Fees and Licenses By-law shall be payable at application for permit and in addition to this fee prior to issuance of the conditional permit the applicable construction permit fee as set out in The Municipality of North Perth’s Fees and Licenses By-law shall be paid for the complete project.
- 4.3 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 including storeys below the first storey (except the unfinished floor area below the first storey in single family dwellings) measured as the horizontal area between the outside surface of all the exterior walls of the building.
- 4.4 With respect to an application for a change of use permit issued under Subsection 10(1) of the Act the change of use permit fee listed in The Municipality of North Perth’s Fees and Licenses By-law shall be utilized when no construction is proposed or required. When construction is proposed or required and will result in a change of use the appropriate construction permit fee as set out in The Municipality of North Perth’s Fees and Licenses By-law shall be utilized.

4.5 With respect to an application for a site alteration permit issued is listed in the Municipality of North Perth's Fees and Licenses By-law shall be utilized where any works on a site, whether a building permit is issued, or not, except where such site alteration is governed by an agreement such as a site plan agreement, or a subdivision agreement.

4.6 The Chief Building Official shall determine permit fees not described or included in the Municipality of North Perth's Fees and Licenses By-law.

4.7 Refund of Fees

In the case of withdrawal of an application or the abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, as set out in the Municipality of North Perth's Fees and Licenses By-law.

Subject to subsection 7(1) of the *Act*, there shall be no refund of permit fees where a permit has been revoked, except where the permit was issued in error or where the applicant requests revocation no more than six months after the permit is issued. In such cases the amount of the refund shall be calculated in accordance with the Municipality of North Perth's Fees and Licenses By-law.

5 LOT GRADING AND SITE ALTERATION DEPOSIT

A lot grading deposit, as prescribed by the Municipality of North Perth's Fees and Licenses By-law shall be required where new building construction is proposed on a vacant lot or where a demolition permit has been issued for the purpose of reconstruction of a new building on a lot where no lot grading deposits are prescribed under a separate agreement or by-law.

To receive a refund for the lot grading deposit, less administration cost, an engineered survey showing the lot grading must be submitted to Development and Protective Services and approved by Chief Building Official.

A site alteration deposit, as prescribed by the Municipality of North Perth's Fees and Licenses By-Law shall be required as per 3.2.7 of this agreement.

The applicant is responsible for all third-party costs incurred by the municipality for the review and approval of this application including but not limited to planners, engineers, solicitors, consultants, agencies, and conservation authorities. These costs will be invoiced to the applicant. If the recoverable amounts have not been paid prior to the end of the development, the Municipality will take these funds from the site alteration deposit.

To receive a refund for the site alteration deposit, Schedule 'C' of this agreement must be completed and submitted to the CBO for approval.

6. NOTICE REQUIREMENTS FOR INSPECTIONS

With respect to "additional notices" under Article 1.3.5.2 Division C. of the Building Code, the owner or an authorized agent shall notify the Chief Building Official or an

inspector at least two business days (48 hours) in advance of the stages of construction listed in clauses 1.3.5.1 Division C of the Building Code.

7. TRANSFER OF PERMIT

Permits are non-transferable without written consent of the Chief Building Official and a Transfer of Permit being issued.

8. FENCING

- 8.1 Where a construction site may present a hazard to the public, the owner of the construction site shall ensure that the construction site is suitably fenced to prevent access onto the construction site.
- 8.2 If fencing has not been provided in accordance with the above clause and, if in the opinion of the Chief Building Official, the construction site presents a particular hazard to the public, the Chief Building Official may in writing require the owner and the permit holder to erect such fencing as he/she deems appropriate to the circumstances such as described in the National Building Code, Section 8.2.
- 8.3 In considering the hazard presented by a construction site and the necessary fencing, the Chief Building Official shall have regard for;
 - (a) the proximity of the construction site to occupied dwellings;
 - (b) the proximity of the construction site to lands accessible to the public;
 - (c) including but not limited to streets, parks and commercial and institutional activities;
 - (d) the hazards presented by the construction activities and materials;
 - (e) the feasibility and effectiveness of the site fencing; and
 - (f) the duration of the hazard.

9. SITE ALTERATION

- 9.1 No Person shall place or dump any Fill, remove any Topsoil or otherwise alter the Grade of land by causing or permitting any other form of Site Alteration on land within the Municipality.
- 9.2 The issuance of a Permit does not relieve the Owner from any responsibility to obtain all other approvals that may be required from any level of government or authority having jurisdiction or any agencies thereof.
- 9.3 Site alteration on any lands shall only be performed at the request and with the consent of the owner of the land being altered.
- 9.4 Site Alteration must::
 - a. Comply with the Municipality's Noise By-law;

- b. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g. heavy rain, wind, thick fog, etc.); and
 - c. During any situation where site alteration activities would likely adversely impact adjacent landowners
- 9.5 No Person shall perform a Site Alteration on any lands except in accordance with the Municipality's Official Plan Polices, Zoning By-law as amended and any applicable Provincial Plans,
- 9.6 Site alteration is prohibited if it would result in any of the following:
- a. Adverse erosion and environmental impacts on and off-site;
 - b. Blockage of a swale, ditch or watercourse;
 - c. Siltation in a watercourse, wetland or storm sewer;
 - d. Transportation of silt to adjacent, neighbouring or downstream properties;
 - e. Pollution of a watercourse;
 - f. Flooding or ponding on adjacent lands;
 - g. Flooding or ponding caused by a watercourse overflowing its banks;
 - h. Hindering the orderly development of any lands;
 - i. Detrimental effect on the quality and quantity of water in a well;
 - j. Detrimental effect on any trees of a caliper of 75mm dbh or more located on the lands;
 - k. Detrimental effect on matters of inherent biological sensitivity such as, but not limited to aquifer recharge, soil permeability, water quality, and wildlife habitat;
 - l. Unauthorized injury or destruction of Municipal trees or other trees protected under any other applicable by-laws of the Municipality or County;
 - m. Injury or destruction of other trees, which in the opinion of the Manager of Operations could reasonably be avoided;
 - n. A loss or detrimental effect on the natural environment, including but not restricted to lands designated as environmentally significant, however expressed in Official Plans or Zoning By-laws, including designations of areas as environmentally sensitive, environmental protection, as being of environmental concern and as being ecologically significant;
 - o. A detrimental effect to the growth and or harvest of fruit, vegetables or crops, landscaping and gardens;
 - p. A detrimental effect to the visual amenities of the land such that it constitutes an unreasonable interference with enjoyment of property;
 - q. A detrimental effect on areas of archaeological significance; or
 - r. Contamination of or the degradation of the environmental quality of land

10. PRESCRIBED FORMS

The forms prescribed for use shall be regulated by the Province of Ontario and the Chief Building Official

11. APPOINTED DESIGNATE

This by-law shall not be deemed to limit the appointment of a designate who may perform or execute any authority of the Chief Building official where authorized by the *Act*, provided such designate, where required, is duly appointed by by-law under the *Act*.

12. PENALTY CLAUSE

Section 36 of the Building Code Act provides that a person is guilty of an offence under the Building Code Act if a person contravenes the Building Code Act, the regulations or this by-law.

13. REPEAL CLAUSE

By-law 46-2014 of The Municipality of North Perth is hereby repealed.

READ A FIRST AND SECOND TIME this _____ day of _____, 2023

READ A THIRD TIME A FINALLY PASSED this _____ day of _____, 2023

Todd Kasenberg, Mayor

Lindsay Cline, Clerk

THE MUNICIPALITY OF NORTH PERTH SCHEDULE “A” to BY-LAW NO. 7-2023

1. Building Permit (Building Code Act, Section 8(1)) may be issued for all types of construction governed by the building code and may include plumbing, farm buildings, change of use, sewage systems and heating, ventilating and air conditioning systems.
2. Partial Building Permit (Building Code Act, Section 8(1)) (Partial permits are appropriate where the construction authorized by the permit complies with the Act, Building Code and other applicable laws):

When, in order to expedite work, approval of a portion of the building or project is desired prior to the issuance of a permit for the complete building or project, application shall be made and fees paid for that portion of the building or project. Complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed with the Chief Building Official.

Where a permit is issued for part of a building or project, such permit 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

3. Conditional Permit may be issued by the Chief Building Official in accordance with Section 3.2.3 of this by-law.
4. Change of Use Permit may be issued where a change in use of a building or part of a building would result in an increase in hazard as determined under Section 2.4.1.2(1) of the Building Code even though no construction is proposed.
5. Sewage System Permit is required for all Classes of Systems as defined in Section 8.1.2.1(1),(a),(b),(c),(d) and (e), Classification of Systems in the regulations.
6. Sign Permit may be issued in respect of the structural requirements for signs contained in Section 3.14 of the Building Code.
7. Special Building Permit may be issued for all types of construction governed by the building code and may include plumbing, farm buildings, sewage systems, signs, change of use and heating, ventilating and air conditioning systems at the discretion of the Chief Building Official where construction or change of use has commenced prior to the issuance of the permit.
8. Site alteration permit may be issued where any works on a site, whether a Building permit is issued or not, except where such site alteration is governed by an agreement such as a site plan agreement or a subdivision agreement.

THE MUNICIPALITY OF NORTH PERTH

SCHEDULE “B” to BY-LAW NO. 7-2023

LIST OF PLANS, SPECIFICATIONS, DOCUMENTS AND OTHER INFORMATION TO ACCOMPANY APPLICATIONS FOR PERMITS

Plans

1. Ontario Land Surveyors Plans;
2. Plan of the site (Site Plan if applicable);
3. Contour of Grade Plans;
4. Drainage Plans;
5. Grading, Drainage and Stormwater Management Plans as required where site alterations are proposed.
6. Foundation Plans;
7. Architectural Plans;
8. Structural Plans;
9. Mechanical and Electrical Plans;
10. Reinforced Concrete Plans;
11. Chimney and Fireplace Plans;
12. Renovation and Alteration;
13. as Constructed Plans;
14. Fire Alarms or Evacuation Plans (within buildings);
15. Fire Protection Plans – showing the type of fire assemblies, fire separations, fire compartments; and fire resistance ratings within buildings;
16. Schematic Plans – showing the type, location and operation of all building fire emergency systems;
17. On-Site Sewage Systems Plans;

Specifications

1. Specification on entrances to the property with necessary approvals in writing;
2. Specifications on sewer system and water supply whether Municipal or private, with necessary written approvals;
3. Specifications on the proposed occupancies;
4. Specifications on building materials or a method of construction, and may require to be submitted by a registered professional engineer;
5. Specifications on soils investigations;

6. Specifications on any other applicable law as set out in Section 8(2)(a) of the Building Code Act, as amended;

Documents

1. Trade Certificate and Certification of Qualification.

Other

Any other information as may be relevant to prove compliance with the application and code.

NOTE: The Chief Building Official may specify that not all the above mentioned plans, specifications, documentation and other information are required to accompany an application for a permit.

THE MUNICIPALITY OF NORTH PERTH SCHEDULE "C" to BY-LAW NO. 7-2023

OWNER'S FINAL GRADING CERTIFICATE

The undersigned hereby certifies to the Municipality of North Perth (the "Municipality") that the foundations of the buildings and structures and any openings in any such foundation walls constructed on the following property:

CIVIC ADDRESS: _____

LEGAL DESCRIPTION: _____

Municipality of North Perth

Have been constructed, at or above the elevations illustrated on the overall Certified Building Lot Site Plan (as approved by or on behalf of the Municipality) referred to in the Agreement registered against the title to the above property as shown on the as-built grading survey attached.

The undersigned further certifies to the Municipality that a field survey has been completed by the undersigned and that:

1. The final grading of the above referred to property has been completed in substantial compliance with the Certified Building Lot Site Alteration Permit referred to in the Agreement.
2. The grade elevation of all lot boundaries and corners including the front lot corners of the property are in substantial compliance with the Certified Building Lot Site Alteration Permit; and
3. The above lot has been graded to provide positive drainage in the front, rear and sideyard and that there is no area of the property which is subject to ponding of water; and
4. That in all cases, the final grading conforms to the intent of the grading plan.
5. That all works identified in the Site Alteration Permit are constructed in substantial compliance with the Site Alteration Permit referred to in the Agreement.

This certificate is given and delivered to the Municipality in full knowledge that the Municipality relies on this certification in providing a release of the applicable Agreement affecting the property.

Signature of OLS/Professional Engineer

Date: _____

NOTE: Copies of this Owner's Final Grading Certificate are available at the North Perth's Development and Protective Services office.

THE MUNICIPALITY OF NORTH PERTH SCHEDULE “D” to BY-LAW NO. 7-2023



A How to Guide for filling out the Provincial Building Permit Application Form

INTRODUCTION

Building and plumbing permits are required to ensure construction is completed as prescribed by the Ontario Building Code. This guide will help you through the application process to help you get a permit before construction begins.

The Ontario Building Code sets out what is required for a permit application. The following are the main requirements for an application:

- 1) **Completed application form,**
- 2) **Schedule 1 or 2,**
- 3) **Authorization from the owner if you are not the owner, and are making an application on their behalf,**
- 4) **Payment of permit fees,**
- 5) **Applicable law approvals if required,**
- 6) **Required Drawings.**

A complete application will allow the building department to review (10 business days for most single-family dwelling projects). **Complete applications help expedite the process and reduce the new for follow; incomplete applications may delay the permit issuance.** After the review is complete and the permit issued and picked up, construction can begin.



APPLICATION FORM

The following is a short description of the sections of the application form with examples.

A. Project Information

This section is where the applicant describes the project/location. It is required that the address be properly identified in this section. Also, it is required to write the construction value estimate.

B. Purpose of Application

This section describes the reason of the permit application with a "X" mark beside the purpose. Also indicate the current and proposed use of the building and a description of the work to be done.

C. Applicant

This section identifies who is applying for the permit and provides contact information so that we reach you (Name, address and phone number). If an email and fax number are available, please include them on the form.

D. Owner (if different from applicant)

If the applicant is not the owner of the building/property, it is required to give the contact information of the owner. This also requires the application to get authorization from the owner to apply for a permit. Please see the authorization form.

Sample

Application submitted to: **MUNICIPALITY OF NORTH PERTH**
 (Name of Municipality, board or health or conservation)

A. Project Information			
Building Number, Street Name 1234 GUMDROP LANE		Unit Number	Lot/Con
Municipality NORTH PERTH	Postal Code N4W 1Y4	Plan Number/Other Description PLAN 01, LOT 7	
Project Value Est. \$ \$640,000.00		Area of Work (m ²) 2,587 sq ft	

B. Purpose of Application	
<input type="checkbox"/> New Construction <input type="checkbox"/> Addition to an Existing Building <input checked="" type="checkbox"/> Alteration/Repair <input type="checkbox"/> Demolition <input type="checkbox"/> Conditional Permit	
Proposed use of building SINGLE DETACHED	Current use of building SINGLE DETACHED DWELLING
Description of proposed work RENOVATE MAIN FLOOR AND SECOND FLOOR	

C. Applicant			
Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner			
Last Name DOE	First Name JOHN	Corporation or Partnership	
Street Address 1234 GRUMDROP LANE		Unit Number	Con/Lot
Municipality NORTH PERTH	Postal Code N4W 1Y4	Province	Email jdoe@email.ca
Telephone Number		Fax	Cell Number (519)123-4567

D. Owner (if different from applicant)			
Last Name SAME AS APPLICANT		First Name	Corporation or Partnership
Street Address		Unit Number	Lot/Con
Municipality	Postal Code	Province	Email
Telephone Number		Fax	Cell Number

E. Builder (Optional)

This section is optional for when you know who the builder will be at the time of the application.

F. Tarion Warranty Corporation (Ontario New Home Warranty Program)

This section is to be filled out if the proposed construction is a new home that is defined in the Ontario New Home Warranties Plan Act. If the project is not a new home, check “No” and move onto Section G

G. Required Schedules

This section identifies the need to provide Schedule 1 and Schedule 2. This will be explained later in the guide.

H. Completeness and Compliance with Applicable Law

A permit cannot be issued unless all the information that is required is provided as part of the application. This section is a checklist that shows what is required. If an application is complete, the Municipality will review the permit within the times. Timelines are not applicable to incomplete applications. A “Yes” indicates that the information required has been submitted.

H. Completeness and Compliance with Applicable Law		
i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted). Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the <i>Building Code Act, 1992</i> , to be paid when the application is made.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> .	<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
iv) The proposed building, construction or demolition will not contravene any applicable law.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

• H. Sub-section i)

○ *If a Yes is marked, it means that:*

- Completed application form is submitted,
- Required Schedule 1 form is submitted
- Authorization form, if applicable, is submitted
- Fees have been paid.

• H. Sub-section ii)

○ *If a Yes is marked, it means that:*

- Required drawings are submitted, please see further in the guide for more information.

• H. Sub-section iii)

○ *If a Yes is marked, it means that:*

- Enough information is provided so that the city can determine if there are any applicable laws connected to the building/property.

• H. Sub-section iv)

○ *If a Yes is marked, it means that:*

- The proposed work will not contravene any other laws (also known as applicable laws). This will be further discussed later in the guide

SCHEDULE 1

The Ontario Building Code requires that all designs submitted as part of a permit application are complete by a qualified person however there are exemptions (refer to the drawing section in the guide for more information). To identify who completed the design, the Ontario government created a form called the Schedule 1: Designer Information.

Schedule 1: Designer Information

A completed Schedule 1 form is required as part of a permit application (a sewage system requires a Schedule 2 form). If a design can and has been completed by a home owner, the owner is the designer and must fill out the Schedule 1 form. The home owner is declaring that the work is exempt from registration since he/she/they are the property owner. For an application to be complete, the entire form must be filled out.

For Section C, the designer should input his/her BCIN. The designer will check the boxes that apply to the project, and they must be qualified to design.

*If you are the homeowner who completed your own drawings this section should be left blank.

For Section D, the designer is to complete this section with their qualifications.

*If you are the owner taking responsibility for the drawings, check the 3rd box and exemption for allowing the work is filled in as Owner.

Schedule 1: Designer Information			
Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.			
A. Project Information			
Building number, street name		Unit no.	Lot/con.
Municipality	Postal code	Plan number/ other description	
B. Individual who reviews and takes responsibility for design activities			
Name		Firm	
Street address		Unit no.	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ()	Fax number ()	Cell number ()	
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]			
<input type="checkbox"/> House	<input type="checkbox"/> HVAC – House	<input type="checkbox"/> Building Structural	
<input type="checkbox"/> Small Buildings	<input type="checkbox"/> Building Services	<input type="checkbox"/> Plumbing – House	
<input type="checkbox"/> Large Buildings	<input type="checkbox"/> Detection, Lighting and Power	<input type="checkbox"/> Plumbing – All Buildings	
<input type="checkbox"/> Complex Buildings	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> On-site Sewage Systems	
Description of designer's work			
D. Declaration of Designer			
I _____ declare that (choose one as appropriate): (Print name)			
<input type="checkbox"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories. Individual BCIN: _____ Firm BCIN: _____			
<input type="checkbox"/> I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code. Individual BCIN: _____ Basis for exemption from registration: _____			
<input type="checkbox"/> The design work is exempt from the registration and qualification requirements of the Building Code. Basis for exemption from registration and qualification: _____			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge.			
2. I have submitted this application with the knowledge and consent of the firm.			
_____		_____	
Date		Signature of Designer	

NOTE:

1. For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) d). of Division C, Article 3.2.5.1. of Division C, and all other people who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
2. Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of authorization, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practice, a limited license to practice, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

SCHEDULE 2

The Ontario Building Code requires that all sewage systems be installed by a qualified installer, but there is an exemption. To identify who is installing the sewage system, the Ontario government created a form called the Schedule 2: Sewage System Installer Information.

REQUIRED DRAWINGS

One of the most crucial components of a building permit application is the associated drawings. These drawings allow the department(s) to review the proposed project prior to construction. The more complete the drawings are, the better the review can be, allowing deficiencies to be identified and rectified prior to construction.

The Ontario Building Code essentially states that all designs forming part of a building permit application must be prepared by a qualified designer; however, it allows for a few key exemptions. Some of the exemptions to requiring the use of a qualified designer are:

- Construction/renovations to a house by the person who is the owner (not more than 2 dwellings, and with no dwelling above another dwelling) (excluding HVAC).
- Deck serving a house, which is owned by the person; and
- Accessory building serving a house which is owned by the person, area not more than 50 m² (538 ft²).

*Note, that the above list is only a short list of examples and that the Ontario Building Code Div. C Part 3 is to be consulted for the exemptions.

Please contact the building department if you require more information on what qualifications are needed and for help on how to find a qualified designer. A qualified designer will have a Building Code Identification Number or be a registered member of the Professional Engineers Ontario or Ontario Association of Architects.

Required Drawings

Although a homeowner may be exempt from requiring a design from a qualified person, if a homeowner decided to create their own drawings, it is the responsibility of the homeowner to ensure that the drawings contain sufficient information and that the design is to the Ontario Building Code. For this reason, it is recommended that if the project is more complex than one's ability, that the help from a designer be considered.

List of plans and working drawings, as defined in the Building Code, required to accompany the application:

- | | |
|---|--|
| <input type="checkbox"/> Site Alteration Plan | <input type="checkbox"/> Lot Grading Plan |
| <input type="checkbox"/> Foundation Plan | <input type="checkbox"/> Floor Plans |
| <input type="checkbox"/> Framing Plan | <input type="checkbox"/> Roof Plans |
| <input type="checkbox"/> Section and Details | <input type="checkbox"/> Elevation Plan |
| <input type="checkbox"/> Electrical Plan | <input type="checkbox"/> Heating and Ventilation Plan |
| <input type="checkbox"/> Plumbing Plan | <input type="checkbox"/> Fire alarm, Sprinkler, Standpipe Plan |

FREQUENTLY ASKED QUESTIONS

1. What can result from not obtaining a building permit?

Answer: It is unlawful to commence construction without a building permit. If the work does not comply with the Ontario Building Code requirements, costly repairs may be required to gain compliance, removal of work done not in compliance may be required, the building permit application fee may be increased, and legal action may be initiated by the Building Department to gain compliance. If you are still not certain whether your project requires a building permit, contact the Building Department. Our staff will be able to assist you in making that determination.

2. Where can I find information on Ontario Building Code items?

Answer: The Ontario Ministry of Municipal Affairs and Housing is the governing body that administers the Ontario Building Code. Their website, available at <https://www.ontario.ca/page/ministry-municipal-affairs-housing>, contains not only building code information, but also other items as training information and related publication. If a copy of the Ontario Building Code is desired, it can be found online through e-laws.

3. How long is a permit valid for?

Answer: The time frame in which the project must be substantially started is six (6) months. From this point, you have 1 year to complete the project, or show progress within the project. If more time is needed, you may write to the Chief Building Official stating the reasons for requiring an extension and he may choose to grant more time to complete the project. If construction has not started within 6 months, or if at any point construction has stopped for a significant amount of time, the Chief Building Official may choose to void the permit.

4. What kind of construction does NOT typically require a permit?

Answer: The following is a list of projects that generally do not require a permit; however, construction must still comply with the Ontario Building Code and associated Application Laws (for example, Zoning By-Law):

- Re-shingling of a roof
- Replacing doors or window of equal size
- Kitchen or bathroom cabinets (no plumbing)
- New flooring, painting and decorating
- Detached accessory buildings less than 10m² (108 ft²)
- Replacement of plumbing fixtures with NO modification to the plumbing system
- Replacement of heating equipment with NO modification to the distribution system

For more information, contact the Building Department at (519)291-6825