

THE CORPORATION OF THE MUNICIPALITY OF STRATHROY- CARADOC
BY-LAW NUMBER 61-21

Being a By-law to provide for
the administration and enforcement of the *Building Code Act*
and with respect to the establishment and requirement
of the payment of fees for information and services.

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 the *Building Code Act*, 1992, as amended, in the municipality;

AND WHEREAS Section 7 of the *Building Code Act*, S.O. 1992, c.23, as amended, empowers council to pass By-laws respecting permits for construction, demolition, occupancy, change of use, on-site sewage system and conditional permits and respecting inspections and the charging of permit fees and other related matters;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF STRATHROY- CARADOC enacts as follows:

1. Citation

1.2. This By-law may be cited as the "*Building By-law*".

1.2. All references made within this By-law shall be found within this By-law unless otherwise noted.

2. Definitions

2.2. Words shown in italicized script in this By-law shall have the meaning as follows:

- (a) Act means the *Building Code Act*, S.O. 1992, c. 23, as amended;
- (b) Alternative solution means a substitute for an acceptable solution as set out in Parts 3 to 12 of Division B of the *Building Code*;
- (c) Applicable law means the list of *applicable laws* as prescribed by the *Building Code*;
- (d) Applicant means the *owner* of a *building* or property who applies for a *permit* or any *authorized agent* to apply for a *permit* on the *owner's* behalf or any person or corporation empowered by statute to cause the

construction or demolition of a *building or buildings* and anyone acting under the authority of that person or corporation;

- (e) Authorized agent means a person who has been authorized in writing to act on the *owner's* behalf for matters relating to an application for a *permit*;
- (f) As constructed plans means construction plans and specifications that show the *building* and the location of the *building* on the property as the *building* has been constructed;
- (g) Building means
 - i. a structure occupying an area greater than ten square meters 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 meters or less that contains plumbing, including the plumbing appurtenant thereto,
 - iii. plumbing not located in a structure,
 - iv. a sewage system, or
 - v. structures designated in the building code.
- (h) Building Code means regulations made under Section 34 of the *Act* and any amendments thereto;
- (i) Chief Building Official means the person appointed by a By-law of the *Corporation* of the Municipality of Strathroy- Caradoc for the purpose of enforcement of the *Act* and whose roles are set out in the *Act*;
- (j) Construct means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and "construction" has a corresponding meaning.
- (k) Corporation means The *Corporation* of the Municipality of Strathroy-Caradoc;
- (l) Demolish means to do anything in the removal of a building or any material part thereof and "demolition" has a corresponding meaning.
- (m) Form means the applicable provincial or municipal prescribed document;

- (n) Inspector means a person appointed by By-law of the *Corporation of the Municipality of Strathroy- Caradoc* for the purpose of enforcement of the *Act* and who's roles are set out in the *Act*;
- (o) Minor for the purposes of calculating building permit fees shall mean construction value of \$25,000 or less in 2020 dollars.
- (p) Major for the purposes of calculating building permit fees shall mean construction value of \$25,001 or more in 2020 dollars.
- (q) Owner means the registered *owner* of the land or property for which a *permit* application is submitted, a *permit* has been issued or that contains an on-site sewage system for the purposes of the *Maintenance Inspection Program* and includes the registered *owner*, a lessee and mortgagee in possession;
- (r) Permit means permission or authorization in writing by the *Chief Building Official* to perform *work* or to occupy a *building* or part thereof, as regulated by the *Act* and the *Building Code*;
- (s) Permit holder means the *owner* to whom the *permit* has been issued or, where the *permit* has been transferred, the transferee, and shall be the person who assumes the primary responsibility for compliance with the *Act* and the *Building Code*;
- (t) Registered Code Agency means a person that has the qualifications and meets the requirements described in subsection 15.11(4) of the *Act*;
- (u) Sign for the purpose of determining a building permit fee shall mean a sign designed to meet the requirements of the *Building Code*;
- (v) Work means the construction or demolition of a *building* or part thereof and includes a change of use as regulated by the *Building Code*.

2.3. Any words or phrases used in this By-law which are defined in the *Building Code* shall be deemed to have an equivalent meaning in the context in which they are used.

3. **Classes of *Permits***

3.1. The classes of *permits* with respect to construction, demolition, change of use and occupancy shall be as set out in Schedule 'B' and which are further described as follows:

- (a) Building *Permit* is a *permit* required under Subsection 8. (1) of the *Act* for the construction of *buildings* and parts of *buildings*.
- (b) Demolition *Permit* is a *permit* required under Subsection 8. (1) of the *Act* for the removal of a *building*.
- (c) Conditional *Permit* is a *permit* authorized under Subsection 8. (3) of the *Act* for the construction of *buildings* or parts of *buildings* that may be issued at the sole discretion of the *Chief Building Official*.
- (d) Change of Use *Permit* is a *permit* required under Subsection 10. (1) of the *Act* where a change in use of a *building* or part of a *building* would result in an increase in hazard as determined under Division C, Article 1.3.1.4. of the *Building Code* where no construction is proposed.
- (e) Occupancy *Permit* is a *permit* required to occupy a *building* or part of a *building* in accordance with the requirements of Division C, Subsection 1.3.3. of the *Building Code*.

4. Applications for *Permits*

- 4.1. To obtain a *permit*, the *owner* or an *authorized agent* shall submit the applicable prescribed *permit application form* to the *Chief Building Official* in hard copy or through an online electronic version acceptable to the *Chief Building Official*.
- 4.2. All *forms* prescribed by the *Building Code* and the *Chief Building Official* are available at the Province of Ontario, the office of the *Chief Building Official* or the *Corporation's* web site, as the case may be.
- 4.3. Where an application is made for a *Construction Permit* under Subsection 8.(1) of the *Act*, the application shall:
 - (a) Include a completed *permit application form* as prescribed by the *Building Code*;
 - (b) Be accompanied by the plans and specifications prescribed by this By-law and any associated information or approvals required to demonstrate compliance with any *applicable law*;
 - (c) Identify and describe the *work* and use to be covered by the *permit* for which application is made;
 - (d) Be accompanied by all fees that are set out in Schedule 'A';

- (e) State the names, addresses, telephone numbers, fax numbers and email addresses of the *owner, applicant, architect, professional engineer, designer, contractor, installer or constructor, where applicable;*
- (f) Be accompanied by a completed Commitment to General Reviews *form* as prescribed by the *Chief Building Official* when the Architects Act, as amended, and/or the Professional Engineers Act, as amended, requires the designer be an architect and/or a professional engineer;
- (g) Include completed *forms* as deemed required and prescribed by the *Chief Building Official*.

4.4. Where an application is made for a Demolition *Permit* under Subsection 8.(1) of the *Act*, the application shall:

- (a) Include a completed *permit application form* as prescribed by the *Building Code*;
- (b) Be accompanied by the plans and specifications prescribed by this By-law and any associated information or approvals required to demonstrate compliance with any *applicable law*;
- (c) Be accompanied by all fees that are set out in Schedule 'A' ;
- (d) State the names, addresses, telephone numbers, fax numbers and email addresses of the owner and of the Architect, professional engineer, designer, contractor or constructor, where applicable;
- (e) Be accompanied by a completed Commitment to General Reviews *form* as prescribed by the *Chief Building Official* when the *Building Code* requires a professional engineer to undertake the general review of the demolition; and
- (f) Be accompanied by proof satisfactory to the *Chief Building Official* that arrangements have been made with the proper authorities, where applicable, for the disconnection and capping of all water, sewer, gas, electric, telephone or other utilities and services on a *form* prescribed by the *Chief Building Official*.

4.5. Where application is accepted at the discretion of the *Chief Building Official* for a Conditional *Permit* under Subsection 8.(3) of the *Act*, the application shall:

- (a) Be preceded by an application for a *Construction Permit* set out in 3.3. and filed with the *Chief Building Official*;

- (b) Be accompanied by the plans and specifications prescribed by this By-law and any associated information or approvals required to demonstrate compliance with any *applicable law*;
- (c) Include a completed Conditional *Permit* application *form* as prescribed by the *Chief Building Official*;
- (d) State in writing to the *Chief Building Official* the reasons why the *applicant* believes that unreasonable delays in construction would occur if a conditional *permit* is not granted;
- (e) State the necessary approvals which must be obtained in respect of the proposed *building* and the date or time by which such approvals will be obtained;
- (f) Be accompanied by a Conditional *Permit* Agreement *form*, authorized by Clause 8.(3)(c) of the *Act*, which must be signed by the *owner* or an *authorized agent* who has the authority to bind the *owner*;
- (g) In the event that the conditions have not been satisfied beyond the date that is prescribed in a Conditional *Permit* Agreement, the agreement shall be considered as expired, all *work* shall stop and a request for an extension shall be made by the *permit holder*;
- (h) Be accompanied by a security deposit under the terms of the Conditional *Permit* Agreement; and
- (i) In addition to fees prescribed for the Construction *Permit* application, be accompanied by all Conditional *Permit* fees that are set out in Schedule 'A'.

4.6. Consideration of an application for Conditional *Permit* is at the sole discretion of the *Chief Building Official* and, if considered, shall not be construed to authorize construction beyond the scope for which conditional approval is given or that a Construction *Permit* will necessarily be issued.

4.7. Where application is made for a Change of Use *Permit* issued under Subsection 10.(1) of the *Act*, the application shall:

- (a) Include a completed *permit* application *form* as prescribed by the *Chief Building Official*;
- (b) Be accompanied by the plans and specifications prescribed by this By-law and any associated information or approvals required to demonstrate compliance with the *Building Code* and any *applicable law*;

- (c) Describe the *building* in which the occupancy is to be changed by a description that will readily identify and locate the *building*;
- (d) Identify and describe in detail the current and proposed occupancies of the building or part of a *building* for which the application is made;
- (e) Include plans and specifications which show the current and proposed occupancy of all parts of the *building* and which contain sufficient information to establish compliance with the requirements of the *Building Code*, including, but not limited to, floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities and details of the existing on-site sewage system, if any;
- (f) Be accompanied by a report from a qualified person as prescribed by the *Building Code* confirming that the change of use will not result in an increase in hazard;
- (g) Be accompanied by all fees that are set out in Schedule 'A'; and
- (h) State the name, address, telephone number, fax number and email address of the *owner*.

4.8. To obtain an Occupancy *Permit* as required by Division C, Subsection 1.3.3. of the *Building Code*, the *owner* or *authorized agent* shall:

- (a) Notify the *Chief Building Official* of the completion of construction required to *permit* the occupancy of a *building*;
- (b) Describe the part of the *building* for which occupancy is requested;
- (c) Submit plans showing portion(s) of the floor area(s) to be occupied complete with location(s) of temporary exits as applicable;
- (d) Submit all general review reports where the *Building Code* requires the construction to be reviewed by an *architect* and/or a professional engineer; and

4.9. A *building* shall not be occupied, permitted to be occupied or commissioned into service without the written authorization from the *inspector*.

5. Plans and Specifications - General

5.1. Sufficient information shall be submitted with each application for a *permit* to enable the *Chief Building Official* to determine whether or not the proposed

construction, demolition or change of use will conform to the *Act*, the *Building Code*, this by-law and any other *applicable law*.

- 5.2. Each application for a *Construction, Demolition or Change of Use Permit* shall be submitted in a manner acceptable to the Chief Building Official and will include a complete set of plans and specifications as set out in Schedule 'B' in order for an application to be deemed as complete.
- 5.3. Each application for a *Conditional Permit* shall be accompanied by two (2) additional sets of legible plans and specifications sufficient to describe the scope of *work* covered by the *Conditional Permit*.
- 5.4. Plans shall be drawn to a suitable and legible scale (minimum 1:75 or 3/16"=1'-0") on paper or other durable medium approved by the *Chief Building Official* and shall include information as set out in Schedule 'B' unless otherwise specified by the *Chief Building Official*.

At the discretion of the *Chief Building Official*, submission of electronic drawings, designs and specifications may be acceptable when in a format acceptable to the Municipality.

6. Incomplete Application

- 6.1. Except as provided in Subsection 6.2 of this by-law, a *permit* application that does not meet all of the requirements of Section 3 of this By-law shall be denied without further review.
- 6.2. Where the *Chief Building Official* determines that a *permit* application is incomplete, the *Chief Building Official* may accept the application if the *applicant* acknowledges that the application is incomplete.
- 6.3. Where an *applicant* declares or acknowledges that a permit application is incomplete, the *Chief Building Official* shall not be bound by the timelines prescribed by the *Building Code* within which a *permit* must be issued or refused.
- 6.4. The *applicant* shall be notified in writing where a review by the *Chief Building Official* or *inspector* has determined information is missing or non-compliant with any provisions of the *Act*, *building code* or this By-law.
- 6.5. Where it is determined that the applicant has not made satisfactory progress to submit required information within 30 days of being notified by the *Chief Building Official* or *inspector*, written notice thereof shall be given to the *applicant*.
- 6.6. If an incomplete application is deemed to be abandoned as determined by the *Chief Building Official*, a new application must be submitted as set out in Section 3 for all proposed *work*.

7. Withdrawing a *Permit* Application

- 7.1. A *permit holder* may request, in writing, that an application for *permit* be withdrawn prior to issuance of a *permit*.
- 7.2. All plans, specifications and documents submitted in support of an application for *permit* shall remain the property of the *Corporation*.

8. Revocation of *Permit*

- 8.1. The Chief Building Official reserves the right to revoke a permit under Subsection 8.(10) of the *Act*, and shall ~~may, at the sole discretion of the Chief Building Official~~ serve a notice to the last known address to the *permit holder*
- 8.2. The *Chief Building Official* may consider a written request by the *permit holder* to defer revocation of a *permit* if the request: states the reasons why the *permit* should not be revoked and the date by which meaningful and substantial work will resume.
- 8.3. The *Chief Building Official*, having regard to any material changes to the *Act*, *Building Code* or other *applicable law*, may allow a deferral of revocation of a *permit*.
- 8.4. Subject to Section 25 of the *Act*, the *Chief Building Official* is under no obligation to defer revocation of a *permit*.

9. Revisions

- 9.1. Where the design or scope of *work* authorized by an issued *permit* changes, the *owner* shall submit sufficiently detailed and revised plans and specifications, as set out in Section 4, that describe the proposed *work* prior to carrying out the proposed *work*.
- 9.2. Sufficient material changes to the design or scope of *work* may constitute the need for a new application for *permit* as determined by the *Chief Building Official*.
- 9.3. A revision to a *permit* application or an issued *permit* shall be accompanied by all fees as set out in Schedule 'A'.

10. Transfer of *Permit*

- 10.1. An issued *permit* may be transferred to a new *owner* by the *Chief Building Official* where the new *owner* provides:

- (a) A completed Transfer of *Permit form* prescribed by the *Chief Building Official*;
- (b) A written statement agreeing to comply with all statutes, regulations, *applicable laws* and conditions of approval upon which the *permit* was issued;
- (c) A written statement from the designer authorizing the continued use of all drawings, specifications and documents associated with the issued *permit*;
- (d) A completed Commitment to General Reviews *form* as prescribed by the *Chief Building Official* when the *Building Code* requires the *work* be reviewed by an architect or a professional engineer; and
- (e) Payment of fees for transfer of *permit* as set out in Schedule 'A'.

11. As-Constructed Plans and Documents

11.1. On completion of the construction, the *Chief Building Official* may require:

- (a) A set of *as-constructed plans* be filed with the *Chief Building Official*, and/or
- (b) A plan of survey showing the location of the *building* or *buildings*.

11.2. As set out in Section 18 of the *Act*, an inspector may require information, including plans, specifications, reports or documents, from any person in order to confirm compliance with any *Building Code* and/or *applicable law* requirement.

11.3. *For new single detached, duplex or semi-detached / link dwellings, the permit holder shall:*

- a) *Pay a \$3,500.00 lot grading deposit; and*
- b) *Provide within seven (7) months of occupancy, a final grading certificate:*
 - i. *Bearing the signature and seal of a professional engineer or Ontario Land Surveyor certifying that the finished elevations and grading generally conforms with the approved design of the subdivision grading plans;*
 - ii. *Where no accepted area or subdivision plan exists, bearing the signature and seal of a professional engineer, or a Landscape Architect (a member of the Ontario Association of Landscape*

Architects), or Ontario Land Surveyor certifying that the finished elevations and grading of the land generally conforms to the lot grading plan;

iii. Together with a Plan of Survey showing final building locations

12. Alternative Solutions

12.1. The *Chief Building Official* may authorize the use of an *alternative solution* where a designer provides, for each *alternative solution* that is proposed:

- (a) By submitting a completed *Alternative Solution Application form* as prescribed by the *Chief Building Official*;
- (b) Submitting description of the proposed material, system or *building* design for which authorization as an *alternative solution* is requested;
- (c) Submitting a description of the applicable objectives, functional statements and acceptable solutions as set out in the *Building Code*;
- (d) Providing supporting documentation, past performance or tests described in Division C, Section 2.1 of the *Building Code* or other evaluation demonstrating that the proposed material, system or *building* design will provide the level of performance required by Division A, Article 1.2.1.1. of the *Building Code*; and
- (e) By paying the prescribed fee as set out in Schedule 'A' and in addition, where required, paying the costs of a third party review.

12.2. Where an *alternative solution* has been authorized, the *Chief Building Official* may impose conditions and/or limitations.

12.3. *Alternative solutions* authorized by the *Chief Building Official* shall be applicable only to the location as described in the application and are not transferrable to any other *permit*.

13. Fees

13.1. Fees shall be determined by the *Chief Building Official* as set out in Schedule 'A' and are due and payable by the for a *permit* in addition to any development charges, levies and fees that are deemed to be *applicable law*. Any balance owing shall be paid prior to the issuance of a *permit*. Submission of fees may be made electronically at the discretion of the Corporation.

- 13.2. For classes of *permits* not described in Section 3 or where no fee exists in Schedule 'A', a reasonable fee shall be determined by the *Chief Building Official* by considering all administration, plan review and inspection costs.
- 13.3. Where fees are due as a result of revisions after a *permit* has been issued, no inspections associated with the said revisions shall be passed until:
- (a) The revisions are approved by the *Chief Building Official* or *inspector*, and
 - (b) Additional fees have been paid in full.
- 13.4. Where *work* occurs prior to the issuance of a *permit*, an additional surcharge equalling 35%, 50% or 100% of the *permit* fee as set out in Section A, Subsection E(4) to a maximum of \$5,000, shall be payable by the *applicant*.
- 13.5. The *permit* fees as set out in Schedule 'A' presumes a single submission of complete plans and specifications and a single inspection of each prescribed stage of construction as set out in the *Building Code* and this By-law. Additional service fees as set out in Schedule 'A' shall be invoiced when additional resources to review additional drawings and/or to re-inspect *work* are consumed.

14. Refunds

- 14.1. In the case of a cancelled *permit* or withdrawn, inactive or abandoned *permit* application, the *Chief Building Official* shall determine the amount of paid fees as set out in Schedule 'A' that may be refunded to the *Applicant*, if any, as follows:
- (a) 90% if administrative functions only have been performed;
 - (b) 80% if administrative and zoning functions only have been performed;
 - (c) 60% if administrative, zoning and plans examination functions have been performed; and
 - (d) 50% if the permit has been issued.
- 14.2. Upon calculation of a refund determined in Subsection 13.1, the refund value shall be reduced by 5% for each field inspection that has been performed in relation to an application for *permit* or an issued *permit*.
- 14.3. The percentage of fee to be refunded as set out in Subsection 13.2 shall not include the additional surcharge calculated as a result of construction, demolition or change of use occurring prior to the issuance of a *permit*.
- 14.4. Any authorized refund shall be returned to the person identified on the receipt.

14.5. A deposit that has been paid for an application for Demolition *Permit* shall be refunded to the person identified on the receipt where inspections confirm the following within 6 months of issuance of the *permit*:

- (a) The demolition of the building is complete;
- (b) All general review letters, where required, have been received by the *Chief Building Official*;
- (c) All demolition material and debris has been removed from the property;
- (d) Capped water and sewer services have been inspected and passed.

14.6. No refund shall be made where the paid *permit* fee is less than \$100.00.

15. Recovery of Fees

15.1. In addition to every other remedy available at law, fees that are due and unpaid may be added to the tax roll of the property of the *Owner*, and may be collected in like manner as municipal taxes.

16. Fee Adjustments

16.1. Immediately upon release of the Consumer Price Index by Statistics Canada, all services fees as set out in Schedule 'A' shall be adjusted by the Consumer Price Index and shall be;

- (a) Rounded to the nearest cent where the fee is based on an area or linear measurement calculation; and
- (b) Rounded to the nearest dollar for all other fees.

16.2. Adjusted fees shall be posted on the corporation's web site and available from the Building Department.

17. Notices and Inspections

17.1. The *permit holder* or an *authorized agent* shall notify the *Chief Building Official* of readiness to inspect the required stages of construction as prescribed by Division C, Sentence 1.3.5.1.(2) of the *Building Code*.

17.2. In addition to Subsection 16.1., the *permit holder* or an *authorized agent* shall notify the *Chief Building Official* of readiness to inspect the following stages of construction as prescribed by Division C, Sentence 1.3.5.2.(1) of the *Building Code*:

- (a) Substantial completion of structural framing for each storey, if the *building* is a type of *building* that is within the scope of parts of the *Building Code* other than Division B, Part 9;
- (b) Substantial completion of heating, ventilating, air-conditioning and air-contaminant extraction equipment;
- (c) Substantial completion of the pool deck and dressing rooms for a public pool or public spa and readiness for inspection of the emergency stop system for a public pool or public spa;
- (d) Completion and availability of drawings of the *building* as constructed; and
- (e) Completion of a *building* for which an occupancy *permit* is required under Division C, Article 1.3.3.4 or 1.3.3.5 of the *Building Code*.

17.3. The notice required in Subsections 16.1. and 16.2. shall be:

- (a) Emailed to general@strathroy-caradoc.ca;
- (b) By voice message to the Building Department's dedicated inspection request phone line as published on the Municipality's web site;
- (c) In writing to the office of the *Chief Building Official*; or
- (d) Electronically, in a manner to the satisfaction of the Chief Building Official.

17.4. A notice pursuant to Subsections 16.1. to 16.3. is not effective until the notice is actually received by the *Chief Building Official* or designate.

17.5. Upon receipt of notice of readiness to inspect as set out in this Section, the *Chief Building Official* or an *inspector* shall undertake a site inspection:

- (a) No later than two (2) business days after receipt of the notice by the *Chief Building Official* or designate, or

17.6. The time period referred to in Subsection 16.5 shall begin on the business day following the day on which the notice is received.

- 17.7. The *permit holder* shall facilitate safe access for inspection of the *work*.
- 17.8. A copy of the actual plans issued in support of a *permit* shall be available to the inspector when requested.
- 17.9. Re-inspections of deficient or incomplete *work* for a third (3rd) inspection of the same required inspection shall be subject to an additional service fee as set out in Schedule 'A'.

18. Delegated Authority to *Chief Building Official*

- 18.1. The Council of the *Corporation* hereby delegates to the *Chief Building Official* the power to enter into agreements prescribed by the *Corporation* and described in clause 8.(3)(c) of the *Act* relating to the issuance of a *Conditional Permit*.
- 18.2. Where the *Corporation* enters into an agreement with a *Registered Code Agency*, the *Chief Building Official* is authorized to enter into a service agreement with a *Registered Code Agency* to perform one or more of the functions prescribed in Section 15.15 of the *Act* in respect of the construction or demolition of a *building* or class of *buildings*.

19. Fences at Construction and Demolition Sites

- 19.1. Where, in the opinion of the *Chief Building Official* or *inspector*, a construction or demolition site presents a hazard to the public, the *Chief Building Official* or *inspector* may require the *owner* to erect such fences as the *Chief Building Official* or *inspector* deems appropriate to the circumstances to prevent unauthorized entry to the site.
- 19.2. In considering the hazard presented by the construction or demolition site to be fenced, the *Chief Building Official* or *inspector* shall have regard for:
- (a) The proximity of the *building* site to other *buildings* that are occupied;
 - (b) The proximity of the construction or demolition site to lands accessible to the public;
 - (c) The hazards presented by the construction or demolition activities and materials;
 - (d) The effectiveness of site fences; and
 - (e) The duration of the hazard.

- 19.3. Every fence required under this By-law shall:

- (a) create a continuous barrier to sufficiently deter unauthorized entry to the construction or demolition site to the satisfaction of the *Chief Building Official* or *inspector*
- (b) be erected and maintained in a nominally vertical plane and maintained in good repair; and
- (c) be a minimum of 1.2 m in height and shall not exceed the maximum height as set out in the *Corporation's Zoning By-law*.

20. Affordable Housing

20.1. The Chief Building Official is authorized to waive the building permit fee for a dwelling unit that qualifies as an affordable housing unit and shall seek the concurrence of the Chief Administrative Officer in so doing.

21. Offences and Penalties

21.1. Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided in Section 36 of the *Act, 1992, S.O. 1992, c.23, as amended*.

22. Validity

22.1. In the event that any provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this By-law.

23. Code of Conduct

23.1. The Code of Conduct and associated policies as required under Section 7.1 of the *Act* are set out in Schedule C of this by-law.

24. Interpretation and Implementation

24.1. Schedules A, B and C attached hereto shall form part of this By-law.

24.2. This By-law comes into force on the day of its enactment.

24.3. By-law 30-06 as amended, of the Corporation of the Municipality of Strathroy-Caradoc is hereby repealed.

25. Effective Date

25.1 This by-law shall come into force and take effect on January 1, 2022.

**Read a FIRST, SECOND AND THIRD TIME and FINALLY PASSED BY OPEN
COUNCIL ON THIS 6th DAY OF DECEMBER, 2021**

Mayor

Clerk

Schedule A – Permit and Miscellaneous Fees

(to be attached from Appendix 1 of the Fees Report)

Schedule B – Plans, Documents and Specifications

Plans, Documents and Specifications

Part 1

- a) Demolition (full or partial)
 - i) Proof arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, telephone or other utilities and services.
 - ii) Description of the structural design characteristics of the building and a method of demolition prepared by a Professional Engineer where deemed necessary by the Chief Building Official.
 - iii) A structural design of any required shoring where necessary.
 - iv) Site/grading plan prepared by a Professional Engineer, or Ontario Land Surveyor where deemed necessary by the Chief Building Official.
- b) On-site sewage system (new)
 - i) Site evaluation report prepared by a professional engineer including soil permeability and soil conditions, including the potential for flooding.
 - ii) Sewage system design and drawings to be prepared by a Professional Engineer or a qualified designer.
 - iii) Completed Schedule 1 and Schedule 2 forms, as applicable.
- c) On-site sewage system (repair or replacement)
 - i) A soil grain size analysis completed by a Professional Engineer or percolation tests are to be witnessed by an inspector.
 - ii) Sewage system design and drawings, including a site plan, to be prepared by a Professional Engineer or a qualified designer.
 - iii) Completed Schedule 1 and Schedule 2 forms.
- d) Residential deck or porch permit
 - i) Site plan
 - ii) Structural plan
 - iii) Elevations
 - iv) Connection details, as applicable
 - v) Completed Schedule 1 form
- e) Residential accessory buildings
 - i) Site plan
 - ii) Foundation Plan
 - iii) Structural plan
 - iv) Building elevations
 - v) Building section
 - vi) Completed Schedule 1 form

- f) Residential addition or renovation permit
 - i) Site plan, if applicable
 - ii) Grading plan, if deemed necessary by the Chief Building Official
 - iii) Foundation plan
 - iv) Floor plans
 - v) Building Elevations
 - vi) Building section
 - vii) Heat loss calculations and duct design, if deemed necessary by the Chief Building Official
 - viii) On-site sewage system evaluation or design of new system, where deemed necessary by the Chief Building Official.
 - ix) Completed Schedule 1 form

- g) New residential house, semi-detached, townhouse, or duplex
 - i) Lot grading plan
 - ii) A completed on-site sewage system design, if applicable
 - iii) Foundation plan
 - iv) Floor plans
 - v) Completed roof truss, and floor system design including engineered truss and beam designs, if applicable
 - vi) Building elevations
 - vii) Building sections
 - viii) Heat loss calculation and duct designs
 - ix) Energy Efficiency Design Summary
 - x) Any applicable engineering
 - xi) Schedule 1 form

- h) New residential apartment building
 - i) Approved site plan agreement
 - ii) Geotechnical investigation report
 - iii) Site plan
 - iv) Grading and servicing plan
 - v) Architectural drawings
 - vi) Structural drawings
 - vii) Mechanical drawings
 - viii) Electrical drawings
 - ix) Fire protection drawings, if applicable
 - x) SB-10 form
 - xi) General Review and Commitment Certificate
 - xii) Schedule 1 form, if applicable

- i) New non-residential building or addition
 - i) Approved site plan agreement
 - ii) Geotechnical investigation report
 - iii) Site plan
 - iv) Grading and servicing plan
 - v) Architectural drawings
 - vi) Structural drawings
 - vii) Mechanical drawings
 - viii) Electrical drawings
 - ix) Fire protection drawings, if applicable
 - x) SB-10 form
 - xi) General Review and Commitment Certificate
 - xiii) Schedule 1 form, if applicable

- j) Non-residential alteration/renovation
 - i) Site plan or key plan
 - ii) Architectural drawings
 - Where applicable:
 - iii) Elevations, sections, and details
 - iv) Structural drawings
 - v) Mechanical drawings
 - vi) Electrical drawings
 - vii) Fire protection drawings
 - viii) General Review and Commitment Certificate
 - ix) Schedule 1

- k) Farm buildings
 - i) Site plan
 - ii) Structural plan
 - iii) MDS calculation
 - iv) Completed roof truss system design, including stamped truss drawings
 - v) Schedule 1 form, if applicable
 - vi) General Review and Commitment Certificate, if applicable

Part 2

2.1 The site plan shall show:

- a) Survey property boundaries and dimensions, all building lines, bearings of metes and bounds and compass orientation (legal description);
- b) The location, use, height and dimensions of any existing and proposed buildings including front, side, and rear yard dimensions and relationships to adjoining property lines and buildings, and the proposed lot coverage;
- c) Existing and finished ground levels or grades, and first floor elevations referenced to an established datum at or adjacent to the site in respect of which an application is made;
- d) Existing rights-of-way, easements and municipal services; and
- e) Location of existing and proposed fire hydrants or on site supply of water for fire fighting;
- f) All existing and proposed parking layout, fire access routes, fire department connection locations, location of required exits, retaining walls, swimming pools, accessory buildings, septic systems, wells and any other such physical additions to the site.

2.2 The grading plan and site servicing plan shall show:

- a) The property lines, building location, sidewalks, driveways, curb cuts, swales, all utility services and new / existing service connections;
- b) Pre and post spot elevations for this project and adjacent properties, slopes of driveways, sidewalks and swales, direction of drainage flow;
- c) Location of storm water catchment area, catch basins, below grade and above grade utilities and connections into services at property line;
- d) Top of foundation and underside of footing elevations;
- e) Information to confirm zoning compliance, including setbacks, percent lot coverage, landscape area, and driveway coverage;
- f) Location of existing and proposed fire hydrants or on site supply of water for fire fighting; and
- g) Location of easements, and right-of ways.

2.3 The architectural drawings shall show:

- a) OBC matrix;
- b) Floor plans including dimensions and room names;
- c) All wall types and construction, window and door opening locations and sizes;
- d) Designs for all fire separations, firewalls, and fire stopping;
- e) Building elevations;

- f) Building sections; and
 - g) Any other applicable details to demonstrate conformance to the OBC.
- 2.4 The structural drawings shall show:
- a) All design loading, including but not limited to: snow, rain, wind, seismic, and soil bearing capacity;
 - b) Foundation plans;
 - c) Floor, and roof framing plans;
 - d) All structural sizes;
 - e) Snow drifting diagrams;
 - f) Location and required reinforcement of all mechanical equipment; and
 - g) All required shoring designs.
- 2.5 The mechanical drawings shall show:
- a) All plumbing, heating, and ventilation designs;
 - b) Location of the building's water meter, if applicable;
 - c) All pipe and duct sizing, including location and design of fire dampers; and
 - d) Schedule for size and specification of all mechanical equipment.
- 2.6 The electrical drawings shall show:
- a) All emergency lighting and lighting within floor areas; and
 - b) All fire alarm system designs.
- 2.7 The fire protection drawings shall show:
- a) Location of all standpipe stations, sprinkler heads, pipe sizing, suppression hood shop drawings, and specifications for any equipment required for fire protection system.
- 2.8 The on-site sewage system drawings shall show:
- a) A site plan showing the location of the sewage system on the property along with dimensions to the locations of items listed in Column 1 of Tables 8.2.1.6.A, 8.2.1.6.B. and 8.2.1.6.C of Division B of the OBC;
 - b) Location of test pits;
 - c) Depth to watertable; and
 - d) Design calculations.

Schedule C – Code of Conduct

CODE OF CONDUCT FOR BUILDING OFFICIALS AND INSPECTORS

Preamble

The Code of Conduct applies to the Chief Building Official and Inspectors appointed under the Building Code Act in the exercise of a power or the performance of a duty under the Building Code Act of the Building Code.

Purpose

The purpose of the Code is to promote appropriate standards of behavior and enforcement actions to ensure that building officials apply standards of honesty and integrity, and to prevent practices constituting an abuse of power, including unethical or illegal practices.

Standards of Conduct

Building Officials shall undertake:

1. To always act in the public interest, particularly with respect to the safety of buildings and structures.
2. Not to act where there may be or where there may reasonably appear to be a conflict between their duties to their employer, their profession, their peers, the public at large, and their personal interests.
3. To apply known relevant building by-laws, codes, and standards appropriately and without favour.
4. To perform their duties impartially and in accordance with the highest professional standards.
5. At all times to abide by the highest moral and ethical standards and to avoid any conduct which may bring Building Officials into disrepute.
6. To comply with the provisions of the Building Code Act, the Ontario Building Code, and other Acts or Laws which regulate or govern Building Officials or their functions.
7. Not to act beyond their personal level of competence or outside their area of expertise.
8. To maintain current accreditation to act as an Ontario Building Official.
9. To extend professional courtesy to

all. Breaches of the Code of Conduct

The Ontario Building Code Act provides that the performances of Building Officials will be measured against this Code of Conduct. The Municipal Administration will review allegations brought forward, in writing, that the Code of Conduct has been breached. Disciplinary action arising from violations of this Code of Conduct is the responsibility of the Municipality and will be based on the severity and frequency of the violations in accordance with relevant employment standards.

Appendix A – Forms

Forms to be used for the implementation of this By-law	
Form 1	Application to Permit Construction/Demolition
Form 2	Change of Use Permit Application
Form 3	General Review Commitment Certificate (from professional Architect or Engineer)
Form 4	Order to Comply with Act of Building Code
Form 5	Stop Work Order
Form 6	Order to Remedy Unsafe Building
Form 7	Order Prohibiting Use or Occupancy of Unsafe Building
Form 8	Emergency Order
Form 9	Alternative Solution Form
Form 10	Transfer of Permit Form
Form 11	Schedule 1
Form 12	Schedule 2
Form 13	Energy Efficiency Design Summary - Prescriptive
Form 14	Energy Efficiency Design Summary - Performance
Form 15	SB-10 Form
Form 16	SB-10 Non-Residential Part 9 Form