

The Corporation of the Township of Huron-Kinloss



BY-LAW

2019- 16

Being a by-law to amend the Building By-Law for the Township of Huron-Kinloss

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 WHEREAS Section 35 of the Building Code Act, S.O. 1992 c. 23, as amended provides that that Act and the Building Code, as amended supersede all municipal by-laws respecting the construction and 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 the Council for the Corporation of the Township of Huron-Kinloss passed By-Law No. 2012-41 being the Building By-Law for the Township of Huron-Kinloss;

AND WHEREAS The Council for The Corporation of the Township of Huron-Kinloss deems it expedient to amend the Building By-Law for the Township of Huron-Kinloss;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

- 1.0 That Schedules 'A', 'B', 'C' and 'D' are hereby repealed and replaced with the attached Schedule 'A', 'B', 'C' and 'D'
- 2.0 This by-law shall come into full force and effect upon final passage.
- 3.0 That all other provisions of By-law No. 2012-41, remain in full force and effect.
- 4.0 That the By-Law may be cited as the "Township of Huron-Kinloss Building By-Law Amendment (1) By-Law.

READ a FIRST and SECOND TIME this 19th day of February 2019.

READ a THIRD TIME and FINALLY PASSED this 19th day of February, 2019

Original Signed by Mayor Twolan

Original Signed by Emily Dance

Mitch Twolan, Mayor

Emily Dance, Clerk

Schedule 'A' to By-Law No. 2019-16

Class of Permits

1. Building Permits (Building Code Act, Section 8(1)) may be issued for all types of construction governed by the Building Code, as amended and may include plumbing, farm building, change of use, sewage system, heating ventilating and air conditioning systems, moving a building a building, etc.
2. Partial Building Permit (Building Code Act, Section 8(1)) may be issued 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 and where the construction authorized by the permit complies with the Act, Building Code, as amended and other applicable law. Application shall be made, fees paid and complete plans and specifications covering the portion of the work for which the 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 permits may be issued by the Chief Building Official in accordance with Section 2.2.2.(c) 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 1.3.1.4 (1), Division C of the Building Code, as amended 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.(a),(b),(c),(d) and (e), Classification of systems in the regulation.
6. Sign Permits may be issued in respect of the structural requirements for signs as described in Section 3.15, Division B of the Building Code, as amended.
7. Special Building Permit may be issued for all types of construction governed by the Building Code, as amended and may include plumbing, farm buildings, sewage system, 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.

Schedule 'B' to By-Law No. 2019-16

Building Permits and Fees

Refunds

Pursuant to Section 3.5 of the Building By-law, the fees that may be refunded shall be a percentage of the fees payable under Section 3.1, calculated by the Chief Building Official as follows:

- a) 80% if the application is received but no processing or review of plans submitted has commenced;
- b) 50% if the application is received, plans reviewed and permit issued;
- c) 10% additional deduction for each field inspection that has been performed; and
- d) No refund shall be in the amount less than \$50.00.

Interpretation

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

- Floor area of the proposed work is to be measured to the outer face of exterior walls and to the centerline of any party walls or demising walls (excluding residential garages).
- In the case of interior alterations of renovations, area of proposed work is the actual space receiving the work (e.g. tenant space).
- Mechanical penthouses and floors, mezzanines, lofts, habitable attics, and interior balconies are to be included in all floor area calculations.
- Except for interconnected floor spaces, deductions are made for opening within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, etc.)
- Unfinished basements for single detached dwellings (including semis, duplexes, and townhouses, etc.) are not included in floor area.
- Attached garages and fireplaces are in the permit fee for single detached dwellings, attached dwellings, semis, duplexes and townhouses.
- Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no addition charge is applicable.
- Ceilings are included in both new shell and finished (partitioned) buildings. The Service Index for ceilings applies only when alterations occur in existing buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.

- Where demolition of partitions or alteration to existing ceilings is part of an alteration or renovation permit, no additional charge is applicable.
- Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major classification for the floor area on which they are located.
- The occupancy categories in the Schedule correspond with the major occupancy classification in the Ontario Building Code, as amended. For mixed occupancy floor areas, the Service Index for each of the applicable occupancy categories may be used, except where an occupancy category is less than 10% of the floor area.

SCHEDULE 'C' to By-Law No. 2019-16

Schedule of Documents, Drawings and Specifications Required for Construction, Demolition and Change of Use Permits

A minimum of 2 sets of the following types of drawings, specifications and documents at a legible scale are required to be submitted in order for the various types of Building Permit Applications listed to be considered a complete application pursuant to section 2.4 of the Building Code Act , 1992 as amended and the Building By-law. Depending upon the nature, scope and scale of a project other additional supporting drawings, specification and documents maybe be required to demonstrate Ontario Building Code compliance at the discretion of the Chief Building Official.

Where required by the Chief Building Official the plans and specifications shall be submitted in a digital PDF or ACAD format compatible with the municipality's software system.

REQUIRED DOCUMENTATION

Where applicable the following supporting documentation shall accompany applications for a permit unless otherwise waived by the Chief Building Official:

- a) Proof/Confirmation of Approval of all Applicable Law pursuant to Section G of an application to Construct or Demolish
- b) Owner / engineer/architect's letter of commitment and general review form Real Property Report (Survey Plan) prepared by an Ontario Land Surveyor,
- c) Driveway access permit approved by the authority having jurisdiction as may be applicable,
- d) Where required approval by the Ministry of the Environment for the design and construction of a private sewage disposal and water supply systems,
- e) Commitment of Undertaking that a termite control program shall be undertaken to resist termite infestation of the building.
- f) OMAFRA Nutrient Management Strategy and/or Plan Sign-Off Form.
- g) Heritage Permit pursuant to the Ontario Heritage Act.
- h) Confirmation of Compliance with OMAFRA Minimum Distance Separation 1 or 2

Optional:

- i. Zoning Compliance Certificate / Pre-consultation Letter
- ii. Approved Lot Grading and Drainage Plan
- iii. Geotechnical Soils Report.
- iv. Structural Engineering Report.

REQUIRED DRAWINGS BY TYPICAL PROJECT TYPE

1. Demolitions

- a) 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
- b) Site Grading and Rehabilitation Plan
- c) Confirmation that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, and telephone or other utilities and services.
- d) Proof of liability insurance coverage to not less than \$1,000,000.00, that relates to the proposed demolition,
- e) Where a building is designated under the Heritage Act, approval of the Township Council to de-designate the building and permit demolition.
- f) Where the building is located within an area of known termite infestation, the owner/contractor's undertaking confirming that all waste wood and cellulose materials shall be destroyed or disposed at a provincially licensed waste disposal site.

2. Private Septic Disposal System

- a) Site Evaluation Report prepared by a Professional Engineer including soil permeability, and soil conditions, including the potential for flooding
- b) Plot / Site Plan and or Approved Lot Grading and Drainage Plan
- c) Septic system design and drawings (prepared by a Professional Engineer where the lot is less than 2 acres in area and / or located within a plan of subdivision.)
- d) In the case of Class 4 sewage systems, a copy of the required annual service and maintenance agreement.
- e) Where applicable, a construction permit from the Saugeen Valley Conservation Authority or Maitland Valley Conservation Authority.

3. Residential Decks and Porches

- a) Plot / Site Plan
- b) Foundation Plan
- c) Framing plan and guard details
- d) Where applicable, either confirmation that the final lot grading and drainage is in accordance with the overall subdivision lot grading and drainage plans or a waiver signed by the homebuilder who posted the lot grading and drainage deposit permitting the construction.

4. Residential Accessory Buildings (Less Than 50 m2 in building area)

- a) Plot / Site Plan
- b) Real Property Report (Survey Plan) prepared by an Ontario Land Surveyor if building is to be within a distance 1.25 times that of the required setback from the property boundary.
- c) Foundation plan / Eng. Floor Slab
- d) Floor Plans
- e) Floor and Roof Framing Plans
- f) Building Elevations
- g) Building Section

- h) Where applicable, either confirmation that the final lot grading and drainage is in accordance with the overall subdivision lot grading and drainage plans or a waiver signed by the homebuilder who posted the lot grading and drainage deposit permitting the construction

5. Residential Accessory Buildings (Greater Than 50 m2 in building area)

- a) Plot / Site Plan
- b) Real Property Report (Survey Plan) prepared by an Ontario Land Surveyor if building is to be within a distance 1.25 times that of the required setback from the property boundary.
- c) Where applicable, either confirmation that the final lot grading and drainage is in accordance with the overall subdivision lot grading and drainage plans or a waiver signed by the home builder who posted the lot grading and drainage deposit permitting the construction
- d) The following architectural plans
 - i. Foundation plan
 - ii. Floor Plans
 - iii. Floor and Roof Framing Plans
 - iv. Building Elevations
 - v. Building Section

6. Residential Additions and Renovations Permits

- a) Plot / Site Plan
- b) The following architectural plans prepared by a Provincially Registered Designer or the home owner
 - vi. Foundation plan
 - vii. Floor Plans
 - viii. Floor and Roof Framing Plans
 - ix. Building Elevations
 - x. Building Section
 - xi. Private Septic System Evaluation where applicable

7. New Residential Houses and Semi Detached

- a) Plot / Site Plan
- b) Approved Lot Grading and Drainage Plan
- c) Tarion Home Warranty Program Registration Form
- d) Where applicable a complete Private Septic System Permit Application
- e) The following architectural plans prepared by a Provincially Registered Designer or a Homebuilder registered with the Tarion Warranty Corporation of the homeowner
 - xii. Foundation plan
 - xiii. Floor Plans
 - xiv. Floor and Roof Framing Plans
 - xv. Building Elevations
 - xvi. Building Section
 - vi. Energy Efficiency Design Summary Matrix

8. New Residential Townhouses, Triplex, Quad-plex

- a) Approved Site Development Plan and Agreement
- b) The following architectural plans prepared by a Provincially Registered

Designer or a Home builder registered with the Tarion Home Warranty Program

- i. Foundation Plan
- ii. Floor Plans
- iii. Floor and Roof Framing Plans
- iv. Building Elevations
- v. Building Section
- vi. Energy Efficiency Design Summary Matrix

9. New Residential Apartment Buildings

- a) Approved Site Development Plan and Agreement
- b) Professional Field Review Commitment forms from the Design Professionals
- c) The following architectural plans prepared and stamped by an Architect and Professional Engineer by a Provincially Registered Designer
 - a) Foundation Plan
 - a) Floor Plans
 - b) Floor and Roof Structural Plans
 - c) Building Elevations
 - d) Building Section
 - e) Energy Efficiency Design Summary Matrix
 - f) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Automatic Sprinkler and Standpipe Drawings
 - iii. Fire Alarm system

10. Small Commercial and Industrial Interior Renovations (Part 9 Buildings)

The following architectural plans prepared and stamped by a Provincially Registered Designer or the Building Owner

- a) Floor Layout and Framing Plans
- b) Building Section
- c) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Automatic Sprinkler and Standpipe Drawings
 - iii. A complete Private Septic System Permit Application

11. Small Commercial and Industrial Additions (Part 9 Buildings)

- a) Approved Site Development Plan and Agreement
- b) The following architectural plans prepared and stamped by a Provincially Registered Designer or the Building Owner
 - i. Foundation Plan
 - ii. Floor Plans
 - iii. Roof Plans
 - iv. Building Elevations
 - v. Building Section
- c) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Energy Efficiency Design Summary Matrix
 - iii. Automatic Sprinkler and Standpipe Drawings
 - iv. Fire Alarm system
 - v. Structural Drawings stamped by a Professional Engineer

- vi. Complete Private Septic System Permit Application

12. New Small Commercial and Industrial Buildings (Part 9 Buildings)

- a) Approved Site Development Plan and Agreement
- b) The following architectural plans
 - i. Foundation Plan
 - ii. Floor Plans
 - iii. Floor and Roof Structural Plans
 - iv. Building Elevations
 - v. Building Section
- c) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Energy Efficiency Design Summary Matrix
 - iii. Automatic Sprinkler and Standpipe Drawings
 - iv. Fire Alarm system
 - v. Complete Private Septic System Permit Application

13. Small Assembly / Institutional Building Additions and Renovations (Part 3 Buildings)

- a) The following architectural plans prepared and stamped by an Architect and Professional Engineer
 - ii. Foundation Plan
 - iii. Floor Plans
 - iv. Floor and Roof Structural Plans
 - v. Building Elevations
 - vi. Building Section
- b) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Automatic Sprinkler and Standpipe Drawings
 - iii. Fire Alarm system
 - iv. Professional Field Review Commitment forms from the Design Professionals
 - v. Complete Private Septic System Permit Application

14. New Small Assembly / Institutional Buildings (Part 3 Buildings)

- a) Approved Site Development Plan and Agreement
- b) Professional Field Review Commitment forms from the Design Professionals
- c) The following architectural plans prepared and stamped by an Architect and Professional Engineer
 - i. Foundation Plan
 - ii. Floor Plans
 - iii. Floor and Roof Structural Plans
 - iv. Building Elevations
 - v. Building Section
- d) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Energy Efficiency Design Summary Matrix

- iii. Automatic Sprinkler and Standpipe Drawings
- iv. Fire Alarm system

15. Industrial / Commercial / Institutional Buildings Additions and Renovations (Part 3 Buildings)

- a) Approved Site Development Plan and Agreement
- b) Professional Field Review Commitment forms from the Design Professionals
- c) The following architectural plans prepared and stamped by an Architect and Professional Engineer
 - i. Foundation Plan
 - ii. Floor Plans
 - iii. Floor and Roof Structural Plans
 - iv. Building Elevations
 - v. Building Section
- d) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Energy Efficiency Design Summary Matrix
 - iii. Automatic Sprinkler and Standpipe Drawings
 - iv. Fire Alarm system

16. New Industrial / Commercial / Institutional Buildings (Part 3 Buildings)

- a) Approved Site Development Plan and Agreement
- b) Professional Field Review Commitment forms from the Design Professionals
- c) The following architectural plans prepared and stamped by an Architect and Professional Engineer by a Provincially Registered Designer
 - i. Foundation Plan
 - ii. Floor Plans
 - iii. Floor and Roof Structural Plans
 - iv. Building Elevations
 - v. Building Section
- d) Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Energy Efficiency Design Summary Matrix
 - ii. Automatic Sprinkler and Standpipe Drawings
 - iii. Fire Alarm system

17. Specially Designated Structures

- a) The following plans prepared and stamped by a Professional Engineer by a Provincially Registered Designer
 - i. Site Plan
 - ii. Foundation Plan
 - iii. Floor and Roof Plans
 - iv. Floor and Roof Structural Plans
 - v. Sections

18. Use of an Equivalent / Alternated Solution

- a) The following plans and reports prepared and stamped by a Professional Engineer:
 - i. Description of the proposed equivalent / Alternate solution
 - ii. Demonstration of Compliance with SA-1 Objectives and Functional Statements Matrix
 - iii. Supporting documentation (past performance, tests and other evaluations)

19. Change of Use Permit

- a) Description of the proposed change of use
- b) Reduction in performance matrix
- c) Description of Compensating measures or alternate measures
- d) The following plans and where applicable prepared and stamped by a Professional Engineer
 - i. Foundation Plan
 - ii. Floor Plans
 - iii. Floor and Roof Structural Plans
 - iv. Building Elevations
 - v. Building Section
- e). Where applicable
 - i. HVCA, Electrical and Plumbing System Drawings
 - ii. Energy Design Summary
 - iii. Automatic Sprinkler and Standpipe Drawings
 - iv. Fire Alarm system

DRAWING COMPLETENESS

Unless otherwise specified by the Chief Building Official the following Information shall be shown on plans or working drawings that accompany applications for permits. Depending upon the nature, scope and scale of a project other additional information may be required to demonstrate Ontario Building Code compliance at the discretion of the Chief Building Official.

1. The Plot / Site Plan shall show:
 - a) 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, condominium corporation lines and buildings,
 - b) Existing and proposed elevation contours of the building site and adjacent properties,
 - c) Relation of buildings and finished grade to existing elevations and storm water drainage control plan on site where applicable,
 - d) All existing and proposed site services, parking layout, retaining walls, swimming pools accessory buildings and any other such physical additions necessary to the site,
 - e) Parking and GFA calculations, location and size of typical parking, loading and accessible spaces including aisle widths serving the parking spaces.
 - f) Site statistics that may be relevant to what is being proposed, such as but not limited to: number of residential units, gross floor area, amenity area, proposed height etc.

- g) Elevation drawings clearly indicating compliance with height regulations including various calculations such as average grade calculations where required.
2. The Architectural Drawings shall show:
- a) Designers and/or Firms Building Code Identification Number including statement of responsibility for the building design,
 - b) Architects/designer's Ontario Building Code data matrix,
 - c) Foundation plans and grade details,
 - d) Each floor plan with exact dimensions of the layout of all proposed areas and their use,
 - e) All wall thicknesses and type of construction, window and door openings and schedules elevator, sections and details of all walls, stairs and exits, firewalls, fire separations, shaft and duct openings sand other related pertinent information,
 - f) Building elevations, cross sections and wall sections showing all floor-to-floor heights, materials and thickness etc.
 - g) Spatial separation table and calculations,
 - h) Energy Efficiency Design Summary Matrix
3. Structural Drawings shall show:
- a) All foundation, floor, roof and wall structural elements indicting sizes shapes and proper location and all dead and live design loads and condition of loading,
 - b) All reinforced concrete work indicting thickness and strength of concrete, size spacing minimum cover and type of reinforcing steel,
 - c) All lintel locations and sizes,
 - d) Where applicable Engineered Roof and Floor Truss drawings
4. The Mechanical Electrical and Plumbing Plans shall show:
- a) For buildings defined in Part 9 of the Building Code, provisions for heating, ventilation and air conditioning, electrical and plumbing systems may be shown and indicated on the architectural drawings,
 - b) For Buildings defined in Part 3 of the Building Code, a separate set of drawings for heating ventilation air conditioning, electrical and plumbing systems,
 - c) The location of all fire protection equipment such as early warning, detection and suppression systems,
 - d) Energy Efficiency Design Summary Matrix (ASHREA 90.1),
 - e) Where the primary heat source is provided by heat/hot water combination unit, a solar or geothermal system the all design drawings and documents must be prepared by a Professional Engineer
- Optional:
- i. Heat loss / heat gain calculations,
 - ii. HVAC duct layout and sizing calculations,

- iii. Plumbing DWV and water supply piping layout drawings
5. The Private Sewage system plans shall show:
- a) A site evaluation conducted by a Professional Engineer identifying the soil percolation time and anticipated high ground water level elevation,
 - b) The private sewage system design and construction drawing including all components and a calculation of the total daily design sanitary sewage flow of the system prepared and stamped by a Professional Engineer,
 - c) 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, condominium corporation lines and buildings,
 - d) Existing and proposed elevation contours of the building site and adjacent properties,
 - e) Relation of buildings and finished grade to existing elevations and storm water drainage control plan on site where applicable,
 - f) All existing and proposed site services, parking layout, retaining walls, swimming pools accessory buildings and any other such physical additions necessary to the site

Such other approvals as may be required by the Chief Building Official to demonstrate compliance with applicable law.

Schedule 'D'

Stage of Construction Requiring Notification

The person to whom a permit under Section 8 of the Act is issued shall notify the Chief Building Official of:

- a) Readiness to construct footings,
- b) Substantial completion of footings and foundations prior to commencement of backfilling,
- c) Substantial completion of structural framing and ductwork and piping for heating and air-conditioning systems, if the building is within the scope of Part 9, Division B,
- d) Substantial completion of structural framing and roughing-in of heating, ventilation, air-conditioning and air-contaminant extraction equipment, if the building is not a building to which Clause (c) applies,
- e) Substantial completion of insulation, vapor barriers and air barriers,
- f) Substantial completion of all required fire separations and closures and all fire protection systems including standpipe, sprinkler, fire alarm and emergency lighting systems,
- g) Substantial completion of fire access routes,
- h) Readiness for inspection and testing of:
 - i. Building sewers and building drains,
 - ii. Water service pipes,
 - iii. Fire service mains,
 - iv. Drainage systems and venting systems,
 - v. The water distribution system, and
 - vi. Plumbing fixtures and plumbing appliances.
- i) Readiness for inspection of suction and gravity outlets, covers and suction piping servicing outlets, of an outdoor pool described in Clause 1.3.1.1.(1)(j) of Division A, a public pool or a public spa,
- j) Substantial completion of the circulation/recirculation system of an outdoor pool described in Clause 1.3.1.1.(1)(j) of Division A, a public pool or public spa and substantial completion of the pool before it is filled with water,
- k) Readiness to construct the sewage system,
- l) Substantial completion of the installation of the sewage system before the commencement of backfilling,
- m) Substantial completion of installation of plumbing not located in a structure, before the commencement of backfilling,
- n) Completion of construction and installation of components required to permit the issuance of an occupancy permit under Sentence 1.3.3.1.(2), Division C or to permit occupancy under Sentence 1.3.3.2.(1), Division C if the building or part of the building to be occupied is not fully completed,
- o) Completion of a building or part thereof for which an occupancy permit is required under Article 1.3.3.4, Division C, and
- p) Substantial completion of site grading.