

Bill No. B-
2012

By-law No. B -

A By-law to provide for CONSTRUCTION,
DEMOLITION, CHANGE OF USE,
OCCUPANCY PERMITS, TRANSFER OF
PERMITS AND INSPECTIONS.

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

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

SHORT TITLE BUILDING BY-LAW

Part 1 DEFINITIONS

1.1 Definitions

In this By-law:

Act - defined

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

Applicant-defined

"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 construction or demolition of a building or buildings and anyone acting under the authority of such person or *corporation*.

Architect - defined

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

Building Code - defined

"Building Code" means the regulations made under section 34 of the *Act*.

Chief Building Official - defined

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

Construct – defined

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

Corporation – defined

"Corporation" means The Corporation of the City of London.

Corporation Engineer - defined

"Corporation engineer" means the **City Engineer** for the *Corporation*.

Demolish – defined

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

Inspector - defined

"inspector" means an inspector appointed by by-law by the Corporation of the City of London for the purposes of enforcement of the *Act*.

Owner - defined

"owner" means the registered owner of the property and includes a lessee, mortgagee in possession, and the authorized agent in lawful control of the property.

Permit - defined

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

Permit holder - defined

"permit holder" means the *owner* to whom a *permit* has been issued or where a *permit* has been transferred, the new *owner* to whom the *permit* has been transferred.

Permit Issued based on Previously Approved Permit-defined

“*permit issued based on previously approved permit*” means a building *permit* that has been issued based on a previous building *permit* issued, for the construction of an identical building under the provisions of the same *Building Code*. This type of *permit* is strictly limited to the construction of new single detached and semi-detached dwelling unit buildings classified under Part 9 of the *Building Code*.

Professional Engineer - defined

“*professional engineer*” or “*engineer*” means a person who holds a licence or temporary licence under the *Professional Engineers Act*, R.S.O. 1990, c. P.28, as defined in the *Building Code*.

Registered Code Agency - defined

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

Sewage system – defined

“*sewage system*” means a sewage system as defined in subsection 1(1) of the *Act*.

Temporary building – defined

“*temporary building*” means a building or structure that is intended to be occupied or otherwise used for a duration of not more than one calendar year.

Three day permit –defined

“*three day permit*” means a *permit* issued within three (3) business days from the date of submission of a complete application, for the construction, addition or alteration of a residential, commercial, industrial or institutional building not requiring site plan approval or a zero lot line housing with an approved site plan. *Permits* issued in association with an online application shall not be issued as a *three day permit*.

Work - defined

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

1.2 Word - term - not defined - meaning

Any word or term not defined in this By-law, that is defined in the *Act* or *Building Code* shall have the meaning ascribed to it in the *Act* or the *Building Code*. Should a word or term not be defined in the *Act* or the *Building Code*, it shall have the meaning that is commonly assigned to it in the context in which it is used, taking into account the specialized use of terms by the various trades and professions to which the terminology applies.

1.3 Words -italicized

Any word italicized in this By-law may refer to a definition as per subsection 1.1.

Part 2 CLASSES OF PERMITS

2.1 Classes of Permits Set out - Schedule “A”

The classes of permits set out in Schedule “A” of this By-law are hereby established.

Part 3 PERMITS

3.1 File application - on forms – prescribed

To obtain a *permit*, the *owner* or an agent authorized in writing by the *owner* shall file an application in writing, or where applicable, electronically in the case of an online application, by completing a prescribed form available from the *Chief Building Official* or from the *Building Code* website www.mah.gov.on.ca. The application form prescribed by the *Corporation* under clause 7.(1),(f) of the *Act* is set out in Schedule “B” or Schedule “C” to this By-law.

3.2 Information - submitted - to Chief Building Official

Every application for a *permit* shall be submitted to the *Chief Building Official*, and shall contain the following information, in order for said application to be considered as complete:

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

- (a) use the provincial application form, "Application for a Permit to Construct or Demolish", as set out in Schedule "B";
- (b) include complete plans and specifications, documents and other information as required by Article 1.3.1.3(5)-Division C of the *Building Code* and as described in this By-law for the *work* to be covered by the *permit*;
- (c) include completed forms as set out in Schedules "E" and "G" where applicable, and
- (d) for new single detached, duplex or semi-detached dwellings be accompanied by,
 - (i) in the case of land in respect of which an accepted area or subdivision grading plan has been filed with the *Corporation engineer*, a lot grading plan bearing the signature and seal of the subdivider's *Professional Engineer* who is responsible for the overall subdivision grading certifying thereon that the lot grading plan conforms with the accepted area or subdivision grading plan filed with the *Corporation engineer*;
 - (ii) in the case of land in respect of which no accepted area or subdivision grading plan has been filed with the *Corporation engineer*, a lot grading plan bearing the signature and seal of a *Professional Engineer*, or a Landscape Architect (a member of the Ontario Association of Landscape Architects) or an Ontario Land Surveyor who certifies thereon that the drainage scheme depicted by the plan will be compatible with the existing drainage patterns.
 - (iii) in the case of land to be developed and where Section 51 of the Planning Act applies, or where Site Plan approval would otherwise be required, a geotechnical report, signed and sealed by a *Professional Engineer*, confirming areas of imported (non-native) soils and the presence of methane, if any.
- (e) for single detached, duplex, triplex, semi-detached, or row townhouse buildings intended to be continuously occupied during the winter season, include a completed form as set out in Schedule "F".

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

- (a) use the provincial application form, "Application for a Permit to Construct or Demolish", as set out in Schedule "B";
- (b) include complete plans and specifications, documents and other information as required by Articles 1.3.1.3(5) and 1.3.1.1.(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 a completed form as set out in Schedule "E" when Subsection 1.2.2. – Division C of the *Building Code* applies.
- (d) submit a copy of the demolition clearances form "Required Clearances for Demolition Permit" form as set out in Schedule "I", completed by the *applicant*, Heritage Planner, and utility representatives for any applicable utilities servicing the building to be demolished.
- (e) note that when an authorized agent of the *owner* has applied for a demolition *permit*, submission of the "Authorization to Demolish" form as set out in Schedule "M" shall be made to the *Chief Building Official*.

- (3) Where a request is received for a *conditional permit* under subsection 8(3) of the Act, the *applicant* shall:
- (a) use the provincial application form, "Application for a Permit to Construct or Demolish", as set out in Schedule "B";
 - (b) include complete plans and specifications, documents and other information as required by Article 1.3.1.3(5)-Division C of the *Building Code* and as described in this By-law for the *work* to be covered by the *permit*;
 - (c) state, in writing to the *Chief Building Official*, or to the *Registered Code Agency* where one is appointed, the reasons why the *applicant* believes that unreasonable delays in construction would occur if a *conditional permit* is not granted;
 - (d) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained; and
 - (e) state the time in which plans and specifications of the complete building will be filed with the *Chief Building Official*, if a complete *permit* application has not already been made.
 - (f) shall enter into a *conditional permit* agreement with the *Corporation* utilizing the agreement as set out in Schedule "K" of this By-law. In the event that the conditions have not been satisfied beyond the date that is prescribed in said agreement, the agreement shall be considered as expired, and a request for an extension shall be made by the *permit holder*. In the event that an extension is required the conditional fee shall be paid at the time the extension request is made. No building inspections shall be conducted if there outstanding *conditional permit* fees.
 - (g) shall pay the *Conditional Permit* fee as provided in Schedule "A", in addition to any other fees.
 - (h) in the case of *conditional permit* issuance for a Single Detached Dwelling unit, Semi-Detached Dwelling Unit, Duplex, or Row Townhouse, provide a \$10,000.00 security deposit in form of a certified cheque, money order, or letter of credit. The security shall be used in the event the building may need to be removed and the site restored to its original condition. The security amount shall be refunded upon the issuance of a full *permit*.
 - (i) shall ensure that the documentation and items as listed on the "Model Home-Conditional *Permits*" checklist as provided in Schedule 'L' have been submitted to the *Chief Building Official*, or a *Registered Code Agency* where one is appointed, prior to the issuance of a *conditional permit* request as per clause (h) has been requested.
 - (j) the *Chief Building Official* is authorized to execute, on behalf of The Corporation of the City of London, *conditional permits* as provided for in the *Building Code*. The issuance of *conditional permits* is at the sole discretion of the *Chief Building Official*.
- (4) Where application is made for a *change of use permit* issued under subsection 10(1) of the Act, the *applicant* shall:
- (a) use the prescribed form in Schedule "C" of this By-law;
 - (b) describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;
 - (c) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made; and

- (d) include complete plans and specifications showing the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the *Building Code*, including: floor plans; details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, and details of the existing *sewage system*, if any.
- (5) Where application is made for a *sewage permit* issued under subsection 8(1) of the Act, the *applicant* shall:
- (a) use the provincial application form, “Application for a Permit to Construct or Demolish”, as set out in Schedule “B” and the “Schedule 2: Sewage System Designer Information Form”, as set out in Schedule “H” of this By-law;
 - (b) include complete plans and specifications, documents and other information as required under Article 1.3.1.3(5)-Division C of the *Building Code* and as described in this By-law for the *work* to be covered by the *permit*; and
 - (c) include a site evaluation report , prepared by a qualified person as identified in Section 3.3 -Division C of the *Building Code*, which shall include all of the following items, unless otherwise specified by the *Chief Building Official*:
 - (i) the date the evaluation was done;
 - (ii) the name, address, telephone number and signature of the person who prepared the evaluation; and
 - (iii) a scaled map of the site showing:
 - (I) the legal description, lot size, property dimensions, existing rights-of-way, easements or municipal / utility corridors;
 - (II) the location of items listed in Column 1 of Tables 8.2.1.6.A., 8.2.1.6.B. and 8.2.1.6.C. , Division B of the *Building Code*;
 - (III) the location of the proposed *sewage system*;
 - (IV) the location of any unsuitable, disturbed or compacted areas;
 - (V) proposed access routes for system maintenance;
 - (VI) depth to bedrock;
 - (VII) depth to zones of soil saturation;
 - (VIII) soil properties, including soil permeability; and
 - (IX) soil conditions, including the potential for flooding.
- (6) Where application is made for a *transfer of permit* because of a change of ownership of the land, as permitted under clause 7.(1) (h) of the Act, the application shall include :
- (a) the prescribed form in Schedule “C” of this By-law;
 - (b) the names and addresses of the previous and new *owner*;
 - (c) the date that the ownership change took place
 - (d) a description of the *permit* that is being transferred ; and
 - (e) legal documentation confirming proof of new ownership

- (7) Where application is made for *occupancy of an unfinished building* as provided for in Subsection 1.3.3 -Division C of the *Building Code*, the application shall include:
- (a) the prescribed form in Schedule “C” of this By-law;
 - (b) a description of the part of the building for which occupancy is requested ;and
 - (c) provide plans showing portion(s) of the floor area(s) to be occupied complete with location(s) of temporary exits as applicable.

3.3 Incomplete application

Where the *Chief Building Official* determines that an application is incomplete, the *Chief Building Official* may commence to process the application if the *applicant* acknowledges that the application is incomplete.

3.4 Partial permit - requirements

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, a partial *permit* may be requested and the *applicant* shall:

- (a) pay all applicable fees for the complete project; and
- (b) file with the *Chief Building Official* complete plans and specifications covering the portion of the *work* for which immediate approval is desired.

Where a partial *permit* is requested the application is deemed to be incomplete as described in Section 3.3 of this By-law. Partial *permits* shall not be issued for single detached, semi-detached dwelling units, duplexes, triplexes, or row townhouses.

3.5 Partial permit - limitations

Where a *permit* is issued for part of a building or project this shall not be construed to authorize construction beyond the plans for which approval was given nor shall this indicate that approval will necessarily be granted for the entire building or project. Construction beyond the partial *permit* limitations shall be considered commencement of construction without a *permit* and an additional fee, in accordance with Section 6.4 of this By-law shall be due.

3.6 Inactive Permit Application

Where an application for a *permit* remains incomplete or inactive for six months after it is made, the application may be deemed by the *Chief Building Official* to have been abandoned and notice thereof shall be given to the *applicant*. If an application is deemed to be abandoned, a new application must be filed for any *work* proposed in the abandoned application. An inactive *permit* application may also include to be an application where information is outstanding, six months or more after it is made, in such a manner that a full or partial *permit* cannot be issued.

Part 4 PLANS AND SPECIFICATIONS

4.1 Information - sufficient - to determine conformity

Sufficient information shall be submitted with each application for a *permit* to enable the *Chief Building Official* to determine whether or not the proposed construction, demolition, change of use or transfer of *permit* will conform with the Act, the *Building Code* and any other applicable law.

4.2 Two complete sets - required - unless specified

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

4.3 Plans - drawn to scale - on durable material - legible

Plans shall be drawn to scale (min. 1:75 or 3/16"=1'-0") on paper, electronic media approved by the *Corporation*, or other durable material approved by the *Corporation*, and shall be legible. Free hand drawings are not permitted to be submitted.

4.4 Site plans - referenced - to plan of survey

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; and
- (c) existing rights-of-way, easements and municipal services.

4.5 As-constructed plans

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

4.6 Plans property of Corporation

Plans and specifications furnished according to this By-law or otherwise required by the Act become the property of the *Corporation* and will be disposed of or retained in accordance with the *Corporation's* Record Retention By-law, or other applicable legislation.

Part 5 Registered Code Agencies

5.1 Registered Code Agency - hired - by Chief Building Official

Where the *Corporation* enters into an agreement with a Registered Code Agency, the *Chief Building Official* is authorized to appoint Registered Code Agencies to perform specified functions in respect of the construction of a building or a class of buildings from time to time in order to maintain the prescribed time periods for *permit* issuance as prescribed in Article 1.3.1.3-Division C of the *Building Code*.

5.2 Functions of Registered Code Agency

The *Registered Code Agency* may be appointed to perform one or more of the specified functions described in section 15.15 of the Act.

Part 6 FEES AND REFUNDS

6.1 Due - payable - Schedule "A"

The *Chief Building Official* shall determine the required fees for the *work* proposed calculated in accordance with Schedule "A" of this By-law, and the *applicant* shall pay such fees upon submission of an application for a *permit*, except for applications submitted electronically through the *Corporation's* e- services at www.london.ca for online applications to erect single detached, semi-detached dwellings and townhouse dwellings for which the required *permit* fee must be paid within 5 business days from the date the *applicant* is notified by the *Chief Building Official* by way of email that the *permit* is ready for issuance, failing which the electronically submitted application shall be cancelled without further notice.

In the event where fees are due as a result of revisions, after a *permit* has been issued, no building inspections associated with said revisions shall be carried out until such time the outstanding fees have been paid in full.

6.2 Three day permits

Any person or *corporation* proposing to *construct*, add to or alter a residential, commercial, industrial or institutional building not requiring site plan approval or a zero lot line housing with an approved site plan, may, subject to staff resources, upon payment of an additional fee equal to the greater of 50% of the regular *permit* fee or the flat fee as set out in Schedule "A", request

a three day fast track *permit*. Any such request must be supported by full and complete submission of all the requirements for *permit* applications as set out in Part 3 of this By-law.

6.3 Permit Issued based on Previously Approved Permit-Revisions

Should design revisions be submitted with respect to a *permit* issued based on a previously approved *permit*, additional *permit* fees, shall be due as follows:

- (a) fees based on a fee rate applicable to a regular *permit* (not the reduced rate for a *permit* to be issued based on a previously approved *permit*), for any additional floor area(s), in addition to,
- (b) fees as set out in 4 (a)(i) of Schedule "A", unless the design revisions entail a model change or changes to over 50% of the original floor areas, in the case of single detached dwellings, duplexes, semi-detached dwellings, or row townhouses, whereas in such case the additional fee shall be assessed based on the regular *permit* fee rate (not the reduced rate for a *permit* to be issued based on a previously approved *permit*) for the entire revised floor area.

Pursuant to subsection 6.1, no building inspections associated with these revisions shall be carried out if outstanding fees are due.

6.4 Work without permit

Any person or *corporation* who commences construction, demolition or changes the use of a building before submitting an application for a *permit* or commences any *work* that would otherwise require a building *permit* in accordance with the *Act* unless the *permit* has already been issued, shall in addition to any other penalty under the *Act*, *Building Code*, or this By-law pay an additional fee equal to 100% of the amount calculated as the regular *permit* fee but in no case shall the additional fee exceed \$7,500, in order to compensate the *Corporation* for the additional expenses incurred by such early start of *work*.

6.5 Refunds

In the case of withdrawal of an application or the abandonment of all or a portion of the *work*, or refusal of a *permit*, 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, in accordance with Schedule "A" of this By-law.

Part 7 TRANSFER OF PERMITS

7.1 Application - completed - by new owner

A *permit* may be transferred in the name of a new *owner*, if the new *owner* completes the *permit* application form in accordance with the requirements of Part 3 of this By-law.

7.2 Fee - Schedule "A"

A fee shall be payable on an application for a transfer of *permit* as set out in Schedule "A" of this By-law.

7.3 New owner - permit holder - upon transfer

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

Part 8 REVOCATION OF PERMITS

8.1 Revocation- Powers of Chief Building Official

Pursuant to subsection 8(10) of the *Act*, the *Chief Building Official* may revoke a *permit* if after six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the *Chief Building Official*, been seriously commenced. The *Chief Building Official* may also revoke a *permit* due to additional reasons as stipulated in subsection 8(10) of the *Act*.

8.2 Notice of Revocation

Prior to revoking a *permit* under subsection 8(10) of the *Act*, the *Chief Building Official* may serve a notice by personal service or registered mail at the last known address to the *permit holder*, and, following a 30 day period from the date of service, the *Chief Building Official* may revoke the *permit* if grounds to revoke still exist, without any further notice.

8.3 Deferral of Revocation

A *permit holder* may within 30 days from the date of service of a notice under this Part, request in writing that the *Chief Building Official* defer the revocation by stating reasons why the *permit* should not be revoked. The *Chief Building Official* having regard to any changes to the *Act*, *Building Code* or other applicable law may allow the one-time deferral, applicable to a period of no later than twelve (12) months from the date the *permit* was issued, in writing.

8.4 Fee for Deferral

A request for deferral shall be accompanied by the non-refundable fee set out in Schedule "A" of this By-law.

Part 9

NOTICE REQUIREMENTS FOR INSPECTIONS

9.1 Notice prior - each stage - to Chief Building Official

The *permit holder* shall notify the *Chief Building Official* or a *Registered Code Agency* where one is appointed, of each stage of construction for which a mandatory notice is required under Article 1.3.5.1 -Division C of the *Building Code*. In addition to the notice of completion as prescribed by Section 11 of the *Act*, the *permit holder* shall provide another mandatory notice after the completion of demolition *work* to ensure the completion of site grading and other *works* described in Section 3.2.(2)(d) of this By-law.

9.1.a Notice prior – occupancy permit request - to Chief Building Official

The *permit holder* shall notify the *Chief Building Official* or a *Registered Code Agency* where one is appointed, requesting an occupancy *permit* be issued, for certain buildings of residential occupancy in accordance with Article 1.3.3.4-Division C of the *Building Code*.

9.2 Effective - when received - by Chief Building Official

A notice pursuant to this Part of the By-law is not effective until notice is actually received by the *Chief Building Official* or the *Registered Code Agency* and the *permit holder* receives a confirmation number issued by the *Corporation* or the *Registered Code Agency*.

9.3 Time Periods - Inspections

Upon receipt of proper notice, the *inspector* or a *Registered Code Agency*, if one is appointed, shall, no later than two days as per article 1.3.5.3-Division C of the *Building Code*, after receipt of the notice, undertake a site inspection for notices to which articles 1.3.5.1. and 1.3.5.2. – Division C of the *Building Code* apply, except where the notice relates to matters described in clauses 1.3.5.1.(2)(k) or (l), the site inspection shall be conducted no later than 5 days after the receipt of notice.

9.4 Grading Certificates

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

- (a) prior to giving notice to inspect the construction of the foundations, provide to the *Chief Building Official*, or a *Registered Code Agency* where one is appointed, an interim grading certificate bearing the signature and seal of a *Professional Engineer*, or a *Landscape Architect* (a member of the Ontario Association of *Landscape Architects*) or an Ontario Land Surveyor certifying that the elevation of the top of the foundations will conform with the lot grading plan specified in clauses 3.2 (1) (d)(i) and (ii) of this By-law ; and
- (b) provide to the *Chief Building Official*, or a *Registered Code Agency* where one is appointed, within seven (7) months from the date an occupancy *permit* has been issued, a final grading certificate:
 - (i) bearing the signature and seal of the subdivider's *Professional Engineer* certifying that the finished elevations and grading of the land generally conforms with the accepted area or subdivision grading plans and the

lot grading plan specified in clauses 3.2 (1)(d)(i) and (ii) of this By-law;
or

- (ii) where no accepted area or subdivision grading 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 an Ontario Land Surveyor certifying that the finished elevations and grading of the land generally conforms to the lot grading plan specified in clauses 3.2 (1) (d)(i) and (ii) of this By-law.

Part 10 ALTERNATIVE SOLUTIONS

10.1 Alternative Solutions – Submissions

Where application is made for a *permit* that contains materials, systems or building designs which authorization is required under Section 2.1-Division C of the Code, the *applicant* shall :

- (a) use the prescribed form in Schedule “J” of this By-law;
- (b) submit supporting documentation demonstrating that the proposed materials, systems or building designs will provide the required level of performance according to Article 1.2.1.1. -Division A of the *Building Code*;
- (c) submit supporting documentation and test methods providing information according to Section 2.1 –Division C of the Code;
- (d) note that the *Chief Building Official* or *Registered Code Agency* may accept or reject any proposed equivalents or may impose conditions or limitations on their use; and
- (e) note that any equivalents which are accepted under this Section shall be applicable only to the location to which the approval is given and are not transferable to any other construction *permit*.

Part 11 VALIDITY

11.1 Severability

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.

Part 12 CONTRAVENTION OF BY-LAW - OFFENCE

12.1 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 *Building Code Act, 1992*, S.O. 1992, c.23, as amended.

Part 13 REPEAL - ENACTMENT

13.1 By-law previous

By-law B-5 and all of its amendments are hereby repealed.

13.2 Short Title

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

13.3 Effective date

This By-law comes into force and effect on November 01, 2012.

Passed in Open Council on _____, 2012.

Joe F. Fontana
Mayor

Catherine Saunders
Corporation Clerk

First Reading -
Second Reading -
Third Reading -

SCHEDULE "A"

BY-LAW B-

CLASSES OF PERMITS AND FEES

1. CALCULATION OF PERMIT FEES

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

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

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

In all cases, more than one fee category may apply unless noted otherwise.

2. MINIMUM PERMIT FEE

A minimum fee of \$110.00 shall be charged for all work, unless otherwise indicated.

3. CLASSES OF PERMITS AND FEES

3.1 CONSTRUCTION

BUILDING CLASSIFICATION

SERVICE INDEX (SI)
\$/m², unless otherwise indicated

Group A [Assembly Occupancies]

All Recreation Facilities, Schools, Libraries, Places of Worship, Restaurants (Finished), Theatres, Arenas, Gymnasiums, Indoor Pools	14.60
Restaurants (Shell)	11.80
Outdoor Public Swimming Pools or Public Spas	7.80
All other Group A Buildings	17.50

Group B [Institutional Occupancies]

Institutional, Hospitals, Nursing Homes, and other Group B Buildings	20.20
---	-------

Group C [Residential Occupancies]

Single Detached Dwellings, Semis, Duplexes	8.80
• with private septic system (additional fee)	\$750
• with geothermal system (additional fee)	\$350
Live/Work Units, Previously approved (single detached, semis), Townhouses	7.40
• with private septic system (additional fee)	\$750
• with geothermal system (additional fee)	\$350
Apartment Buildings	5.80
• with geothermal system (additional fee)	\$450

Motels (greater than 2 stories) and Hotels	14.60
All other residential Occupancies	11.00

Group D [Business and Personal Service Occupancies]

Group D Buildings (Shell)	11.00
Group D Buildings (Finished)	13.90

Group E [Mercantile Occupancies]	
Group E Mercantile Occupancies (Shell)	7.00
Group E Mercantile Occupancies (Finished)	9.60

Group F [Industrial Occupancies]	
Industrial Buildings, Warehouses(Shell)	5.50
Industrial Buildings, Warehouses(Finished)	7.00
Gas Stations, Car Washes	7.20
Parking Garages (Underground, Open Air)	3.80
All Other Group F Buildings including self storage buildings	7.00

3.2 ALTERATIONS, RENOVATIONS, and REPAIRS

Group C - Detached Dwelling units	2.30
Group A and B occupancies	4.80
All other Occupancies	3.50
Façade alterations (only)	0.30
Balcony Repairs or Guard Replacement	\$13.20/\$1,000 construction value
Emergency lighting, Fire alarms, Standpipes (retrofit)	\$50.00/storey (max. fee \$600.00)
Parking Garage Repairs	\$13.20/\$,000 construction value
Fire alarms	\$ 60.00/ storey (max. fee \$ 600.00)
Ceilings (Added or Replacement)	\$110.00
Demising Walls (no other construction)	\$150.00
Electromagnetic Locks (max. fee \$360.00)	\$ 30.00 each
Sprinklers (based on sprinkler coverage area)	0.30
Storefront (complete replacements)	\$110.00

3.3 DEMOLITION

Single Detached Dwellings, Semis, Duplexes	\$250.00
All other buildings:	
• with gross floor area equal to or less than 600 m ²	0.30
• with gross floor area greater than 600 m ²	0.50

3.4 DESIGNATED STRUCTURES (OBC Div. A-1.3.1.1)

Communication Tower supported by a building	\$290.00/Tower
Crane Runway Set	\$290.00/Set
Exterior Tank and Support (not slab on grade)	\$290.00/Tank
Pedestrian Bridge (when applied as a separate <i>permit</i>)	\$290.00/Structure
Retaining Wall	\$8.60/linear m.
Wind turbine generator, (more than 3 kW) supported by a building	\$275/Generator

3.5 STAND ALONE AND MISCELLANEOUS WORK

Air Supported Structures	3.50
Canopy (with no signage/lettering)	\$60.00/canopy
Farm Buildings, Greenhouses	2.50
Mechanical Service Spaces and Penthouses	7.20
Portable Classrooms	\$ 110.00 each
Residential Decks, Porches,	
• uncovered	\$ 110.00 each
• covered (supporting roof loads)	\$ 250.00 each
Shoring (stand alone <i>permit</i> application)	\$ 9.60/lineal m.

Single Family Detached Garages, Carports, Accessory structures:	
• equal to or less than 55 m ²	\$ 110.00 each
• over 55 m ²	\$ 200.00 each
• additional fee of \$140 if plumbing is involved	
Temporary Structures	
• Individual Tent	\$ 110.00 each
• <i>Temporary buildings</i>	\$ 110.00 each
Underpinning	\$ 11.00/lineal m.
Solar Panels installed on:	
• Single detached/semi detached buildings	\$120.00
• All other buildings	\$13.20 /\$1,000 of construction value
Underground structures (excluding fuel tanks)	\$300 / structure
Rack storage systems	1.50 (minimum \$350)

3.6 STAND ALONE MECHANICAL WORK (HVAC & PLUMBING)

Min Fee \$ 110.00, unless noted in this subsection (when applied for as a separate *permit*). More than one fee category may apply per building/*work* proposed.

3.6.1 Heating, Ventilating and Air Conditioning (HVAC)

Group A ,B,D&E	1.00
Group C - dwelling units	\$ 110.00
• Other Group C Buildings	1.00
Group F	
• Laboratories	1.00
• Parking Garages	0.50
• Other Group F Buildings	0.90
Add on System, (Unit Heaters Make-up Air Unit, Exhaust Fan) And/or Ductwork Alternations Plus:	\$ 110.00
Structural work for HVAC replacement or new	\$13.20 / \$1,000 construction value
Commercial Kitchen Exhaust, Spray Booth, Dust Collector, etc. (applies to installations on existing buildings)	\$ 200.00

3.6.2 Plumbing and Drainage Systems-Fixtures-Equipment-Systems

Roof Drains	\$ 11.00 each
Piping Single Detached or Semi Detached Dwellings: (Water services, Sanitary and Storm buried piping Repairs, Replacement and Additions of buried plumbing and drainage piping, pool drains)	\$ 110.00
Piping (All Other Buildings) Inside Sanitary and Storm Piping, Outside Water Services, Sanitary and Storm Piping	\$ 2.00/lineal m
Manholes, Catchbasins, Interceptors , and Sumps complete with pumps	\$ 11.00 each
Backflow prevention devices (requiring testing)	\$110.00
Private <i>Sewage system</i> (new or replace):	
• Holding Tank	\$500.00
• Septic System (complete)	\$750.00
• Septic Bed	\$500.00
• Septic System Tank	\$300.00

Geothermal system for single detached/duplex	\$350.00
Geothermal system for all other buildings	\$500.00

4. **ADMINISTRATIVE FEES**

- a) Additional Plan review fees (in addition to *permit* fees charged due to any increase in floor area) as a result of changes made to the original permit application submission.
- (i) After all reviews have been completed prior to *permit* issuance or after the *permit* has been issued (excludes new model submission for single detached dwellings, duplexes, semi-detached dwellings, or row townhouses) \$90.00 per hour (min. fee \$110.00)
- (ii) New Model submission (single detached dwellings, semi-detached dwellings, duplexes, or row townhouses) made more than five business days after original permit application was submitted or post *permit* issuance 50% of the original *permit* fee
- b) Partial Occupancy (before completion) \$430.00
- c) Conditional *Permit* (as per Section 8(3) of *Building Code Act*) in addition to fee in section 3 above,
- (i) single detached dwellings, duplexes, semi-detached dwellings, or row townhouses \$200.00
- (ii) all other uses \$400.00
- d) Inspection to Clear Deficient *Permit* \$250.00
- e) Permission to Defer Revocation \$ 200.00 per *permit*
- f) *Permit* for Change of Use \$ 110.00
- g) Special Inspection \$300.00
- h) Transfer of *Permit* (Ownership) \$ 110.00
- i) Special Research Requests of Building Division, Microfilm and Plans Records \$110.00 per hour or part thereof
- j) Certification of an additional set of drawings on the basis of which a *permit* was issued by the *Chief Building Official* \$110.00 per set
- k) Spatial separation (Limiting distance) agreements \$300.00
- l) Alternative solutions review \$300.00
- m) *Three day permit*
- Residential use (excluding apartment buildings) additional fee equal to 50% of the original *permit* fee (min. \$150.00)
 - All other uses additional fee equal to 50% of the original *permit* fee (min. \$300.00)

n)	Occupancy <i>permit</i> (in accordance with Ontario <i>Building Code</i> Div. C -1.3.3.4)	(included in <i>permit</i> fee)
	Additional copy of occupancy <i>permit</i>	\$100.00
o)	Liquor Licence Clearance Letter	
	• Not Associated with a Building <i>Permit</i> or <i>Business License</i>	\$360.00
	• Associated with a Building <i>Permit</i> or <i>Business License</i>	\$150.00
p)	Drainlayer's Examination Fee	\$100.00
q)	Review of proprietary systems/equipment/ components for Ontario <i>Building Code</i> conformance (including Compliance letter issuance)	\$200.00

5. MISCELLANEOUS - CHARGES

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

6. REFUNDS

Pursuant to Part 5 of this By-law, the fees that may be refunded shall be a percentage of the fees payable under this By-law, calculated by the *Chief Building Official* as follows:

- (a) 90 percent if administrative functions only have commenced;
- (b) 80 percent if administrative and zoning functions only have commenced;
- (c) 60 percent if administrative, zoning and plan examination functions have commenced;
- (d) 50 percent if the *permit* has been issued and no field inspections have been conducted subsequent to *permit* issuance;
- (e) a \$110.00 fee for each field inspection that has been conducted after the *permit* has been issued will be deducted from all refunds.
- (f) If the calculated refund is equal to or less than the minimum fee applicable to the *work*, no refund shall be made of the fees paid.
- (g) The additional 50% fee paid in the case of a *permit* application for a *three day permit* shall not be refunded in any case.
- (h) The additional fee equal to 100% of the amount calculated as the regular *permit* fee but not more than \$7,500 paid in the case of *work* without a *permit* pursuant to Section 6.4 of this By-law, shall not be refundable in any case.

7. NOTES

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

- The Building Classification above shall be the classification for the use as determined by the *Building Code* and Appendix A of the *Building Code*.
- Floor area of the proposed *work* is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls (excluding residential garages).
- In the case of interior alterations or renovations, area of proposed *work* is the actual space receiving the *work* 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, no deductions are made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, etc.).
- Unfinished basements for single detached dwellings (including semis, duplexes, and townhouses) are not included in the floor area.
- Attached garages are included in the *permit* fee for single detached dwellings and semi-detached dwellings.
- Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable.
- Ceilings are included in both new shell and finished (partitioned) buildings. The Service Index for ceiling applies only when alterations occur in existing buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.
- Where demolition of partitions or alteration to existing ceilings is a part of an alteration or 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 classifications in the Ontario *Building Code*. 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.
- For Rack Storage use, the square metre charge for industrial uses shall apply.

SCHEDULE "B" BY-LAW B- APPLICATION FOR A PERMIT TO CONSTRUCT OR DEMOLISH

Application for a Permit to Construct or Demolish This form is authorized under subsection 8(1.1) of the Building Code.

For use by Principal Authority	
Application number:	Permit number (if different):
Date received:	Roll number:

Application submitted to: _____ (Name of municipality, upper-tier municipality, board of health or conservation authority)

A. Project information			
Building number, street name	Unit number	Lot/con.	
Municipality	Postal code	Plan number/other description	
Project value est. \$	Area of work (m ²)		
B. Purpose of application			
<input type="checkbox"/> New construction <input type="checkbox"/> Addition to an existing building <input type="checkbox"/> Alteration/repair <input type="checkbox"/> Demolition <input type="checkbox"/> Conditional Permit			
Proposed use of building		Current use of building	
Description of proposed work			
C. Applicant			
Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner			
Last name	First name	Corporation or partnership	
Street address			Unit number / Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ()	Fax ()	Cell number ()	
D. Owner (if different from applicant)			
Last name	First name	Corporation or partnership	
Street address			Unit number / Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ()	Fax ()	Cell number ()	
E. Builder (optional)			
Last name	First name	Corporation or partnership (if applicable)	
Street address			Unit number / Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ()	Fax ()	Cell number ()	
F. Tarion Warranty Corporation (Ontario New Home Warranty Program)			
i. Is proposed construction for a new home as defined in the Ontario New Home Warranties Plan Act? If no, go to section G.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii. Is registration required under the Ontario New Home Warranties Plan Act?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii. If yes to (ii) provide registration number(s):			
G. Attachments			
i. Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.			
ii. Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.			
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 Building Code Act, 1992, to be paid when the application is made.		<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 Building Code Act, 1992.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii. This application is accompanied by the information and documents prescribed by the applicable bylaw, resolution or regulation made under clause 7(1)(b) of the Building Code Act, 1992 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
I. Declaration of applicant			
I _____ declare that:			
(print name)			
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.			
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.			
Date _____			

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the Building Code Act, 1992, and will be used in the administration and enforcement of the Building Code Act, 1992. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor, Toronto, M5G 0E5 (416) 585-6666

SCHEDULE "C"

BY-LAW B-

APPLICATION FOR CHANGE OF USE, TRANSFER OF PERMITS AND PARTIAL OCCUPANCY PERMITS



PO Box 5035
7th Floor, City Hall
London ON N6A 4L9
BCIN: 18458

Application for a Permit

- Partial Occupancy - Unfinished Building
- Transfer of Permit - Ownership
- Change of Use - No Construction

For use of Municipality			
Application number	Permit number (if different)	Date received (YYYY-MM-DD)	Roll number

A) Purpose of Application	
<input type="checkbox"/> Partial occupancy - unfinished building	<input type="checkbox"/> Transfer of permit - ownership
<input type="checkbox"/> Change of use - no construction	
Proposed use of building	Current use of building (if applicable)
Description of work	

B) Applicant information			
Applicant is			
<input type="checkbox"/> the owner; or		<input type="checkbox"/> the authorized agent of the owner	
<i>If corporation or partnership, name of person applying on its behalf.</i>			
Last name	First name	Middle initial	
Corporation or partnership (if applicable)			
Full address			
Building number	Street name	Unit number	Lot/con.
Municipality	Province	Postal code	Country
London	ON		Canada
Telephone (including area code)	Fax number (optional)	Cell number (optional)	

C) Owner information (if different from applicant)			
<i>If corporation or partnership, name of person applying on its behalf.</i>			
Last name	First name	Middle initial	
Corporation or partnership (if applicable)			
Full address			
Building number	Street name	Unit number	Lot/con.
Municipality	Province	Postal code	Country
London	ON		Canada
Telephone (including area code)	Fax number (optional)	Cell number (optional)	

D) Former owner (transfer of permit)			
Last name	First name	Middle initial	
Corporation or partnership (if applicable)			
Full address			
Building number	Street name	Unit number	Lot/con.
Municipality	Province	Postal code	Country
London	ON		Canada
Telephone (including area code)	Fax number (optional)	Cell number (optional)	

E) Project information (full address of project)			
Building number	Street name	Unit number	Lot/con.
Municipality	Province	Postal code	Country
London	ON		Canada
Plan number	Lot/Parcel number		
Other location information - describe area to be occupied			

F) Permit via	
Via	
<input type="checkbox"/> Mail	<input type="checkbox"/> Pick-up
Send to	
<input type="checkbox"/> Applicant	<input type="checkbox"/> Owner
<input type="checkbox"/> Authorized agent	

G) Building designer/architect/engineer	
Name	
Telephone number (including area code)	Fax number

H) Declaration of applicant

I, _____ certify that:

Print name.

- The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
- I have authority to bind the corporation or partnership (if applicable).

Date _____ Signature of applicant _____

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the Building Code Act, 1992. Questions about the collection of personal information may be addressed to the Chief Building Official of the municipality of the City of London.

Permit Number										
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FOR OFFICE USE ONLY

1. General Information

<input type="checkbox"/> Partial Occupancy Original Building Permit no. _____	Area code _____	Plan Examiner _____
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2. Zoning

Permitted Use _____	Park Dedication Required <input type="checkbox"/> Yes <input type="checkbox"/> No	Amount _____	Account _____
Compliance Status <input type="checkbox"/> Not required <input type="checkbox"/> Not in compliance <input type="checkbox"/> C of A number: _____ <input type="checkbox"/> Complies <input type="checkbox"/> C of A required _____	Examined by _____		Year Month Day _____

3. Site Plan

Site Plan <input type="checkbox"/> Not required <input type="checkbox"/> Complies <input type="checkbox"/> Required	Development Agreement <input type="checkbox"/> Not required <input type="checkbox"/> Required	Examined by _____	Year Month Day _____
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4. Plan Examiners

Type	Not Required	Required	Foundation	Date Released Year Mon. Day	Shell/No Connect	Date Released Year Mon. Day	Full	Date Released Year Mon. Day
Structural								
Mechanical								
Plumbing								
Storm/Sanitary services								
Water services								
Sewage system								
Fire Prevention Office								
Architectural								

Remarks
 Conditions Conditional permit

5. Fees

Fee Description	Amount	Date Paid			Receipt Number
		Year	Month	Day	
Permit					
Additional permit					
Water					
3 Day					
Conditional permit					
Early start					
Park dedication					
Other (ie Sewage System)					

Development Charges

Amount applicable	City/Urban Works	Secondary School Board
Exempt amount		
Amount paid		
Balance owing		

6. Development Agreements/Securities

Required	Yes	No	Received	Yes	No
Securities D/A					
Conditional Permit					
WM - 4					
Demo					
Road Widening					
Other					

Received but not complied with Complies
Examined by _____ Year Month Day _____

7. Final Check

Cancelled by _____	Year Month Day _____
<input type="checkbox"/> Fees owing <input type="checkbox"/> Other (Specify): _____	
Released for _____	Final Check by _____ Year Month Day _____
Foundation	
Shell/No connect	
Full	

8. Permit Issuance

<input type="checkbox"/> Foundation	Year Month Day _____	<input type="checkbox"/> Shell/No connect	Year Month Day _____	<input type="checkbox"/> Full	Year Month Day _____
Issued by _____		Issued by _____		Issued by _____	

SCHEDULE "D"

BY-LAW B-

PLANS AND SPECIFICATIONS

<u>Type of Building</u>	<u>*Required Plans and Specifications</u>
Detached house, semi detached house, townhouse or row house containing not more than two dwelling units in each house and the building systems, works, fixtures and service systems appurtenant to these buildings including ancillary buildings that serve the main building.	Architectural, structural, HVAC, site services and electrical as determined by the scope of the work involved, noting that for alterations or repairs the Chief Building Official may accept less.
All other buildings including their ancillary buildings.	Architectural, structural, mechanical (including HVAC and plumbing), site services and electrical as determined by the scope of the work involved noting that for alterations and repairs the Chief Building Official may accept less.
*This required information is in addition to any information specified in Parts 3 and 4 of this By-law.	

SCHEDULE "E"
BY-LAW B-
GENERAL REVIEW FORM

COMMITMENT TO GENERAL REVIEWS BY ARCHITECT AND ENGINEERS

THIS FORM TO BE COMPLETED BY THE OWNER OR OWNER'S AUTHORIZED AGENT, AND SIGNED BY ALL CONSULTANTS RETAINED FOR GENERAL REVIEWS

Part A – Owner's Undertaking

Project Description:

Permit Application No.

Address of Project:

Municipality:

WHEREAS the Ontario Building Code requires that the project described above be designed and reviewed during construction by an architect, professional engineer or both that are licensed to practice in Ontario;

NOW THEREFORE the Owner, being the person who intends to construct or have the building constructed hereby warrants that:

1. The undersigned architect and/or professional engineers have been retained to provide general reviews of the construction of the building to determine whether the construction is in general conformity with the plans and other documents that form the basis for the issuance of a building permit, in accordance with the performance standards of the Ontario Association of Architects (OAA) and/or Professional Engineers Ontario (PEO);
2. All general review reports by the architect and/or professional engineers will be forwarded promptly to the Chief Building Official, and
3. Should any retained architect or professional engineer cease to provide general reviews for any reason during construction, the Chief Building Official will be notified in writing immediately, and another architect or engineer will be appointed so that general review continues without interruption during construction.

The undersigned hereby certifies that he/she has read and agrees to the above

Name of Owner:

Date:

Address of Owner:

Telephone:

Signature of Owner:

Print Name:

Fax:

(or officer of corporation)

Coordinator of the work of all consultants:

Telephone:

Address:

Fax:

Part B - Consultants

The undersigned architect and/or professional engineer(s) hereby certify that they have been retained to provide general reviews of the parts of construction of the building indicated, to determine whether the construction is in general conformity with the plans and other documents that form the basis for the issuance of a building permit, in accordance with the performance standards of the OAA and/or PEO.

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER (SPECIFY):

Consultant Name:

Signature:

Print Name:

Date:

Telephone:

Fax:

Address:

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER (SPECIFY):

Consultant Name:

Signature:

Print Name:

Date:

Telephone:

Fax:

Address:

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER (SPECIFY):

Consultant Name:

Signature:

Print Name:

Date:

Telephone:

Fax:

Address:

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER (SPECIFY):

Consultant Name:

Signature:

Print Name:

Date:

Telephone:

Fax:

Address:

EABO Standard form/Endorsed by OAA, PEO and Ontario Building Officials Association

Note: All final review reports are to be submitted to the **Chief Building Official** by:
 Mail: Building Division, Corporation of the City of London, PO Box 5035, London, ON N6A 4L9 or
 Fax: Building Division, City of London – 519 661-5184

SCHEDULE "F"

BY-LAW B-

Energy Efficiency Design Summary Form

Energy Efficiency Design Summary
(Part 9 Residential)

This form is used to summarize the energy efficiency design of the project. Information on completing this form is on the reverse

For use by Principal Authority	
Application No:	Model/Certification Number

A. Project Information

Building number, street name		Unit number	Lot/Con
Municipality	Postal code	Reg. Plan number / other description	

B. Compliance Option

<input type="checkbox"/> <i>SB-12 Prescriptive</i> [SB-12 - 2.1.1.]	Table: Package: A B C D E F G H I J K L M (circle one)
<input type="checkbox"/> <i>SB-12 Performance*</i> [SB-12 - 2.1.2.]	* Attach energy performance calculations using an approved software
<input type="checkbox"/> <i>Energy Star®*</i> [SB-12 - 2.1.3.]	* Attach Builder Option Package form
<input type="checkbox"/> <i>EnerGuide 80®*</i>	* House must be evaluated by NRCan advisor and meet a rating of 80

C. Project Design Conditions

Climatic Zone (SB-1):	Heating Equipment Efficiency	Space Heating Fuel Source
<input type="checkbox"/> Zone 1 (< 5000 degree days)	<input type="checkbox"/> ≥ 90% AFUE	<input type="checkbox"/> Gas <input type="checkbox"/> Propane <input type="checkbox"/> Solid Fuel
<input type="checkbox"/> Zone 2 (≥ 5000 degree days)	<input type="checkbox"/> ≥ 78% < 90% AFUE	<input type="checkbox"/> Oil <input type="checkbox"/> Electric <input type="checkbox"/> Earth Energy
Windows+Skylights &Glass Doors		Other Building Conditions
Gross Wall Area = _____ m ²	% Windows+ _____	<input type="checkbox"/> ICF Basement <input type="checkbox"/> Walkout Basement <input type="checkbox"/> Log/Post&Beam
Gross Window+ Area = _____ m ²		<input type="checkbox"/> ICF Above Grade <input type="checkbox"/> Slab-on-ground

D. Building Specifications [provide values and ratings of the energy efficiency components proposed, or attach *Energy Star* BOP form]

Building Component	RSI / R values	Building Component	Efficiency Ratings
Thermal Insulation		Windows & Doors¹	
Ceiling with Attic Space		Windows/Sliding Glass Doors	
Ceiling without Attic Space		Skylights	
Exposed Floor		Mechanicals	
Walls Above Grade		Space Heating Equip. ²	
Basement Walls		HRV Efficiency (SRE% at 0° C)	
Slab (all >600mm below grade)		DHW Heater (EF)	
Slab (edge only ≤600mm below grade)		NOTES	
Slab (all ≤600mm below grade, or heated)		1. Provide U-Value in W/m ² .K, or ER rating	
		2. Provide AFUE or indicate if condensing type combined system used	

E. Performance Design Verification [complete applicable sections if *SB-12 Performance*, *Energy Star* or *EnerGuide80* options used]

SB-12 Performance:
 The annual energy consumption using Subsection 2.1.1. SB-12 Package _____ is _____ GJ (1 GJ =1000MJ)
 The annual energy consumption of this house as designed is _____ GJ
 The software used to simulate the annual energy use of the building is: _____
 The building is being designed using an air leakage of _____ air changes per hour @50Pa.

Energy Star. Submit the BOP form with Energy Advisor's certification on completion.

Energy Star and EnerGuide80:
 Evaluator/Advisor/Rater Name: _____ Evaluator/Advisor/Rater Licence #: _____

F. Designers [names of designers who are responsible for the building code design and whose plans accompany the permit application]

Architectural	Mechanical
---------------	------------

Guide to the Energy Efficiency Design Summary Form

The *Energy Efficiency Design Summary* form summarizes the compliance path used by a house designer to comply with energy efficiency requirements of the Ontario Building Code. This form must accompany the building permit application. The information on this form MUST reflect the drawings and specifications being submitted, or the building permit may be refused. Refer to Supplementary Standard SB-12 for details about building code compliance requirements. Further information about energy efficiency requirements for new buildings is available from the provincial building code website at www.mah.gov.on.ca, or the municipal building department.

Beginning January 1, 2012, a house designer must use one of four energy efficiency compliance options in the building code:

1. Comply with the *SB-12 Prescriptive* design tables,
2. Use the *SB-12 Performance* compliance method, and model the design against the prescriptive standards,
3. Design to *Energy Star* standards, or
4. Evaluate the design according to *EnerGuide* technical procedures and achieve a rating of 80 or more.

COMPLETING THE FORM

B. Compliance Options

Indicate the compliance option being used.

- *SB-12 Prescriptive* requires that the building conforms to a package of thermal insulation, window and mechanical system efficiency requirements set out in Subsection 2.1.1. of SB-12. Energy efficiency design modeling and testing of the building is not required under this option.
- *SB-12 Performance* refers to the alternative method of compliance set out in Subsection 2.1.2. of SB-12. Using this approach the designer must use recognized energy simulation software (such as HOT2000 V9.34c1.2 or newer), and submit documents which show that the annual energy use of the building is equal to a prescriptive package.
- *Energy Star* houses must be designed to *Energy Star* requirements and be labelled on completion by Enerquality or other agency. The *Energy Star* BOP form must be submitted with the permit documents.
- *EnerGuide80* houses are validated by NRCan authorized energy advisors and must achieve a rating of 80 or more when evaluated in accordance with *EnerGuide* administrative and technical procedures.

C. Project Design Conditions

Climatic Zone: The number of degree days for Ontario cities is contained in Supplementary Standard SB-1 *Windows, Skylights and Glass Doors:* If the ratio of the total gross area of windows, sidelights, skylights and glass doors to the total gross area of walls is more than 17%, higher efficiency glazing is required. If the ratio is more than 22% the *SB-12 Prescriptive* option may not be used. The total area is the sum of all the structural rough openings. Some exceptions apply. Refer to 2.1.1.1. of SB-12 for further details.

Fuel Source and Heating Equipment Efficiency: The fuel source and efficiency of the proposed heating equipment must be specified in order to determine which *SB-12 Prescriptive* compliance package table applies.

Other Building Conditions: These construction conditions affect *SB-12 Prescriptive* compliance requirements.

D. Building Specifications

Thermal Insulation: Indicate the RSI or R-value being proposed where they apply to the house design. Under the *SB-12 Prescriptive* option, RSI 3.52 wall insulation is permitted in certain conditions where other design elements meet higher standards. Refer to SB-12 for further details.

E. Performance Design Summary

This section is not required to be completed if the *SB-12 Prescriptive* option is being used.

BUILDING CODE REQUIREMENTS FOR AIRTIGHTNESS IN NEW HOUSES

All houses must comply with increased air barrier requirements in the building code. Notice of air barrier completion must be provided and an inspection conducted prior to it being covered. The building code requires that a blower door test be conducted to verify the air tightness of the house during construction if the *SB-12 Performance* option is used and an air tightness of less than 2.5 ACH @ 50 Pa in the case of detached houses, or 3.0 ACH @ 50 Pa in the case of attached houses is necessary to meet the required energy efficiency standard. A blower door test must also be conducted if the *EnerGuide 80* option is used.

ENERGY EFFICIENCY LABELING FOR NEW HOUSES

Energy Star and *EnerGuide* issue labels for new homes constructed under their energy efficiency programs. The building code does not regulate new home labelling.

BY-LAW B-

Schedule 1: Designer Information Form



PO Box 5035
7th Floor, City Hall
London ON N6A 4L9

London BCIN: 18458

Schedule 1: Designer Information

Reset form.

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 work 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:

- 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 persons who are exempt from qualification under Subsections 3.2.4. and 3.2.4 of Division C.
- 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 practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

**SCHEDULE "H"
BY-LAW B-**

Schedule 2 : Sewage System Designer Information Form



PO Box 5035
7th Floor, City Hall
London ON N6A 4L9

BCIN: 18458

Schedule 2: Sewage System Installer Information

Reset form.

A. Project Information			
Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/ other description	
B. Sewage system installer			
Is the installer of the sewage system engaged in the business of constructing on-site, installing, repairing, servicing, cleaning or emptying sewage systems, in accordance with Building Code Article 3.3.1.1, Division C?			
<input type="checkbox"/> Yes (Continue to Section C)		<input type="checkbox"/> No (Continue to Section E)	
		<input type="checkbox"/> Installer unknown at time of application (Continue to Section E)	
C. Registered installer information (where answer to B is "Yes")			
Name		BCIN	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ()	Fax ()	Cell number ()	
D. Qualified supervisor information (where answer to section B is "Yes")			
Name of qualified supervisor(s)		Building Code Identification Number (BCIN)	
E. Declaration of Applicant:			
I _____ declare that:			
(print name)			
<input type="checkbox"/> I am the applicant for the permit to construct the sewage system. If the installer is unknown at time of application, I shall submit a new Schedule 2 prior to construction when the installer is known;			
<u>OR</u>			
<input type="checkbox"/> I am the holder of the permit to construct the sewage system, and am submitting a new Schedule 2 now that the installer is known.			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge.			
2. If the owner is a corporation or partnership, I have authority to bind the corporation or partnership.			
_____		_____	
Date		Signature of applicant	

**SCHEDULE "I"
BY-LAW B-**

Required Clearances for Demolition Permit Form



Required Clearances for Demolition Permit

The Corporation of the City of London
Planning, Environmental & Engineering Services,
Building Division

Contact name	
Telephone number	
Fax number	Cell number
E-mail address	

Step 1 This form must be completed by Applicant PRIOR TO application for a permit to demolish buildings in the City of London.

Property location		Service information <input type="checkbox"/> City sewer <input type="checkbox"/> Septic system <input type="checkbox"/> Well		Date of application (YMD)	
Type of building		Is well to be abandoned? <input type="checkbox"/> Yes <input type="checkbox"/> No		Is this a corner lot? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Ground floor area	Gross floor area above grade	Gross floor area including basement	No. of storeys	Non-residential floor area above grade	No. of units with less than 2 bedrooms
Structural design characteristics of the building				Method of demolition	
OWNER Name			CONTRACTOR Name		
Street address			Street address		
City	Province	Postal code	City	Province	Postal code

Step 2 AFTER completing Step 1, Applicant to submit this form to City of London, Land Use Planning Division, 206 Dundas Street, 519-661-4980. This section to be completed by the Heritage Planner.

1. Designated under Heritage Act or in Heritage District? <input type="checkbox"/> No <input type="checkbox"/> Yes (Council approval required)		2. On LACH inventory? <input type="checkbox"/> No <input type="checkbox"/> Yes (Council approval required)			
3a. Heritage Review not required (Only if "No" to number 1 and 2.)		Reviewed by (Please print name.)		Signature	
3b. Heritage Review required (Only if "Yes" to number 1 and 2.)		Notice in Writing/Letter of Intent received		Date notice issued (YYYY-MM-DD)	
Council approval date (if required)		Reviewed by (Please print name.)		Signature	
				Applicable time frame for decision 60 days 90 days	

Step 3 AFTER Step 2 is completed, Applicant will make arrangements with the following offices for required clearance approvals.

BELL TELEPHONE COMPANY Fax number: 519 663-1188 Follow-up calls: North - 519 663-6130 West - 519 663-6105 South - 519 663-6140	Name of contact Date of approval	Signature of acknowledgement
Fort Chicago District Energy Ltd. d/b/a London District Energy Phone no: 519 432-5066 Fax no: 519 432-0491 (Not required for single detached dwelling units or residential garages and sheds)	Name of contact Date of approval	Signature of acknowledgement
LONDON HYDRO Phone no: 519 661-5555 Fax no: 519 661-5689	Name of contact Date of approval	Signature of acknowledgement
ROGERS COMMUNICATIONS Fax no: 519-672-0199 Follow-up call: 519 660-7527	Name of contact Date of approval	Signature of acknowledgement
UNION GAS LIMITED Phone no: 519 667-4245 Fax no: 519 667-4170	Name of contact Date of approval	Signature of acknowledgement
ENVIRONMENTAL PROGRAMS & CUSTOMER RELATIONS 300 Dufferin Avenue 8th Floor, Room 807, City Hall Phone no: 519 661-2500, ext. 8413 Fax no: 519 661-2354	Name of contact Date of approval	Signature of acknowledgement
WATER OPERATIONS Water Meter Shop Phone no: 519 661-4739 Fax no: 519 661-4630	Name of contact Date of approval	Signature of acknowledgement

Step 4 AFTER Step 3 is completed, Applicant to bring completed clearance approval forms to the City of London, Building Division, City Hall, 300 Dufferin Avenue, 7th floor.

OFFICE USE ONLY		
PLAN EXAMINER Building Division 7th Floor, Room 706, City Hall Phone no: 519 661-4555	Name	Signature
<input type="checkbox"/> Structural characteristics of building and method of demolition <input type="checkbox"/> General review of demolition <input type="checkbox"/> Securities	Date of approval	



Demolition Permit Application Policies

The following policy shall apply to all applications for demolition permits:

1. In accordance with the Ontario Building Code Article 1.2.2.3 of Division C. Demolition of a Building, the applicant for a permit respecting the demolition of a building shall retain a professional engineer to undertake the general review of the project during demolition where:
 - a. the building exceeds 3 storeys in building height or 600 m² (6460 ft²) in building area,
 - b. the building structure includes pre-tensioned or post-tensioned members,
 - c. it is proposed that the demolition will extend below the level of the footings of any adjacent building and occur within the angle of repose of the soil, drawn from the bottom of such footings, or
 - d. explosives or a laser are to be used during the course of demolition.
 2. If the building is serviced by a septic tank, the tank shall be pumped out by a licenced operator and capped until approved for future use by the City of London, Building Division, or the septic tank shall be pumped out by a licenced operator, broken and filled with sand or gravel, or the entire tank shall be removed and backfilled.
 3. Wells to be abandoned must be done in accordance with Ministry of Environment regulations.
 4. The applicant for a demolition permit must provide security as follows:
 - a. \$2,000 for single and/or semi-detached dwellings;
 - b. \$10.00 for every square metre (or part thereof) of ground floor area, with a minimum of \$2,000 and a maximum of \$10,000 for townhouses, apartments, commercial, institutional and industrial type buildings.
 - c. The security may be in the form of cash, certified cheque or letter of credit. All financial instruments, other than cash, are accepted on behalf of and, must be in a form that is satisfactory to the City Treasurer.
 5. The purpose of the security is to ensure that, the demolition contractor or designated site personnel;
 - a. properly seal all private drain connections (PDC's), and
 - b. properly backfills the foundation excavation and grades the site to the satisfaction of the Chief Building Official. Grading will be enforced under the Ontario Building Code.
- NB: The contractor is responsible for calling the Building Division at 519-661-5284 and arranging to have the work inspected.
6. When all items in #5 above have been completed, and inspected by the Building Division, the security will be released to the person who submitted same.

**SCHEDULE “J”
BY-LAW B-**

Alternative Solution Submission Form

ALTERNATIVE SOLUTION SUBMISSION

Alternative solutions are very similar to what equivalents were under the 1997 Code. The 1997 Code allowed the use of equivalents for Parts 3, 5, 6, 7, 8 and 9, while the 2006 Code allows alternative solutions for all Parts of Division B.

Section 1.2 -Division A indicates you can achieve compliance with Division B by complying with the applicable *acceptable solutions* in Division B or by using *alternative solutions* in respect of the *objectives* and *functional statements* attributed to the applicable *acceptable solutions* in Supplementary Standard SA-1.

Clause 1.1 – (6)a of the Building Code Act states that it is the role of the *Chief Building Official* to establish operational policies for the enforcement of the Building Code within the applicable jurisdiction. This policy is hereby established for evaluating *alternate solutions* and the *Chief Building Official* may designate officials who are to conduct such evaluations.

Part 2, Section 2.1-Division C “Alternative Solutions” indicates that the person proposing the use of an *alternative solution* provide documentation to the *Chief Building Official* that:

- (a) identifies *applicable objectives, functional statements* and *acceptable solutions*, and
- (b) establishes on the basis of past performance, tests described in Article 2.1.1.2. or other evaluation that the proposed *alternative solution* will achieve the level of performance required under Article 1.2.1.1. of Division A.

In order to assess compliance of the *alternative solutions* the attached forms must be completed in their entirety for review.

**CHECKLIST FOR SUBMISSION INFORMATION
FOR USE BY A PRINCIPAL AUTHORITY/RCA
(based on Division C, Section 2.1)**

PROJECT LOCATION:		PERMIT APPLICATION #:	
-------------------	--	-----------------------	--

Required for Submission of a Proposed Alternative Solution		Submitted (yes/no)
1	A description of the proposed <i>alternative solution</i> [Div. A, 1.2.1.1.(1)(b)]	
2	Proponent(s) name, company, address, contact information	
3	Designer's qualification appear on Schedule 1 When proponent is an Architect, indicate BCDS qualifications under the <i>Architect's Act</i>	
4	Code Analysis (documentation under Div. C. Article 2.1.1.1.) Establish on the basis of past performance, tests described in Div. C Article 2.1.1.2., or other evaluation that the proposed <i>alternative solution</i> will achieve the level of performance required under Div. B, by way of Div. A, Article 1.2.1.1.	
A	Identification of applicable Division B provisions (acceptable solutions)	
B	Identification of applicable linked pairs of <i>objectives and functional statements</i>	
C	An evaluation of the level of performance of applicable Division B provisions	
D	An evaluation of the level of performance of the proposed <i>alternative solution</i>	
E	Identification of any assumptions, limiting or restricting factors	
F	Identification of testing procedures, engineering studies, building performance parameters etc...to support the assessment for compliance	
5	Information concerning any special maintenance or operation requirements, including commissioning, necessary for the integrity of the alternative solution after construction is complete	
Optional Items That Would be Helpful in the Review		
6	A list of submitted documents: These could include a concept report, calculations, fire modeling, test reports, precedents, fire scenario evaluation, alternate Codes and standards, drawings, etc...	
7	A reason for the proposed alternative solution.	
8	A list of applicable sections of referenced documents (standards)	
9	Resume of designer with details of qualifications	
10	Other: (specify)	

WORKSHEET FOR THE EVALUATION OF ALTERNATIVE SOLUTIONS

PROJECT LOCATION:		PERMIT APPLICATION #:	
PROJECT INFORMATION AND CONTACTS:			
Owner/Designer/Agent:			
Qualifications:			
SUMMARY OF PROPOSAL:			
ACCEPTABLE DIVISION B SOLUTIONS:			
Numeric OBC Reference	Summary Of Code Provision	Objectives & Functional Statements (Supplementary Standard SA-1)	
OBJECTIVES/FUNCTIONAL STATEMENTS: (Linked Pairs)			
Objectives Sec. Div. A-2.2		Functional Statement Div. A-3.2	
1.		1.	
2.		2.	
3.		3.	
4.		4.	
PROJECT LOCATION:		PERMIT APPLICATION #:	

Confirmation of Level of Performance of:	
<p align="center">Division B Provisions</p> <p>What is the level of performance of Division B in the "areas of performance" defined by the <i>applicable objectives</i> and <i>functional statements</i>?</p>	<p align="center">Proposed Alternative Solution Justification</p> <p>(include supporting documentation for past performance, test described in Article 2.1.1.2 or other evaluation that the proposed <i>alternative solution</i> will achieve the level of performance required under Article 1.2.1.1 of Div. A)</p>

Identify any Assumptions, Limiting or Restrictive Factors
List all Test Procedures, Engineering Studies, Building Performance Parameters, etc... supporting the Assessment for Compliance
Information concerning any Special Maintenance or Operation Requirements including Commissioning, necessary for the Integrity

PROJECT LOCATION:		PERMIT APPLICATION #:	
-------------------	--	-----------------------	--

Building Official's Evaluation:			
Conditions Of Approval, If Any			
Circulation Of Accepted Alternative Solution			
Proponent		Province	Other (specify)
Chief Building Official		Central Registry	
Inspector		File	
Fire Department		Owner	
Accepted By:	BCIN:	Date:	
Livelink Filing: Bldg. Code Regulations/Alternative Solutions <input type="checkbox"/> (Detailed description) (Legislated by Building Code)			
Municipal Address/Permit No.		(filed in Building Permits Correspondence 'Alternative Solution')	

SCHEDULE "K"

BY-LAW B-

Conditional Permit Agreement

CONDITIONAL PERMIT AGREEMENT

THIS AGREEMENT made this _____ day of _____, 201__.

BETWEEN:

_____ (hereinafter called the "Contractor")
(Contractor's name)

-and-
The Corporation of the City of London (hereinafter called the "City")

WHEREAS the Contractor has requested, with authorization from the owner, a conditional permit from the City prior to meeting all requirements to obtain a building permit according to the Ontario Building Code Act s.8.(2);

AND WHEREAS the Chief Building Official is satisfied that meeting such requirements would unreasonably delay the subject construction;

AND WHEREAS the Chief Building Official considers the restoration of the site to be feasible in the event that all the necessary approvals are not obtained;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

1. The lands affected by this agreement (hereinafter referred to as the "subject lands") are as follows:

ALL AND SINGULAR those certain parcels or tracts of land lying and being in the City of London, and being composed of:

_____ and also known as
(legal description of property)

_____ (municipal address)

2. The construction affected by this agreement (herein referred to as the "subject construction") is that construction proposed in a permit application filed with the City and identified as permit application number _____.
(permit application number)

3. The City agrees to issue a Conditional Permit for the subject construction to be erected on the subject lands provided that the Contractor agrees to assume all risks involved in commencing construction before every requirement for a building permit has been met, and to this end hereby will indemnify and save harmless the City from and against all claims arising from the issuance of the conditional permit.

4. The Contractor hereby agrees:

- (a) to obtain all approvals prerequisite to the issuance of a regular building permit as indicated below:
 - Compliance with the applicable subdivision agreement clauses
 - Registration of Plan of Subdivision
 - Site Plan Approval
 - Registration of Development Agreement
 - Committee of Adjustment Final Approval
 - Other

by: _____ (date)

Conditional Permit Agreement (Contractor) cont'd.

- (b) to file any required plans and specifications of the complete building by the date cited in 4.(a);
- (c) to stop the subject construction and secure the site to the satisfaction of the Chief Building Official if, in the opinion of the Chief Building Official, any impediment arises to prevent the lawful continuation of the subject construction or if an appeal is filed with the Ontario Municipal Board with respect to a minor variance that is required for the lawful erection of the subject construction;
- (d) to remove the building and restore the site if all necessary approvals have not been obtained;
- (e) to comply with all development standards that are applicable to the subject lands including but not limited to site servicing, grading, tree protection, fire protection, and storm water management;
- (f) to provide and maintain access for emergency vehicles and water supply to the satisfaction of the fire department;
- (g) without limiting the generality of the forgoing, to meet any specific conditions that are set out in Schedule "A" to this agreement; and
- (h) to not occupy the building until such time a functional and fully operational sanitary sewer outlet is available to the satisfaction of the City Engineer.

5. The site restoration referred to in this agreement shall be to the conditions present at the time of permit application and shall include the removal of all construction, the replacement of all vegetative matter, the stabilization of slopes and the restoration of drainage patterns. Restoration must seriously commence within 30 days of the date cited in 4.(a) or at such later time as may be directed by the Chief Building Official.

6. If the Chief Building Official determines that a building has not been removed or a site restored as required by this agreement, the Chief Building Official may cause the building to be removed and the site restored and for this purpose the Chief Building Official, an Inspector and their agents may enter upon the land and into the building governed by this agreement at any reasonable time without a warrant.

7. (a) The contractor agrees that the _____ security deposited may be drawn upon as set out in 7(b), 7(c), and 7(d).
 (b) If the Chief Building Official determines that a building has not been removed or a site restored as required by this agreement the letter of credit may be drawn upon in full and the monies used to restore the site as provided for in paragraph 5.
 (c) Should there be full compliance with this Agreement, the Letter of Credit will be returned to the owner at the address provided on the application for building permit.
 (d) The City shall have a lien on the land for the amount spent on the removal of the building and restoration of the site under this agreement and/or subsection 8(6) of the *Building Code Act, 1992* and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001* or any successor legislation.

8. This agreement may be registered against the subject lands and the City is entitled to enforce its provisions against the owner and, subject to the Registry Act and the Land Titles Act, any and all subsequent owners of the subject lands. Upon the issuance of a building permit pursuant to the application referred to in paragraph 2, the City shall provide the owner with a registrable release of this agreement.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their signatures

SIGNED AND DELIVERED

CONTRACTOR

 Name:
 Title:
 I have the Authority to bind the Corporation.

 Name:
 Title:
 I have the Authority to bind the Corporation.

THE CORPORATION OF THE CITY OF LONDON

 Name: G. KOTSIFAS, P. ENG.
 Title: CHIEF BUILDING OFFICIAL

SCHEDULE "A"

Being conditions and their particulars pursuant to 4(g) of this agreement on the basis of which a conditional building permit is issued to:

(Contractor's name)

for construction at:

(municipal address)

according to permit number:

(permit number)

	Conditions
1	No occupancy of the building
2	
3	
4	
5	
6	
7	

I _____ (Contractor's name) have read and have full understanding of the conditions noted above.

Contractor's initial _____

SCHEDULE "L"

BY-LAW B-

Model Home-Conditional Permits Checklist

MODEL HOME CONDITIONAL PERMITS

SUBDIVISION: _____

Lot(s): _____

Items Required to Comply with Council Policy

Date Rec'd.

- | | | |
|-----|---|-------|
| 1. | Copy of the executed subdivision agreement by owner. | _____ |
| 2. | Letter from owner acknowledging items in agreement they are responsible for, example:
a. Grading Engineer for subdivision;
b. Pollution Plant Capacity restriction in agreement;
c. Model Home No Occupancy;
d. Plan indicating the lots model homes request is for and proposed lot numbers;
e. Security;
f. Roads are to be maintained;
g. Street signs are installed. | _____ |
| 3. | Letter from subdivision engineer confirming all prior to construction and "prior to" building permit items in subdivision agreement, if they affect requested lots, are complied with. | _____ |
| 4. | Letter from subdivision engineer concerning:
a. Water supply for firefighting within 300' of each requested lot;
b. Services are available for each lot;
c. Access roads for fire fighting to each lot at least granular "B" condition;
d. Estimate of construct of works remaining to completion for these lots (paving, sodding, etc.);
e. Tree preservation requirements if applicable/noise vibration. | _____ |
| 5. | Geotechnical report for building foundations from soils and methane consultant. | _____ |
| 6. | Owner to provide security in amount indicted in 4d above (letter of credit or certified cheque). | _____ |
| 7. | Conditional permit agreement by owner. | _____ |
| 8. | Conditional permit agreement by contractor. | _____ |
| 9. | \$2,000.00 security for each dwelling unit (letter of credit or certified cheque) by owner or contractor. | _____ |
| 10. | \$120.00 conditional permit fee for each permit application. | |
| 11. | Applicant to indicate on application under description : "Model Home". | |

SCHEDULE "M"

BY-LAW B-

Owner Authorization to Demolish Form

DEMOLITION PERMIT APPLICANT INFO

NAME: _____
ADDRESS: _____
PHONE NUMBER/S: _____
EMAIL ADDRESS: _____

_____ (Date)

The Corporation of the City of London
Building Controls
300 Dufferin Avenue
London, ON N6A 4L9

RE: DEMOLITION PERMIT APPLICATION FOR _____
(address)

As owner of the above-mentioned building, I authorize _____
(name)

of _____ to submit a demolition permit
(demolition company)

application and obtain a demolition permit on my behalf. I hereby confirm that the building to be demolished is _____ storey(s) and has an above grade floor area of _____ sq.ft / m²
(circle one)

Yours truly,

_____ (signature)

_____ (printed name)