

Bill No. 200  
2019

By-law No. B-\_\_\_\_\_

A by-law to provide for construction,  
demolition, change of use, occupancy permits,  
transfer of permits and inspections.

## **BY-LAW INDEX**

### **Part 1 DEFINITIONS**

- 1.1 Definitions
  - Act – defined
  - Applicant – defined
  - Architect – defined
  - Building Code – defined
  - Chief Building Official – defined
  - Construct – defined
  - Corporation – defined
  - Corporation Engineer – defined
  - Demolish – defined
  - Holiday – defined
  - Statistics Canada Index – defined
  - Inspector – defined
  - Not Ready – defined
  - Owner – defined
  - Permit – defined
  - Permit holder – defined
  - Permit Issued based on Previously Approved Permit – defined
  - Professional Engineer – defined
  - Registered Code Agency – defined
  - Sewage System – defined
  - Temporary building – defined
  - Three day permit – defined
  - Work – defined
- 1.2 Word – term – not defined – meaning
- 1.3 Words – italicized

### **Part 2 COMPUTATION OF TIME**

- 2.1 Computation of Time – clarification
- 2.2 Year-End closure
- 2.3 Unsafe or emergency conditions

### **Part 3 CLASSES OF PERMITS**

- 3.1 Classes of Permits Set out – Schedule “A”

### **Part 4 PERMITS**

- 4.1 File application – on forms – prescribed
- 4.2 Information – submitted – to Chief Building Official
- 4.3 Incomplete application
- 4.4 Partial Permits – Requirements
- 4.5 Partial Permits – Limitations
- 4.6 Inactive Permit Application
- 4.7 Inactive Permit Application to occupy unfinished building
- 4.8 Request to cancel Permit Application

**Part 5**  
**PLANS AND SPECIFICATIONS**

- 5.1 Information – sufficient – to determine conformity
- 5.2 Two complete sets – required – unless specified
- 5.3 Plans – drawn to scale – on durable material – legible
- 5.4 Site plans – referenced – to plan of survey – certified
- 5.5 As Constructed Plans
- 5.6 Plans property of Corporation
- 5.7 Revisions on plans, documents

**Part 6**  
**REGISTERED CODE AGENCIES**

- 6.1 Registered Code Agency – hired – by Chief Building Official
- 6.2 Duties of Registered Code Agency

**Part 7**  
**FEES AND REFUNDS**

- 7.1 Due – payable – upon application – Schedule “A”
- 7.2 Fees – Indexing
- 7.3 Three day permits
- 7.4 Permit Issued based on Previously Approved Permit-Revisions
- 7.5 Work without permit
- 7.6 Refunds
- 7.7 Not Ready – fee

**Part 8**  
**TRANSFER OF PERMITS**

- 8.1 Application – completed – by new owner
- 8.2 Fee – Schedule “A”
- 8.3 New owner – permit holder – upon transfer

**Part 9**  
**REVOCATION OF PERMITS**

- 9.1 Revocation – Powers of Chief Building Official
- 9.2 Notice of Revocation
- 9.3 Deferral of Revocation
- 9.4 Fee for Deferral

**Part 10**  
**NOTICE REQUIREMENTS FOR INSPECTIONS**

- 10.1 Notice prior – each stage – to Chief Building Official
- 10.1a Notice prior – occupancy permit request – to Chief Building Official
- 10.2 Effective – when received – by Chief Building Official
- 10.3 Time periods - inspections
- 10.4 Grading Certificates

**Part 11**  
**CONSTRUCTION /DEMOLITION SITES**

- 11.1 Fencing of Construction or Demolition Sites
- 11.2 Containment of Construction or Demolition Debris

**Part 12**  
**ALTERNATIVE SOLUTIONS**

- 12.1 Alternative Solutions – Submissions

**Part 13**  
**VALIDITY**

- 13.1 Severability

**Part 14**  
**CONTRAVENTION OF BY-LAW - OFFENCE**

- 14.1 Offence
- 14.2 Enforcement

**Part 15**  
**REPEAL - ENACTMENT**

- 15.1 By-law previous
- 15.2 Short Title
- 15.3 Effective Date

- Schedule “A” Classes of Permits and Fees
- Schedule “B” Plans and Specifications
- Schedule “C” Model Home-Conditional Permits Checklist
- Schedule “D” City of London-Requirements for Drafting Port Connections

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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*.

### **Holiday – defined**

“*holiday*” means:

- (a) Any Saturday or Sunday;
- (b) Family Day;
- (c) Good Friday;
- (d) Easter Monday;
- (e) Victoria Day;
- (f) Canada Day;
- (g) Civic Holiday;
- (h) Labour Day;
- (i) Thanksgiving Day;
- (j) Christmas Day-New Year’s Day: the period generally between December 24 and December 31 each year when City Hall is closed; and
- (k) where Canada Day falls on a Saturday or Sunday, the following Monday is a Holiday.

### **Statistics Canada Index – defined**

“Statistics Canada Index” means the December Statistics Canada Consumer Price Index (all items) Ontario- Table 18-10-0004-01, as amended.

### **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*.

### **Not Ready – defined**

“*not ready*” means a work site condition identified by an *inspector* upon attendance, as a result of receipt of written notice of readiness for inspection, unless written notice of cancellation of inspection is provided no later than 10:00 a.m. (EST) on the day the inspector is to physically attend, where the inspection is not able to be conducted, and includes inspection for any item related to a prior deficiency wherein the same deficiency remains outstanding and not remedied.

### **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 exact same building, including exact same drawings or other related documentation, 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 continuous 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 control 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 COMPUTATION OF TIME**

### **2.1 Computation of Time – clarification**

In the computation of time under this By-law,

- (a) where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens;
- (b) where a period of seven days or less is prescribed, holidays shall not be counted;
- (c) where the time for doing something expires on a Holiday, the act may be done on the next day that is not a Holiday;
- (d) service of a document, including an application made after 4:30 p.m. (EST) or at any time on a Holiday shall be deemed to have been made the next day that is not a Holiday.

### **2.2 Year-End closure**

Where a building *permit* application is submitted to the *Chief Building Official* after the close of business prior to the holiday break being the period generally between December 24 and December 31 each year, then the *permit* application shall be deemed to be received in the new year.

### **2.3 Unsafe or emergency conditions**

Nothing in 2.1 or 2.2 above shall prevent the *Chief Building Official* from providing notice and requiring action during a Holiday if the action is to address an unsafe or emergency condition.

**Part 3**  
**CLASSES OF PERMITS**

**3.1 Classes of Permits Set out – Schedule “A”**

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

**Part 4**  
**PERMITS**

**4.1 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 the Provincially-prescribed form, as amended, available from the *Chief Building Official* or from the Ministry of Municipal Affairs website [www.mah.gov.on.ca](http://www.mah.gov.on.ca) and supply any other information as required by the *Chief Building Official* related to the permit application.

**4.2 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 accordance with Part 5 of this By-law, 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 Provincially-prescribed form, as amended, “Application for a Permit to Construct or Demolish”, available from the *Chief Building Official* or from the Ministry of Municipal Affairs website [www.mah.gov.on.ca](http://www.mah.gov.on.ca);
  - (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) for new single detached, duplex or semi-detached dwellings submit:
    - (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; or,
    - (iii) in the case of land to be developed and where Section 51 of the Planning Act applies, or where Site Plan Control 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;
  - (d) for single detached, duplex, triplex, semi-detached, or row townhouse buildings intended to be continuously occupied during the winter season, include a completed Energy Efficiency Design Summary form available from the *Chief Building Official*;
  - (e) include plans and specifications in compliance with the requirements as set out in Schedule “B” when the work involves water provisions for firefighting purposes where a municipal supply of water is not available on site; and

- (f) include any supporting documentation or approvals as may be required under applicable law as defined in the *Building Code*.
- (2) Where application is made for a *demolition permit* under subsection 8(1) of the Act, the *applicant* shall:
- (a) use the Provincially-prescribed form, as amended, "Application for a Permit to Construct or Demolish", available from the *Chief Building Official* or from the Ministry of Municipal Affairs *Building Code* website [www.mah.gov.on.ca](http://www.mah.gov.on.ca);
  - (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 Commitment to General Reviews By Architect And Engineer form available from the *Chief Building Official*, when Subsection 1.2.2. -Division C of the *Building Code* applies;
  - (d) submit a copy of the "Required Clearances for Demolition Permit" form available from the *Chief Building Official*, completed by the *applicant*, Heritage Planner, and utility representatives for any applicable utilities servicing the building to be demolished;
  - (e) when applying as an authorized agent of the *owner* for a demolition *permit*, submit the "Authorization to Demolish" form.
  - (f) at the discretion of the *Chief Building Official*, in situations where adjacent structures or property may be compromised, submit a demolition control plan, prepared by a professional engineer, for the demolition work where existing conditions, including proximity to adjacent property or buildings, justify such a requirement; and
  - (g) include any supporting documentation or approvals as may be required under applicable law as defined in the *Building Code*.
- (3) Where a request is received for a *conditional permit* under subsection 8(3) of the Act, the *applicant* shall:
- (a) 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*;
  - (b) 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;
  - (c) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
  - (d) 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;
  - (e) shall enter into a conditional *permit* agreement with the *Corporation* utilizing the agreement available from the *Chief Building Official*. In the event that the conditions are not satisfied in accordance with the agreement, a *permit holder* may request an extension of time for completion of conditions, prior to the expiry of the compliance date as stipulated in the agreement.
- 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 are outstanding conditional *permit* fees;
- (f) pay the Conditional *Permit* fee as provided in Schedule "A", in addition to any other fees;

- (g) 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*;
  - (h) shall ensure that the documentation and items as listed on the “Model Home-Conditional *Permits*” checklist as provided in Schedule “C” 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 (g); and
  - (i) note 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 Act*. 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) submit the form “change of use, transfer of permits and partial occupancy permits” available from the *Chief Building Official*;
  - (b) 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
  - (c) 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 elements, 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 Provincially-prescribed form, as amended, “Application for a Permit to Construct or Demolish”, and the “Schedule 2: Sewage System Designer Information Form”, available from the *Chief Building Official* or from the Ministry of Municipal Affairs *Building Code* website [www.mah.gov.on.ca](http://www.mah.gov.on.ca);
  - (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) dimensional clearances of items listed in 8.2.1.5 and 8.2.1.6 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 *applicant* shall:
- (a) submit the application form for “change of use, transfer of permits and partial occupancy permits” available from the *Chief Building Official*;
  - (b) provide the names and addresses of the previous and new *owner*;
  - (c) provide the date that the ownership change took place;
  - (d) provide a description of the *permit* that is being transferred ; and
  - (e) submit legal documentation confirming proof of new ownership, to the satisfaction of the *Chief Building Official*.
- (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 *applicant* shall:
- (a) submit the application form for “change of use, transfer of permits and partial occupancy permits” available from the *Chief Building Official*;
  - (b) provide a description of the part of the building for which occupancy is requested ; and
  - (c) submit plans showing portion(s) of the floor area(s) to be occupied complete with location(s) of temporary exits as applicable.

#### **4.3 Incomplete application**

The *Chief Building Official* may, in their discretion and at the request of the *applicant*, begin to process an application prior to it being deemed complete, however, incomplete applications shall not subject to the processing timeframes as prescribed in 1.3.1.3-Division C of the *Building Code*.

#### **4.4 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.
- (c) file with the *Chief Building Official* professional consultants’ field review letters pertaining to 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 4.3 of this By-law. Partial *permits* shall not be issued for single detached, semi-detached dwelling units, duplexes, triplexes, or row townhouses.

#### **4.5 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 7.5 of this By-law shall be due.

#### **4.6 Inactive Permit Application**

Where, at the discretion of the *Chief Building Official*, any of the following conditions apply, an application is deemed to be abandoned, notice of same will be provided by

the Corporation to the *applicant*, and any further construction/demolition will require the filing of a new application:

- six (6) months have elapsed from the time an application was received and the application remains incomplete; or,
- six (6) months have elapsed from the time of notification that additional information is required to be provided by the *applicant*, and such information has not been provided.

Prior notice may be served to the permit applicant advising of abandonment, and following a 30 day period from the prior notice, the permit application will be deemed to be abandoned, without any further notice.

#### **4.7 Inactive Permit Application to occupy unfinished building**

Notwithstanding section 4.6 above, where an application for a *permit* to occupy an unfinished building remains incomplete or inactive for twenty business days after it is made, the application, at the discretion of the *Chief Building Official*, may be deemed 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 to occupy an unfinished building. An inactive *permit* application may also include an application where information required to be submitted by the *applicant* is outstanding, twenty business days or more after it is made, in such a manner that the *permit* cannot be issued.

#### **4.8 Request to cancel *Permit* Application**

Where an *applicant* wishes to cancel a *Permit* Application, said request shall be made in writing, by the *applicant*, to the attention of the Chief Building Official, and acknowledgment of request to cancel shall be provided by the Corporation to the *applicant*. Notwithstanding the above, nothing in this section shall prevent the Chief Building Official from issuing or enforcing any orders in accordance with the Building Code Act.

### **Part 5 PLANS AND SPECIFICATIONS**

#### **5.1 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.

#### **5.2 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 “B” of this By-law in order for an application to be deemed as complete.

#### **5.3 Plans – drawn to scale – on durable material – legible**

Plans shall be drawn to a scale on paper (max. 24”x36”; D size), 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.

#### **5.4 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.

### **5.5 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).

### **5.6 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.

### **5.7 Revisions on plans, documents**

Revisions submitted to the *Chief Building Official*, either before or after a *permit* has been issued, shall be clearly delineated on all documents submitted.

## **Part 6 REGISTERED CODE AGENCIES**

### **6.1 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*.

### **6.2 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 7 FEES AND REFUNDS**

### **7.1 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](http://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* application has been accepted, 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.

Any fees applicable in accordance with this or other Municipal By-laws, related to the work proposed, must be paid prior to the issuance of the building permit.

### **7.2 Fees – indexing**

On March 1, 2020 and the first day of March in each year thereafter, the fees indicated in Schedule ‘A’ and anywhere in this By-law, shall be adjusted in accordance with the following formula:

$$A \times (1 + C) = D$$

Where:

A = the fees in effect for the preceding year;

C = the *Statistics Canada Index* percentage change expressed as an exact decimal, between the preceding year’s index, and the index for the year before the preceding year; and

D = the fees for the subject year, effective March 1.

In the event the percentage change mentioned above is negative, the permit fees for the subject year will remain unchanged.

Notwithstanding the above, the Chief Building Official may at any time, change the fees in accordance with the prescribed requirements in the *Act*, if the costs to administer and enforce the *Act* exceed fees charged.

### **7.3            *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 control approval or a zero lot line housing with an approved site plan, may request a three-day fast track permit. Any such request must be accompanied by full and complete submission of all requirements for *permit* applications in accordance with Parts 4 and 5 of this By-law, and payment in full must be made of the *permit* fee as set out in Schedule “A” plus an additional fee of 50% of the regular *permit* fee, or the flat fee in Schedule “A”, whichever is higher. Requests for three-day fast track permits will be granted at the sole discretion of the *Chief Building Official* and take into account available staff resources.

### **7.4            *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 7.1, no building inspections associated with these revisions shall be carried out if outstanding fees are due.

### **7.5            *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 imposed by a court of competent jurisdiction under the *Act*, *Building Code*, this By-law , or any other applicable legislation, 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 the amount shown in Schedule “A”, in order to compensate the *Corporation* for the additional expenses incurred by such early start of *work*.

### **7.6            *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.

- (a) At the discretion of the *Chief Building Official*, no refund shall be issued in the case where a request to cancel a *permit* application is made more than one year after the date it was received.
- (b) No refund shall be issued when an application for *occupancy of an unfinished building*, as provided for in Subsection 1.3.3 -Division C of the *Building Code*, is cancelled.
- (c) No refund shall be issued for any fees associated with the issuance of Orders under the *Act*.

### **7.7 Not Ready - fee**

In the event that upon attendance by an *inspector* pursuant to Part 10 of this By-law, the *inspector* deems that an inspection is not able to be conducted due to a *not ready* condition, a fee as prescribed in Schedule 'A' shall be payable prior to the last mandatory inspection required, or the issuance of an occupancy permit, where applicable.

The fee, where applicable, shall not be imposed until 60 calendar days from the day this By-law comes into force and effect.

## **Part 8 TRANSFER OF PERMITS**

### **8.1 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 4 of this By-law.

### **8.2 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.

### **8.3 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 9 REVOCATION OF PERMITS**

### **9.1 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*.

### **9.2 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.

### **9.3 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. In the event where a *permit* was issued as a result of an Order issued under the *Building Code Act*, no deferral of revocation shall be granted.

### **9.4 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 10 NOTICE REQUIREMENTS FOR INSPECTIONS**

### **10.1 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 4.2 (2)(d) of this By-law.

**10.1a 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 in accordance with Articles 1.3.3.4 and 1.3.3.5 -Division C of the *Building Code*.

**10.2 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*.

**10.3 Time Periods – Inspection**

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.

**10.4 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 4.2 (1) (c) (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 4.2 (1) (c) (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 4.2 (1) (c) (i) and (ii) of this By-law.

**Part 11  
CONSTRUCTION/DEMOLITION SITES**

**11.1 Fencing of Construction or Demolition Sites**

- (a) Where, at the discretionary opinion of the *Chief Building Official*, a construction or demolition site presents a hazard to the public, the *Chief Building Official* may require the *owner* to erect such fence types as the *Chief Building Official* deems appropriate to the circumstances to prevent unauthorized entry to the site.
- (b) When required by the *Chief Building Official*, a fence shall be erected and maintained enclosing the construction/demolition in accordance with the provisions of this By-law until the hazards are eliminated to the satisfaction of the *Chief Building Official*.

- (c) Every fence required under this section shall be located on the perimeter of the construction/demolition site as determined by the *Chief Building Official* and shall be constructed as follows:
- (i) have a minimum height of 1.2 m and a maximum height of 2.4 m, measured from grade along any point along the fence's perimeter, unless directed otherwise by the *Chief Building Official*;
  - (ii) if the fence is of chain link construction, the chain link shall be securely fastened to a 25mm diameter metal bar which is securely fastened to metal posts spaced no more than 3.0 m on centre and embedded into the ground in such a manner as to provide a rigid support;
  - (iii) if the fence is of wood construction, the sheathing surface facing away from the construction or demolition shall be constructed of 16mm exterior grade plywood, particle board or equivalent material that will not provide footholds for climbing. The sheathing shall be supported by 89mm x 89mm wood posts spaced no more than 2.4 m on centre and embedded into the ground in such a manner as to provide a rigid support;
  - (iv) if the fence is of the snow fence or plastic mesh type, the fencing shall be securely fastened to metal T-bar posts spaced no more than 1.8 m on center and embedded into the ground in such a manner as to provide a rigid support.
  - (v) if the fence is constructed of any material other than that prescribed in sentences (i) through to (iv), it shall meet the intent of this section and may be approved at the discretion of the *Chief Building Official*.
  - (vi) the fence may provide for openings sufficient to accommodate construction vehicles, machines and any other equipment providing services to the construction or demolition site provided that these openings are closed when the site is unattended.
- (d) Where the *Chief Building Official* has requested a fence be erected under this section, the *owner* shall request a site inspection for the confirmation of fence erection, within 24 hours from the time the fence installation request has been made; and
- (e) When the fence is erected on public lands, it shall be done so in accordance with the *Corporation's* Streets By-law.

### **11.2 Containment of Construction or Demolition Debris**

Debris, such as but not limited to solid airborne particles resulting from construction or demolition work shall be contained within the limits of the property to which the building permit has been issued for.

## **Part 12 ALTERNATIVE SOLUTIONS**

### **12.1 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 Building Code, the *applicant* shall:

- (a) use the form prescribed by the *Chief Building Official*;
- (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 Building 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*.
- (f) submit a separate form described in (a), for each item whereupon conformance with Division B of the *Building Code* cannot be achieved; and
- (g) note that the fee paid for alternative solution review shall not be refundable.

### **Part 13 VALIDITY**

#### **13.1 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 14 CONTRAVENTION OF BY-LAW – ENFORCEMENT**

#### **14.1 Offence**

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.

#### **14.2 Enforcement**

Where any person is directed or required by this By-law to do any matter or thing, such matter or thing may be done in default of its being done by the person directed or required to do it, at that person's expense, and such expense may be recovered by action or as municipal taxes in the manner prescribed by the Municipal Act and the *Building Code Act*.

### **Part 15 REPEAL – ENACTMENT**

#### **15.1 By-law previous**

By-law B-6 and all of its amendments are hereby repealed.

#### **15.2 Short Title**

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

#### **15.3 Effective date**

This By-law comes into force and effect on August 1, 2019.

Passed in Open Council on June 11, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City 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 m<sup>2</sup> of work involved

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

2. MINIMUM PERMIT FEE

A minimum fee of \$175.00, unless otherwise indicated, shall be charged for any work in buildings classified under the *Building Code* as a Part 9 building. For Part 3 buildings, under the Building Code, a minimum fee of \$375.00 shall be charged, unless otherwise indicated herein or listed as a flat fee.

3. CLASSES OF PERMITS AND FEES

3.1 CONSTRUCTION (new finished floor area unless noted otherwise)

BUILDING CLASSIFICATION (per <i>Building Code</i> )	SERVICE INDEX (SI) \$/m <sup>2</sup> , unless otherwise indicated
<b>Group A [Assembly Occupancies]</b>	
All Recreation Facilities, Schools, Libraries, Places of Worship, Restaurants (Finished), Theatres, Arenas, Gymnasiums, Indoor Pools	18.75
Restaurants (Shell)	14.20
Outdoor Public Swimming Pools or Public Spas	10.00
All other Group A Buildings	21.00
<b>Group B [Institutional Occupancies]</b>	
Institutional, Hospitals, Nursing Homes, and other Group B Buildings	24.30
<b>Group C [Residential Occupancies]</b>	
Single Detached Dwellings, Semis, Duplexes	11.50
• with private septic system (additional fee)	900.00 flat fee
• with geothermal system (additional fee)	420.00 flat fee
Live/Work Units, Previously approved (single detached, semis), Townhouses	9.40
• with private septic system (additional fee)	900.00 flat fee
• with geothermal system (additional fee)	420.00 flat fee
Apartment Buildings	7.50
• with geothermal system (additional fee)	\$540.00 flat fee
Motels (greater than 2 stories) and Hotels	18.00
All other residential Occupancies	14.00
<b>Group D [Business and Personal Service Occupancies]</b>	
Group D Buildings (Shell)	14.00
Group D Buildings (Finished)	17.00

<b>Group E [Mercantile Occupancies]</b>	
Group E Mercantile Occupancies (Shell)	8.80
Group E Mercantile Occupancies (Finished)	12.00

<b>Group F [Industrial Occupancies]</b>	
Industrial Buildings, Warehouses(Shell)	7.00
Industrial Buildings, Warehouses(Finished)	8.50
Gas Stations, Car Washes	8.60
Parking Garages (Underground, Open Air)	4.60
All Other Group F Buildings including self storage buildings	9.10

### 3.2 ALTERATIONS, RENOVATIONS, and REPAIRS (to existing floor areas)

Group C - Dwelling units (excluding Apartment Building units)	3.00
Group A and B occupancies	5.75
All other Occupancies	5.00
Balcony Repairs or Guard Replacement	\$17.00/\$1,000 construction value
Parking Garage Repairs	\$17.00/\$1,000 construction value
Fire alarms	\$375.00 flat fee
Fire alarm annunciator panel replacement (stand alone)	\$300.00 flat fee
Electromagnetic Locks	\$35.00 each (max. fee \$420.00)
Sprinklers (based on sprinkler coverage area)	0.50

### 3.3 DEMOLITION

Single Detached Dwellings, Semis, Duplexes	\$350.00 flat fee
All other buildings:	
• with gross floor area equal to or less than 600 m <sup>2</sup>	0.45
• with gross floor area greater than 600 m <sup>2</sup>	1.00

### 3.4 DESIGNATED STRUCTURES (OBC Div. A-1.3.1.1)

Communication Tower supported by a building,	\$380.00/Tower
Crane Runway	\$380.00 flat fee
Exterior Tank and Support (not on slab on grade)	\$380.00 /Tank
Pedestrian Bridge (when applied as a separate <i>permit</i> )	\$380.00 /Structure
Retaining Wall	\$11.20/linear m.
Stand alone structure supporting a wind turbine generator having a rated output of more than 3kW	\$380.00 flat fee

### 3.5 STAND ALONE AND MISCELLANEOUS WORK

Air Supported Structures	4.75
Canopy (with no signage/lettering)	\$175.00/canopy
Farm Buildings, Agricultural Greenhouses	3.50
Manure storage facility	\$450 flat fee
Portable Classrooms	\$200.00 each
Residential Decks, Porches,	
• uncovered	\$175.00 each
• covered (supporting roof loads)	\$300.00 each
Shoring of excavations (stand alone <i>permit</i> application)	\$ 11.00/lineal m.
Single Detached Dwelling Garages, Carports, Accessory structures:	
• equal to or less than 55 sq.m.	\$175.00 each
• over 55 sq.m.	\$275.00 each
• additional fee of \$175.00 if plumbing is involved	
Temporary Structures	
Tents (individual or each group)	
• from 60 sq.m to 225 sq.m.	\$175.00 each
• exceeding 225 sq.m.	\$250.00 each

<i>Temporary buildings</i>	\$175.00 each
Underpinning (stand alone permit)	\$15.00/lineal m.

Solar Panels installed on:	
• Single detached/semi-detached buildings	\$180.00 per building
• All other buildings	\$17.00 /\$1,000 of construction value of works excluding solar panel costs

Underground structures (excluding fuel tanks)	\$400.00/ structure
Rack storage systems	2.50 (minimum \$500.00)

**3.6 STAND ALONE MECHANICAL WORK (HVAC & PLUMBING)**

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, F	2.00
Group C – single/detached/semi-detached dwelling units	\$175.00 flat fee
– other Group C Buildings	2.00

Plus an additional flat fee of \$175.00 if work proposed includes Make-up Air Units, or Rooftop Units.

Commercial Kitchen Exhausts, Spray Booths, Dust Collectors, etc. (applies to installations on existing buildings when no other mechanical/plumbing work is proposed)	\$350.00 flat fee
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**3.6.2 Plumbing and Drainage Systems-Fixtures-Equipment-Systems**

Piping Single Detached or Semi Detached Dwellings:	\$175.00 flat fee
• Water services, Sanitary and Storm buried piping, repairs, replacements and additions of buried plumbing and drainage piping, pool drains	

Piping (All Other Buildings)	\$3.00 /lineal m.
• Inside Sanitary and Storm Piping, Outside Water Services, Sanitary and Storm Piping	

Manholes, Catchbasins, Interceptors, and Sumps complete with pumps, roof drains	\$ 12.10 each
Backflow prevention devices (requiring testing)	\$175.00 each
Backwater valves (sanitary) including weeping tile disconnection	\$175.00 each

Private <i>Sewage system</i> (new or replace):	
• Holding Tank	\$620.00 flat fee
• Septic System (complete)	\$850.00 flat fee
• Septic Bed	\$620.00 flat fee
• Septic System Tank only	\$360.00 flat fee

Geothermal system for single/semi-detached/duplex	\$420.00 flat fee
Geothermal system for all other buildings	\$620.00 flat fee

**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
 

\$130.00 per hour
(min. fee \$175.00)

detached dwellings, duplexes, semi-detached dwellings, or row townhouses, review of proprietary products/systems/equipment/components)

- (ii) New Model submission 50% of the original permit fee  
(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
- b) Partial Occupancy *permit* \$560.00 flat fee
- 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, \$275.00 per *permit*  
semi-detached dwellings, or row townhouses
  - (ii) all other uses \$600.00 per *permit*
- d) Inspection to Clear Deficient *Permit* \$500.00 flat fee
- e) Inspection conducted after Order issued under the *Building Code Act* where Order has not been complied with \$175.00 per visit
- f) Permission to defer permit revocation \$300.00 per *permit*
- g) *Permit* for Change of Use (no construction) \$175.00 flat fee
- h) Special Inspection, excluding fire protection inspection (outside office hours-max. 3 hours-upon request-based on staff availability) \$400.00 flat fee
- i) Special inspection for fire protection items (outside hours-max. 3 hours-upon request-based on staff availability) \$500.00 flat fee
- j) Special inspection on holidays and weekends (max. 3 hours-upon request-based on staff availability) Special inspection fee plus 50% of the special inspection fee
- k) Transfer of *Permit* (Ownership) \$175.00 flat fee
- l) Special Research Requests of Building Division \$175.00 per hour or part thereof
- m) Certification of an additional set of drawings on the basis of which a *permit* was issued by the *Chief Building Official* \$175.00 per set
- n) Spatial separation (Limiting distance) agreements \$400.00 per agreement
- o) Alternative solutions review \$400.00 per alternative solution form submission
- p) *Three day permit*
  - Residential use (excluding apartment buildings) additional fee equal to 50% of the original *permit* fee (min. \$275.00)
  - All other uses additional fee equal to 50% of the original *permit* fee (min. \$550.00)

- |    |  |  |
|----|--|--|
| q) | Occupancy <i>permit</i> (in accordance with Ontario <i>Building Code</i> Div. C -1.3.3.4 & 1.3.3.5)<br>• Additional copy of occupancy <i>permit</i>  | (included in <i>permit</i> fee)<br>\$150.00 flat fee |
| r) | Liquor Licence Clearance Letter<br>• Not Associated with a Building <i>Permit</i> or Business License<br>• Associated with a Building <i>Permit</i> or Business License  | \$480.00 flat fee<br>\$275.00 flat fee               |
| s) | Review of proprietary systems/equipment/ components for Ontario <i>Building Code</i> conformance (including Compliance letter issuance)  | \$300.00 flat fee per item reviewed                  |
| t) | Review of proprietary systems/equipment/ components for Ontario <i>Building Code</i> conformance associated with a specific building permit or permit application  | \$200.00 flat fee per item reviewed                  |
| u) | 'Not Ready' re-inspection  | \$175.00 flat fee                                    |
| v) | Construction Fence inspection  | \$175.00 flat fee per inspection                     |
| w) | Order issued pursuant to the <i>Act</i> , except for Stop Work Order<br>(Payment of these fees does not relieve any person or corporation from complying with the <i>Act</i> , the Building Code or any applicable law.) | \$200.00 flat fee                                    |
| x) | Stop Work Order issued pursuant to section 14 of the <i>Act</i> .<br>(Payment of these fees does not relieve any person or corporation from complying with the <i>Act</i> , the Building Code or any applicable law.)    | \$275.00 flat fee                                    |
| y) | Work without permit  | 100% of original permit fee (max. \$7,500.00)        |

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 7 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 \$175.00 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.

- (i) no refund shall be payable in the case where a *permit* has been revoked.
- (j) any fee paid for alternative solution review shall not be refundable.

## 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 attached residential garages).
- In the case of interior alterations or renovations, area of proposed *work* is the actual space receiving the *work* (i.e. 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.
- Where new construction or extensive interior alterations also include the addition of items identified under Stand Alone Mechanical Work (HVAC & Plumbing) the *permit* fee shall be solely based on the service index applicable to the building's classification.
- Where demolition of partitions or alteration to existing ceilings is a part of an alteration or renovation *permit*, no additional *permit* fee 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.
- Fees and charges imposed by the Corporation constitute a debt to the municipality and may be added to the tax roll in accordance with s. 398 of the Municipal Act.

**SCHEDULE “B”**  
**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 4 and 5 of this By-law.	

SCHEDULE "C"  
BY-LAW B-\_\_

Model Home-Conditional Permits Checklist

MODEL HOME CONDITIONAL PERMITS

SUBDIVISION: \_\_\_\_\_ Lot(s): \_\_\_\_\_

<u>Items Required to Comply with Council Policy</u>	<u>Date Rec'd.</u>
1. Copy of the executed subdivision agreement by owner.	_____
2. Letter from owner acknowledging items in agreement they are responsible for, example: <ul style="list-style-type: none"><li>a. Grading Engineer for subdivision;</li><li>b. Pollution Plant Capacity restriction in agreement;</li><li>c. Model Home No Occupancy;</li><li>d. Plan indicating the lots model homes request is for and proposed lot numbers;</li><li>e. Security;</li><li>f. Roads are to be maintained;</li><li>g. Street signs are installed.</li></ul>	_____
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: <ul style="list-style-type: none"><li>a) Water supply for firefighting within 300' of each requested lot;</li><li>b) Services are available for each lot;</li><li>c) Access roads for firefighting to each lot at least granular "B" condition;</li><li>d) Estimate of construct of works remaining to completion for these lots (paving, sodding, etc.);</li><li>e) Tree preservation requirements if applicable/noise vibration.</li><li>f) Sediment and erosion control measures</li></ul>	_____
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. \$10,000 security for each dwelling unit (letter of credit or certified cheque) by owner or contractor.	_____
10. Conditional permit fee paid for each permit application.	
11. Applicant to indicate on application under 'Description' : "Model Home".	



**SCHEDULE “D”  
BY-LAW B-\_\_\_**

## **City of London**

### **Requirements for Drafting Port Connections**

*The information provided is for buildings without sprinkler or standpipe systems, unless other provisions have been designed.*

- 1) An engineer registered with the Professional Engineers Ontario (PEO) shall design and certify all drafting systems used for water supply in areas where municipal water is not available.
- 2) Drafting systems, as described in Section 1 above, shall:
  - a) for Firefighter safety, ideally locate drafting port(s) on north or northwest side of structure, if possible, to account for the prevailing winds;
  - b) be designed so that drafting ports are a minimum of 120 feet (36.5 m) and a maximum of 300 feet (91.5 m) away from the structure on the property (see Appendix A);
  - c) include a number of drafting ports to meet the flow rates as required by Division B, Part 3, Article 3.2.5.7\* of the Ontario Building Code (OBC);

***Note: The OBC required on site water supply may only be sufficient enough to allow for evacuation and be inadequate to extinguish the fire.***
  - d) where more than one (1) drafting outlet/port is required to achieve the required flow, provide an individual drafting pipe for each outlet/port (not on a manifold system);
  - e) be designed and constructed so that each individual drafting port can maintain a minimum draft flow of 1,000 imp. gpm (4,546 lpm); and

***Note: Consider the impact of the design of strainers installed on the intake(s) as they can significantly reduce the flow***
  - f) where more than one (1) drafting port is required to achieve the OBC required flow rates, provide a minimum of spacing between the drafting ports of 60 feet (18.3 m) to allow fire engines sufficient space to hook up to the other drafting connection (see Appendix A).
- 3) Each drafting port area (see Figure 4) provided shall:
  - a) because of varying ground conditions associated seasonal changes, include a hard all-weather surface, preferably asphalt or concrete, immediately beside the drafting port from which the fire engine will draft, noting that the fire trucks that will operate from this location are two (2) axle vehicles weighing 40,000 lbs (18,143 kg) or three (3) axle vehicles weighing 60,000 lbs (27,216 kgs);
  - b) be demarcated with a sign with reflective material indicating the location;
  - c) incorporate bollards to protect the drafting port and vent assembly;
  - d) noting that each London Fire Department's drafting hoses are 10 feet (3 m) long, be so located such that the drafting port is not more than 10 feet (3 m) from location where fire engine will be positioned during drafting operations; and
  - e) designed such that the grade of the asphalt or concrete surface on which the fire engine is positioned (on a fire access route as defined by Division B, Article 3.2.5.6 of the OBC) is at same height as the point where drafting port piping comes out of ground.
  - f) Consider the drafting port design as follows (see Figures 1 through Figure 4 for examples):
    - i) the drafting piping from the water source shall:
      - (1) be a minimum of 6 inches (152 mm) in diameter;
      - (2) use a piping sized to provide the required OBC flow and account for friction losses and/or flow losses attributable to the pipe size, pipe fittings, strainers, etc.; and
      - (3) piping shall meet OBC Division C, Part 7 requirements (Article 7.2.11.) for water service pipes and fire service mains.
    - ii) the design of the drafting pipe assembly (including the elbow) shall be as follows:
      - (1) the distance from the end of the intake pickup to the centreline of the drafting port outlet shall be ideally 10 feet (3 m) to a maximum of 12 feet (3.7 m); and
      - (2) the centreline of the outlet shall be approximately 24 inches (0.6 m) above grade.

iii) the drafting pipe outlet design shall be as follows:

- (1) the pipe coming from the ground shall have a 90 degree elbow attached to the end (see Figure 1);

Figure 1: Drafting Port Side View - 90 Deg Elbow



- (2) the terminating end of the 90 degree elbow shall be equipped with a 5 inch (127 mm) NH female swivel (see Figure 2);

Figure 2: Swivel Fitting w/ 5" NH Female Swivel



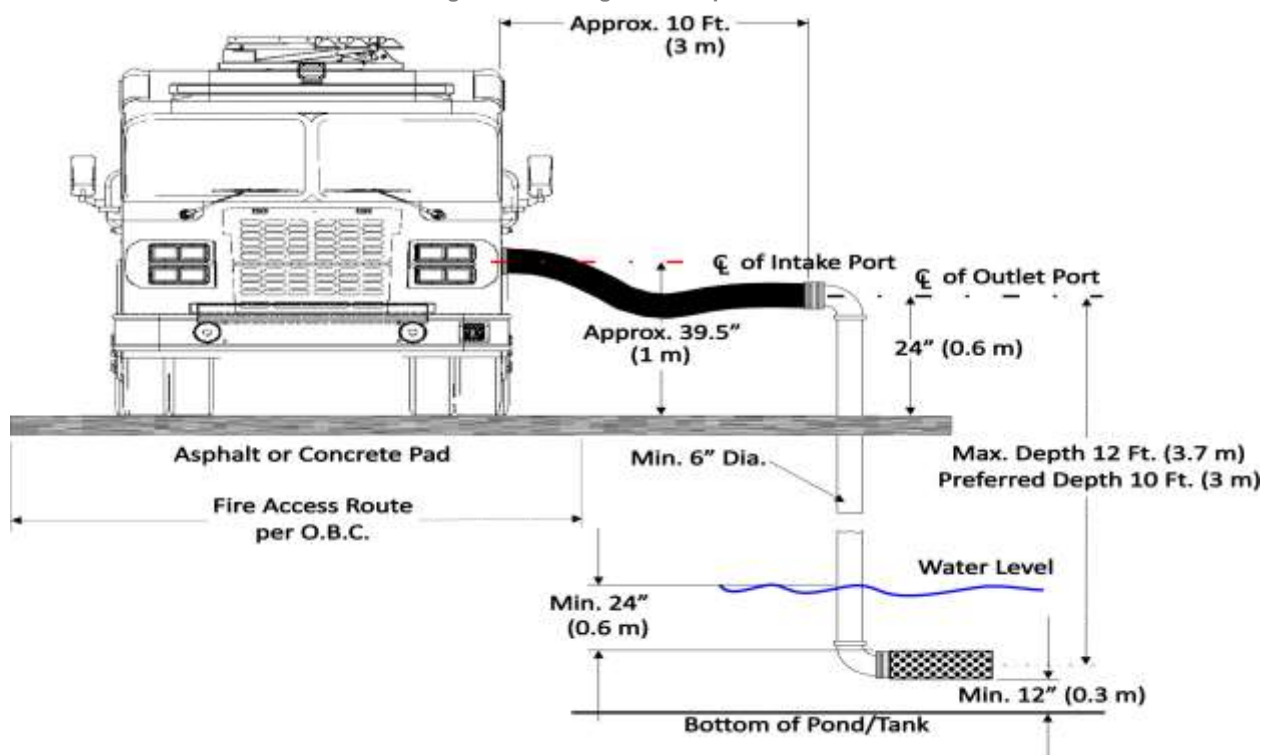
- (3) to prevent debris being thrown into the drafting port, the 5 inch (127mm)NH female swivel shall be closed with a 5 inch(127 mm) NH thread male cap or plug (see Figure 3); and

Figure 3: 5" NH Male Cap



- (4) the aforementioned threaded connection must be perpendicular to the side of the fire truck when positioned (see Figure 4).

Figure 4: Drafting Port Setup



- g) 4 inch (100 mm) STORZ connections are only designed for high pressure connections by the London Fire Department, like connecting to a hydrant, etc. and are not to be used for drafting ports, etc.
- h) 5 inch (127 mm) NH female connections are used for ALL drafting connections by the London Fire Department, like drafting port connections, etc.

- 4) The provided water supply(ies) shall:
  - a) include an easily identifiable mechanism to confirm minimum water level (the total volume required by OBC );
  - b) be designed so that freezing temperatures or the 50 year anticipated lowest water level will not affect total OBC required volume or ability to draft from the connections provided;
  - c) be designed based on \*OBC water supply requirements and Ontario Fire Marshal Guidelines (OFM-TG-03-1999) for rural water supply;
  - d) If underground tanks are used, include vent pipes and internal access for maintenance (see Figure 5);

***Note: permanent water storage containers should be the preferred water supply since ponds and streams are subject to environmental conditions such as freezing and drought.***

Figure 5: Underground Tank with Vent and Access



- e) where the water supply is an external pond, ensure the following is incorporated into the design:
  - i) the intake should NOT be located closer than 12 inches (0.3 m) from the bottom of the pond to prevent sediment being drawn into the intake; and
  - ii) for OBC\* requirements, the overall volume of the same shall take into consideration that the lowest level cannot drop below 24 inches (0.6 m) during the drafting operation (see Figure 4) or a vortex may result in pump cavitation;

***Example: An asphalt or concrete pad enabling water trucks to backup and dump directly into the pond or into the underground tanks (may require a chute).***

- f) Establish a means to replenish required water supply by way of contracted supplier, keeping in mind off loading capabilities;
  - g) A permanent water level marker, which indicates the minimum water level per design, is to be installed adjacent to the intake.
- 5) Prior to obtaining final approval from the Chief Building Official, an engineer registered with the Professional Engineers Ontario shall certify the drafting pipe assembly showing:
    - a) the drafting pipe assembly(ies) is free of vacuum leaks; and
    - b) the actual water flow achieved at each drafting port meets or exceeds the \*OBC design requirements.
  - 6) An approved (by the Fire Department) fire safety plan will be required for any occupancy that has a private water supply and beyond the standard requirements shall include the following:
    - a) detailed information concerning the water supply design;
    - b) documented process describing general maintenance;
    - c) where the water supply is a pond, what actions will be taken to prevent sludge from clogging the intake, as well as the prevention of the growth of seaweed like growth that may clog the intake;
    - d) where the water supply is a pond that is not fed by a water source, outline the contingency plan describing actions to be taken should the water supply fall below \*OBC required levels. Variable environmental condition such as drought shall be taken into consideration;
    - e) The approved plan shall be readily available on site; and
    - f) Access to the drafting ports shall be maintained at all times.

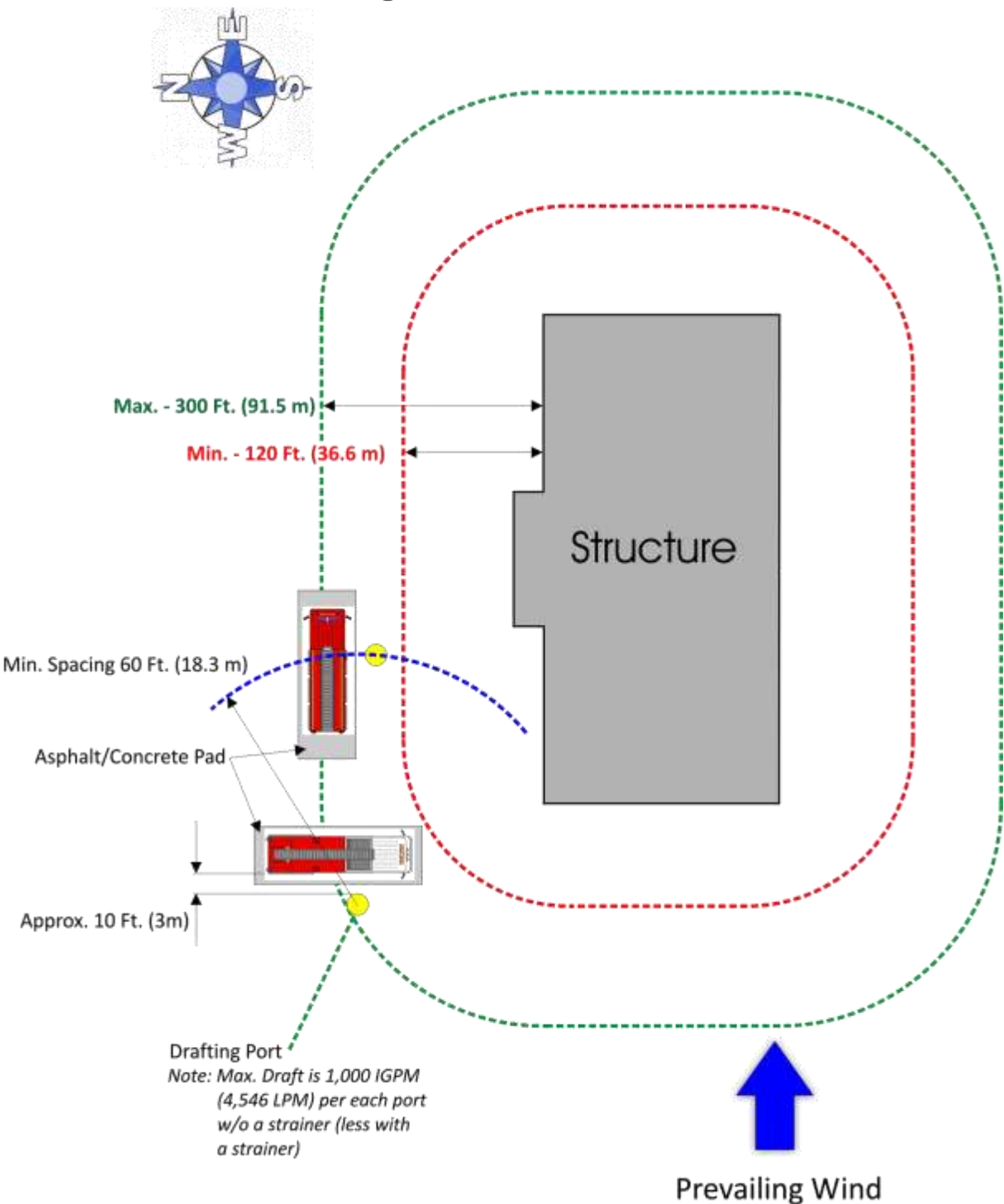
\* An "adequate water supply" as reference in Division B, Part 3, Article 3.2.5.7 of the Ontario Building Code (OBC) shall be determined by good engineering practice. (See OBC Volume 2, Appendix A, A-3.2.5.7 and NFPA 1142- *Standard on Water Supply for Suburban and Rural Firefighting*)

#### References:

- NFPA 1142 – *Standard on Water Supply for Suburban and Rural Firefighting*
- NFPA 22 – *Standard for Water Tanks for Private Fire Protection*
- OFM TG-03-1999 – *Fire Protection Supply Guideline for Part 3 in the Ontario Building Code*

# APPENDIX "A"

## Drafting Ports Standards



**APPENDIX “B”**

**2012 London Fire Department**

**Vehicle Configuration (Drafting Only)**

