

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4115-07**

BUILDING PERMIT BY-LAW

Being a By-Law under the *Building Code Act* respecting construction, demolition, change of use, occupancy, transfer of permits and inspections.

WHEREAS pursuant to the *Building Code Act*, S.O. 1992 c.23 as amended, the Lieutenant Governor in Council has established a Building Code which is in force throughout Ontario;

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

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:

SHORT TITLE

This By-law may be cited as the "Building Permit By-Law".

**Part 1
DEFINITIONS**

- 1.1 In this By-law;
 - 1.1.1 "Act" means the *Building Code Act*, S.O. 1992, c.23 as amended.
 - 1.1.2 "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.
 - 1.1.3 "Architect" means the holder of a license, certificate of practice or a temporary license issued under the *Architects Act* as defined in the Building Code.
 - 1.1.4 "Building Code" means the regulations made under section 34 of the *Act*.
 - 1.1.5 "Chief Building Official" means a Chief Building Official appointed by By-law by the Corporation of the Town of Niagara-On-The-Lake for the purposes of enforcement and administration of the *Act*.
 - 1.1.6 "Construct" means construct as defined in subsection 1(1) of the *Act*.
 - 1.1.7 "Corporation" means the Corporation of the Town of Niagara-On-The-Lake.
 - 1.1.8 "Demolish" means demolish as defined in subsection 1(1) of the *Act*.
 - 1.1.9 "Inspector" means an inspector appointed by By-law by the Corporation of the Town for the purposes of enforcement of the *Act*.

- 1.1.10 "Owner" means the registered owner of a property and includes a lessee, a mortgagee in possession, and any person who proves to the satisfaction of the Chief Building Official that they are the authorized agent of the owner of a property and any person who qualifies as the owner of a property pursuant to section 15.1 of the *Act*.
- 1.1.11 "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.
- 1.1.12 "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.
- 1.1.13 "Professional Engineer" means a person who holds a licence or temporary licence under the Professional Engineers Act, as defined in the Building Code.
- 1.1.14 "Registered Code Agency" means a registered code agency, as defined in subsection 1(1) of the *Act*.
- 1.1.15 "Sewage System" means a sewage system, as defined in the Building Code.
- 1.1.16 "Town" means the Town of Niagara-On-The-Lake.
- 1.1.17 "Work" means construction or demolition of a building or part thereof, as the case may be.
- 1.2 Words or terms not defined in this By-law shall have the meaning ascribed to them in the *Act* or the Building Code.

Part 2 CLASSES OF PERMITS

- 2.1 **Set out – Schedule A**
Classes of permits required for construction, demolition or change of use are set forth in Schedule "A" of this By-law.

Part 3 PERMITS

- 3.1 **File application – on forms – prescribed**
To obtain a permit, an applicant shall file an application in writing, on forms prescribed by the Province of Ontario and available from the Chief Building Official, from the Town of Niagara-on-the-Lake's website, www.notl.org, or from the Building Code website, www.obc.mah.gov.on.ca, and supply any other information relating to the application, as required by the Chief Building Official.
- 3.2 **Information submitted – Chief Building Official**
Every application for a permit shall be submitted to the Chief Building Official, and contain the following information:
- (1) Where application is made for a construction 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";

- (b) include complete plans and specifications, documents and other information as required by Article 2.4.1.1B of the Building Code and as described in this By-law for the work to be covered by the permit;
 - (c) include completed form as set out in Schedule "D", where applicable; and
 - (d) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4, and Schedule "C".
- (2) Where application is made for a demolition permit under subsection 8(1) of the Act, the application shall:
 - (a) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (b) include complete plans and specifications, documents and other information as required by Article 2.4.1.1B and Sentence 2.4.1.1(2) of the Building Code and as described in this By-law for the work to be covered by the permit;
 - (c) receive comments from the Town of Niagara-On-The-Lake Heritage Planner, and
 - (d) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4, and Schedule "C".
- (3) Where application is made for a conditional permit under subsection 8(3) of the Act, the application shall:
 - (a) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (b) include complete plans and specifications, documents and other information as required by Article 2.4.1.1B of the Building Code and as described in this By-law for the work to be covered by the permit;
 - (c) state in writing 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;
 - (e) if the application is for a partial permit state the time in which plans and specifications of the complete building will be filed with the Chief Building Official;
 - (f) be subject to the applicant entering into an agreement as provided for in subsection 8(3) of the Act; and
 - (g) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4, and Schedule "C".
- (4) Where application is made for a change of use permit issued under subsection 10(1) of the Act, the application shall:
 - (a) use the prescribed form in Schedule "B" 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;
 - (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, but not limited to: floor plans; details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, early warning and fire suppression systems and details of the existing sewage system, if any;
 - (e) state the name, address and telephone number of the owner;
 - (f) be signed by the owner or their authorized agent who shall certify the truth of the contents of the application; and
 - (g) Provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4, and Schedule "C".
- (5) Where application is made for a transfer of permit because of a change of ownership of the land, as permitted under clause 7(h) of the Act, the application shall:
- (a) use the prescribed form in Schedule "B" of this By-law;
 - (b) provide the names and addresses of the previous and new land owner;
 - (c) provide proof of ownership and the date that the land ownership change took place;
 - (d) describe the permit that is being transferred; and
 - (e) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4, and Schedule "C".
- (6) Where application is made for occupancy of an unfinished building as provided for in Article 2.4.3.1 of the Building Code, the application shall:
- (a) use the prescribed form in Schedule "B" of this By-law;
 - (b) describe the part of the building for which occupancy is requested; and
 - (c) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4, and Schedule "C".

3.3 Incomplete applications

An application is deemed incomplete if it does not contain the prescribed information or is not accompanied by plans, certificates and documents specified in this By-law. Where an application is found to be incomplete and does not comply with Sentence 2.4.1.1.B (5) of the Building Code, the application shall be refused.

3.4 Partial permits – requirements

When feasible, the Chief Building Official may consider approval of a portion of the building or project prior to the issuance of a permit for the entire building or project,

- (a) application shall be made and all applicable fees be paid for the entire project; and
- (b) complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed with the Chief Building Official; and
- (c) where a partial permit is requested the full building or project application is deemed to be incomplete.

3.5 Partial permits – 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 that approval will necessarily be granted for the entire building or project.

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 the proposed work.

**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, documents and specifications as described in this By-law and Schedule "C" of this By-law.

4.3 Plans drawn to scale on durable material – legible

Plans shall be drawn to scale (min. 1:75 or 3/16"=1') on paper or other durable material and shall be legible. If requested the plans shall be provided in electronic media approved by the Corporation

4.4 Site plans referenced to plan of survey – certified

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:

- (1) property lines, building location, sidewalks, driveways,
- (2) right-of-ways, easements and municipal services;
- (3) lot size and the dimensions of property lines and setbacks to any existing or proposed buildings;
- (4) dimensions of all buildings on-site.

4.5 Surveyor's certificate – location of foundation

The Chief Building Official may require a surveyor's certificate, prepared by a registered Ontario Land Surveyor, be submitted and approved prior to commencement of the framing or the above grade portion, and shall show the location of the foundation or foundations on the lot for the buildings, and for single family, semi-detached, duplex, triplex, four-plex, and row house, elevations shall be given for the top of foundation(s).

4.6 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 completed by an Ontario Land Surveyor or Professional Engineer showing the location of the building.

4.7 Plans – property of Corporation

Plans and specifications furnished according to this By-law or otherwise required by the Building Code and the *Act* become the property of the Corporation and will be dealt with accordingly.

**Part 5
REGISTERED CODE AGENCIES**

5.1 Registered Code Agency – hired by Chief Building Official

The Chief Building Official is authorized to enter into and sign contracts for service agreements with Registered Code Agencies and appoint them to perform specified functions from time to time in order to maintain the time periods for permits prescribed in subsection 2.4.1 of the Building Code.

5.2 Duties 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 Fees – 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. If a fee cannot be calculated in accordance with Schedule "A", the Chief Building Official shall calculate the fee and the applicant shall pay such fee. No permit shall be issued until the fees therefore have been paid in full.

6.2 Revisions to permits – fee

Where the applicant for a building permit or other permit makes material changes to plans, specifications or calculations after submission to the Building Department for approval, the Chief Building Official may increase the required permit fee or fees by applying the rates in Schedule "A" to these changes and require payment of such increased fee or fees before the applications for permit, permits or approvals are issued.

6.3 Work without benefit of permits at any stage of construction – fee

Any person or Corporation who commences construction, demolition or changes the use of a building before submitting an application for a permit or receiving a permit, 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 full permit fee for the entire project in order to compensate the Corporation for the additional work incurred by such early start of work.

6.4 Additional fee and penalty

The additional fee in section 6.3 shall not relieve any person or other corporate entity from complying with the Building Code and other applicable law or from any penalty prescribed by the *Building Code Act* for commencing construction prior to obtaining a building permit.

6.5 Conditional permit – fee

Where the applicant for a building permit requests and is granted a conditional permit, additional fees as detailed in Schedule "A" shall apply.

6.6 Limiting distance – fee

Where the applicant for a building permit enters into a limiting distance agreement, additional fees as detailed in Schedule "A" shall apply.

6.7 Administrative fees – not refundable

Administrative fees collected under this Section are not refundable.

6.8 Refunds

Where there is a written request for a refund of permit fees paid, the Chief Building Official shall retain the following amounts of the permit fee payable:

- (i) 10% for administration where no plans examination has commenced;
- (ii) 30% for administration and where zoning examination has begun;
- (iii) 50% for permit processing where zoning examination is complete and plan examination has commenced; and
- (iv) In addition to (i), (ii) and (iii), 5% of the permit fee payable for every monitoring inspection carried out to a maximum of 9 inspections or 45%, at which time no refund is payable.
- (v) No refund will be payable if the permit is cancelled or revoked one year after issuance.

6.9 Minimum permit fee – not refundable

Notwithstanding 6.8, no refund will be made which shall result in the retention by the Town of a sum less than the minimum permit fee payable of the current bylaw at the time of refund request.

**Part 7
TRANSFER OF PERMITS**

7.1 Application – completed by new owner

In any case wherein the ownership of the land is transferred after the permit is issued, the ownership of that permit may be transferred if the new land 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 provided 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 Notice of revocation

Prior to revoking a permit under sub-section 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 thirty (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.

8.2 Deferral of revocation

A permit holder may, within thirty (30) days from the date of service of a notice under this Part, request in writing the Chief Building Official to 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 deferral, in writing.

8.3 Fee for deferral

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

**Part 9
LIMITING DISTANCE AGREEMENT**

9.1 Entering into an agreement

An applicant may enter into a limiting distance agreement with the Town as provided for in Sentence (8) of Article 3.2.3.1 or in Sentence (5) of Article 9.10.14.12 of the Building Code.

**Part 10
NOTICE REQUIREMENTS FOR INSPECTION**

10.1 Notice prior to each stage – 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 2.4.5.1. of the Building Code. The permit holder shall provide the notice of completion as prescribed by Section 11 of the *Act*, or where occupancy is required prior to completion, notice of inspection to ensure that the requirements of Section 11 of the *Act* and subsection 2.4.3 of the Building Code are complied with.

In addition, the permit holder shall notify the Chief Building Official or a Registered Code Agency where one is appointed, of the following stages of construction as required under Article 2.4.5.2 of the Building Code:

- (a) commencement of construction of the building;
- (b) commencement of construction of:
 - (i) masonry fireplaces and masonry chimneys;
 - (ii) factory-built fireplaces and allied chimneys;
 - (iii) stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys;
- (c) substantial completion of fire separations, firestopping, heating, ventilation, air-conditioning and air-contaminant extraction equipment.
- (d) barrier free design inspection

10.2 Effective when received – 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.

Notice shall be deemed to have been received when the Chief Building Official or an inspector, as the case may be, makes a written record of the request for inspection.

10.3 Time periods – inspections

Upon receipt of proper notice, the inspector or a Registered Code Agency, if one is appointed, shall make a written record of the time notice is received and undertake a site inspection of the building to which the notice relates in accordance with the time periods stated in Article 2.4.5.3 of the Building Code and Section 11 of the Act.

**Part 11
MODIFIED REQUIREMENTS**

11.1 Discretion of Chief Building Official

The Chief Building Official may waive the requirements of Part 4 or Schedule "C" with respect to any particular applications. Where the Chief Building Official exercises his discretion as set out in this section, the requirements of this By-law are deemed to be modified accordingly.

**Part 12
REPEAL – ENACTMENT**

12.1 Previous By-law

By-Law 1848-87 and all of its amendments are hereby repealed.

12.2 Short title

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

12.3 Schedules

The Schedules to this by-law are a part of this by-law.

12.4 Effective date

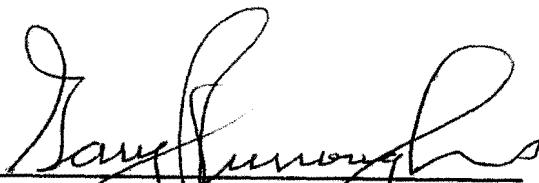
This By-law comes into force on immediately upon the passing thereof.

**Part 13
CONTRAVENTION OF BY-LAW OFFENCE**

Offence

- 13.1** Any person who contravenes 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.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 29th DAY
OF JANUARY, 2007**


LORD MAYOR GARY BURROUGHS


TOWN CLERK HOLLY DOWD

1. CALCULATION OF PERMIT FEES FOR CONSTRUCTION: (6)

$$\text{Permit Fee} = \text{SI} \times A$$

2. MINIMUM PERMIT FEE

3. CLASSES OF PERMITS AND FEES

1.1	CONSTRUCTION - NEW BUILDINGS, ADDITIONS, MEZZANINES	Service Index \$/sq.ft.
	Group A - Assembly Occupancies -School, church, restaurant, daycare, hall, recreation facility, other	1.49
	Group B - Institutional Occupancies -Hospital, retention facility, nursing home, other	1.64
	Group C - Residential Occupancies - Single, Semi, Duplex Dwelling - Multiple Unit Dwellings (apartments, townhouses, etc.) - Hotel/Motel - Other residential	1.06 .94 .94 .94
	Group D - Business And Personal Services - Office, Bank, other - Shell only	1.39 1.10
	Group E - Mercantile Occupancies - Store, plaza/mall, retail shop, other - Shell only	1.11 .83
	Group F - Industrial Occupancies - Industrial mall/plaza, garage, plant, factory, warehouse, other - Shell only	.70 .56
1.2	SPECIAL CLASSES AND OCCUPANCIES	
	- Farm Building - Greenhouses - Trailer/air support structure - Tent/temporary fabric structure - less than 225 m ² - greater than 225 m ² SINGLE, SEMI, DUPLEX DWELLING - Garage/carport - Uncovered/covered deck/porch - Sunroom/solarium addition - Detached shed/accessory building	.20 .12 .14 130.00 250.00 .31 .31 .70 .31
1.3	ALTERATIONS AND REPAIRS	
	INTERIOR ALTERATIONS & REPAIRS: - Group A & B Occupancies - Group C, D & E - Group F	.50 .45 .30
	- Unfinished Basement	.30
	- Roof Structure	.13
	- Woodstove/Fireplace/Chimney (Flat Fee)	85.00
	- Finished Basement (Residential Unit)	.30
	- Other Minor Alterations - no plans (Flat Fee)	85.00

SCHEDULE A - PAGE 2

1.4	PARTIAL PERMITS/STAGED CONSTRUCTION	
	(Percentage of total fee for application occupancy)	
	- Foundation (Complete to grade including underground services)	15%
	Building Shell	
	-Completed Structural Shell	40%
	-Completed Architectural Shell	80%
	-Building Completion (including renovations by tenant to complete)	100%
2.	DESIGNATED STRUCTURES	
	- Communication Tower (not including accessory building) - flat fee	219.00
	- Retaining Wall/Pedestrian Bridge	2.11/ft
3.	PLUMBING ONLY	
	- Residential Services - Building sanitary, storm or water services (individually or in combination)	85.00
	- Interior extensions/alterations with or without additional fixtures	85.00
	(NOTE: These are per residential unit or per service charge)	plus 5.96/fix
	- Fixture, appliance, stack, interceptor, sewage ejector, roof drain, other	8.76 ea.
	- Buried Piping (including storm, sanitary & water services)	85.00 or .70/ft
4.	DEMOLITION	
	- All residential and buildings up to 3,000 square foot gross	85.00
	- Other demolitions	.02/sq.ft.
5.	MOVE (flat fee, does not include building)	85.00
6.	POOL (flat fee)	
	- Public	475.00
	- Private (above ground or inground pool)	150.00
7.	CHANGE OF USE	100.00
8.	CONVERT A CONDITIONAL PERMIT (to a regular building permit)	200.00
9.	OCCUPANCY (To provide for occupancy of unfinished building)	200.00
10.	TRANSFER OF PERMIT - 30% Of Original Fee	
11.	DEFERRAL OF REVOCATION OF PERMIT	200.00
12.	PERMIT FEES ESTABLISHED BY VALUE – \$85.00 for first \$1,000 of value plus \$12.00 for each additional \$1,000.	
13.	OTHER CHARGES/FEES	
	Conformity Statement	100.00
	Zoning/Use Statement Only/Building Clearance (permitted use, liquor license clearance, other.)	40.00
	Additional Inspection Request (not identified in regulation)	95.00/hr
	Lot Grading and Damage Deposit (new dwelling unit)	1,500.00
	Curb and Sidewalk Damage Deposit	500.00
	Limiting Distance Agreement	345.00
14.	COMMENCEMENT OF WORK - NO PERMIT Where construction has commenced prior to the issuance of the required permit for any of the Classes the applicable fee shall be doubled . Construction is considered to be the placing of concrete or any plumbing or drain work.	
15.	RE-INSPECTION FEE (due to improper work, not ready or similar) - flat fee	\$50.00
16.	CONDITIONAL PERMIT FEE REPROT	\$250.00

Notes to Schedule "A"

1. Permit fees are related to \$/square foot, \$/linear foot or flat fee as shown
2. Square foot refers to the gross area of all floors above grade as measured to the exterior of the building/structure. Mezzanines, lofts and attics are included.
3. Where there is no floor or exterior walls for the project, the area is considered to be the greatest horizontal area of the structure.
4. There are no deductions from gross floor area for openings such as stairs, ramps, shafts, etc.
5. Unfinished basements, crawl spaces, attached residential garages up to a double garage, porches and decks are not used in fee calculations of new dwelling units.
6. Major Occupancy shall be based on the Ontario Building Code.
7. Minimum building permit fee for any class of permit shall be \$85.00.
8. If the work cannot be described otherwise, the permit application fee shall be assessed on a construction value as indicated on Item 12 of the Schedule.
9. Where a permit has been issued and the permit holder requests changes or revisions to the drawings an additional fee shall be levied at \$75.00 per hour rounded to the nearest one-half hour and the Chief Building Official may require a fee deposit prior to commencing review of the proposed revisions.
10. Lot Grading and Damage Deposit (new dwelling unit) is refundable when the construction is complete and the file can be closed including the final grading being confirmed by an Ontario Land Surveyor or Professional Engineer.
11. Curb and Sidewalk Damage Deposit is refundable when the construction is complete and the file can be closed.

4. 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⁾.

5. INTERPRETATIONS

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

- Floor area of the proposed work is to be measured to the outer face of exterior walls and to the 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 (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 (i.e. stairs, elevators, escalators, shafts, ducts, etc.).
- Unfinished basements for single detached dwellings (including semis, duplexes, and townhouses, etc.) are not included in the floor area.
- Attached garages, covered porches and fireplaces are included in the permit fee for single detached dwellings and attached 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. 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 renovations 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 apply the square footage charge for industrial for the building.

SCHEDULE "B"

Application for Change of Use, Transfer of Permits and Occupancy Permits



**Application for a Permit:
Partial Occupancy (Unfinished Building)
Transfer of Permit (Ownership)**

For use of Municipality Authority							
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"/> Change of Use – No Construction <input type="checkbox"/> Transfer of Permit – Ownership					
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 (If corporation or partnership, name of person applying on its behalf)				C) Owner Information (if different from applicant) (If corporation or partnership, name of person applying on its behalf)			
Last Name		First Name		Middle Initial		Last Name	
						First Name	
						Middle Initial	
Corporation or Partnership (if applicable)				Corporation or Partnership (if applicable)			
Full Address Building Number		Street Name		Unit Number		Lot/con.	
Municipality		Province		Postal Code		Country	
Telephone		Fax Number (optional)		Cell Number (optional)		Telephone	
						(optional)	
D) Former Owner (Transfer of Permit)				E) Project Information (Full Address of Project)			
Last Name		First Name		Middle Initial		Building Number	
						Street Name	
						Unit Number	
						Lot/con.	
Corporation or Partnership (if applicable)				Municipality			
				Province			
				Postal Code			
Full Address Building Number		Street Name		Unit Number		Lot/Parcel Number	
Municipality		Province		Postal Code		Other Location Information – describe area to be occupied	
Telephone		Fax Number (optional)		Cell Number (optional)			
F) Permit Via		<input type="checkbox"/> Mail To <input type="checkbox"/> Pick Up By		<input type="checkbox"/> Applicant <input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent			
G) Building Designer/Architect/Professional Engineer							
Name		Telephone Number				Fax Number	
H) Declaration of applicant							

I _____ certify 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. 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 Town of Niagara-on-the-Lake.

SCHEDULE "C"

SCHEDULE OF DRAWINGS, SPECIFICATIONS AND DOCUMENTS REQUIRED FOR CONSTRUCTION, DEMOLITION, AND CHANGE OF USE PERMITS

- 1.0 Two sets/copies of the following list of drawings, specifications and documents are required to be submitted in order for the various types of Building Permit Applications listed to be considered a complete application pursuant to section 2.4 of the *Building Code Act*, 1992 as amended:**
- (a) Demolition (Full or partial)**
 - (i) Proof of those arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric and telephone or other utilities and services.
 - (ii) Description of the structural design characteristics of the building and method of demolition prepared by a professional engineer where deemed necessary by the Chief Building Official (OBC Part 2).
 - (iii) Where a property is designated under Part IV or Part V of the Ontario Heritage Act, the owner must, in consultation with the Municipal Heritage Committee, request permission from Council to demolish or remove any building or structure located on the designated property.
 - (iv) Where a property is listed on the Town's Heritage Resource Inventory, the owner must give Council 60 days notice, in writing, of the owner's intention to demolish or remove a building or structure located on the listed property.
 - (b) Residential Deck or Porch Permit**
 - (i) Site plan (property survey)
 - (ii) Foundation plan
 - (iii) Floor plan (framing)
 - (iv) Elevation(s)
 - (v) Cross-section and detail of guards
 - (c) Residential Accessory Buildings**
 - (i) Site plan (property survey)
 - (ii) Foundation plan / eng. floor slab
 - (iii) Floor plan (one per floor & include framing)
 - (iv) Building elevations (min. 4)
 - (v) Building section (min. 1)
 - (d) Residential Addition or Renovation Permit**
 - (i) Site plan (property survey)
 - (ii) Foundation plan
 - (iii) Floor plan (one per floor & include framing)
 - (iv) Building elevations (min. 3)
 - (v) Building section (min. 1)
 - (vi) Heat loss/ heat gain calculations and heating system design
 - (e) New Residential House or Semi-Detached**
 - (i) Approved lot grading, drainage and servicing plan
 - (ii) TARION (ONHWP) registration form
 - (iii) Site plan (property survey)
 - (iv) Floor plan (one per floor)
 - (v) Floor and roof framing plans/truss specifications sealed by Professional Engineer or qualified designer
 - (vi) Building elevations (min. 4)
 - (vii) Building section (min. 1)
 - (viii) Mechanical ventilation design form
 - (ix) Heat loss / heat gain calculations and heating system design

(f) New Residential Townhouse or Tri-plex

- (i) Approved lot grading, drainage and servicing plan
- (ii) Approved Site Plan (agreement and drawings)
- (iii) TARION (ONHWP) registration form
- (iv) Floor plan (one per floor)
- (v) Floor and roof framing plans
- (vi) Building elevations (min. 4)
- (vii) Building section (min. 1)
- (viii) Fire separation detail
- (ix) Mechanical ventilation design form
- (x) Heat loss / heat gain calculations and heating system design

(g) New Residential Apartment Building

- (i) Approved lot grading, drainage and servicing plan
- (ii) Approved Site Plan (agreement and drawings)
- (iii) Approved site servicing and grading plan
- (iv) Geotechnical Investigation Report (2 copies)
- (v) Site plan (property survey)
- (vi) Floor plan (one per floor)
- (vii) Foundation plan and details (include de-watering & shoring where applicable)
- (viii) Floor and roof structural plans
- (ix) Building elevations
- (x) Building sections
- (xi) Fire separation details
- (xii) Window & door / hardware schedules
- (xiii) Room finish schedules
- (xiv) Mechanical drawings (plumbing and HVAC)
- (xv) Electrical drawings (lighting, fire alarm system)
- (xvi) Sprinkler shop drawings if applicable
- (xvii) Standpipe shop drawings if applicable

(h) New Non-Residential Building or Addition (Part 3 or 9 Building)

- (i) Approved lot grading, drainage and servicing plan
- (ii) Approved Site Plan (agreement and drawings)
- (iii) Geotechnical Investigation Report (2 copies)
- (iv) Site plan (property survey)
- (v) Floor plan (one per floor)
- (vi) Foundation, framing and roof plans
- (vii) Building elevations
- (viii) Building section (min. 1)
- (ix) Fire separation details
- (x) Window schedule
- (xi) Door & hardware schedule
- (xii) Wall sections and/or details
- (xiii) Mechanical plans (plumbing & HVAC)
- (xiv) Electrical plans (general lighting, emergency/exit lighting, and fire alarm system)
- (xv) Automatic sprinkler and standpipe drawings where applicable

(i) Non-Residential Renovation (Part 3 or 9 Building)

- (i) Site plan (property survey)
- (ii) Floor plan(s)
- (iii) Door, hardware and partition schedule
- (iv) Building elevations if exterior work proposed
- (v) Building section if deemed applicable
- (vi) Fire separation details
- (vii) Mechanical plans (plumbing & HVAC) where applicable
- (viii) Electrical plans (lighting, fire alarm system) where applicable

(j) **Designated Structures**

The following plans prepared and stamped by a registered Architect or Professional Engineer;

- (i) Approved lot grading, drainage and servicing plan
- (ii) Site plan (property survey)
- (iii) Floor plan and roof plan (where applicable)
- (iv) Elevations (where applicable)
- (v) Sections and details (where applicable)

(k) **Commercial Exhaust Hood (NFPA 96)**

- (i) Floor plan
- (ii) Mechanical plan, details and section to be P. Eng. designed

(l) **Electro-Magnetic Locking Devices**

- (i) Floor plan
- (ii) Electrical plan, details of inter-face with fire alarm system

(m) **Plumbing or Backflow Prevention Device**

- (i) Floor plan/Plumbing layout
- (ii) Where applicable, a company letter describing proposed work

2.0 Unless otherwise specified by the Chief Building Official plans or working drawings showing and detailing the following information shall accompany all building permit applications: A building permit application is not complete until such plans are attached to it.

2.1 The site plan (property survey) drawing shall show:

- (a) Survey property boundaries and dimension, all building lines, bearing of metes and bounds and compass orientation (legal description),
- (b) The location, use, height and dimensions of any existing and proposed buildings including, but not limited to front, side, and rear yard dimensions and relationships to adjoining property lines, condominium corporation lines and buildings, common element lines (where applicable),
- (c) Relation of buildings and finished grade to existing elevations and storm water drainage control plan on site where applicable,
- (d) All existing and proposed parking layouts, retaining walls, swimming pools, accessory buildings and any other such physical additions necessary to the site.

2.2 The lot grading, drainage and servicing plan(s) shall show:

- (a) The property lines, building location, sidewalks, driveways, curb cuts, swales, all utility services and new/existing service connections,
- (b) Existing and proposed spot elevations for this project and adjacent properties, slopes of driveways, sidewalks and swales, direction of drainage flow,
- (c) Location of storm water catchment area, catch basins, below grade and above grade utilities and connections into services at property line.

2.3 The architectural drawings shall show:

- (a) OBC matrix, foundation and grade details,
- (b) Each floor plan with exact dimensions of the layout of all proposed areas and identify each with room names,
- (c) All wall thickness and type of construction, window and door openings and schedules, elevator, sections and details of all walls, stairs and exits, fire walls, fire separations, shaft and duct openings and other related pertinent information,
- (d) Building elevations, cross sections and wall sections showing all floor to floor heights, materials and thickness, etc.,
- (e) Specifications where applicable.

2.4 The structural drawings shall show:

- (a) All foundation, floor, roof and wall structural elements indicating sizes, shapes and proper locations, and all dead and live design loads and conditions of loading,
- (b) All reinforced concrete work indicating thickness and strength of concrete, size spacing minimum cover and type of reinforcing steel,
- (c) All lintels, column and beam locations and their size and snowdrift loading,
- (d) Where applicable de-watering report and shoring or pile driving.
- (e) Flow Control Roof Drainage Declaration to be completed.
- (f) Specifications where applicable.

2.5 The mechanical and electrical drawings shall show:

- (a) Mechanical drawings are to show the plumbing, heating, ventilation and air conditioning including legends and schedules for compliance with the OBC. For Part 9 buildings, if room allows this information can be shown on the same plan as the architectural,
- (b) Electrical drawings are to show lighting, emergency lighting, exit signs, fire alarm systems and their legends and schedules for compliance with the OBC. For Part 9 buildings, if room allows this information can be shown on the same plan as the architectural,
- (c) Sprinkler and standpipe drawings are to include floor plans and riser diagrams to locate the entire system including connections, sprinkler heads.
- (d) Specifications where applicable.

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

- (a) Real property report (survey plan) prepared by an Ontario Land Surveyor,
- (b) Driveway access permit approved by the authority having jurisdiction as may be applicable,
- (c) Approval by the Ministry of the Environment for the design and construction of a private sewage disposal and water supply systems where applicable,
- (d) Where applicable, approvals by the Town of Niagara-On-The-Lake Public Works Department, Municipal Heritage Committee, Niagara Peninsula Conservation Authority, Niagara Escarpment Commission, Region of Niagara Health Department and Works Department, Ontario Ministries of Labour, Agriculture and Food, Environment, Energy & Natural Resources, the Ontario Liquor Control Board, Ontario Fire Marshall's Office,
- (e) Such other approvals as may be required to demonstrate compliance with "applicable law".

SCHEDULE "D"

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

Permit Application No.

Project Description:

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.

SHADED PORTION TO BE COMPLETED BY CONSULTANTS

☐ 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: