

Note: This consolidation is prepared for convenience only. For accurate reference the original by-laws should be reviewed.



## By-Law 33-2009 of The Corporation of the City of Oshawa

being a by-law to provide for the administration and enforcement of the Building Code Act within the City of Oshawa.

Whereas, pursuant to the provisions of Subsection 3(1) of the Building Code Act, 1992, S.O. 1992, chapter 23, the *Council* of the Corporation of the City of Oshawa is responsible for the enforcement of the Building Code Act within the City of Oshawa;

And Whereas, pursuant to the provisions of Subsection 3(2) of the Building Code Act, the *Council* shall appoint a *chief building official* and such *inspectors* as are necessary for the enforcement of the Building Code Act within the City of Oshawa;

And Whereas Section 7 of the Building Code Act authorizes the *Council* of a municipality to pass certain by-laws prescribing classes of *permits*, *permit* application documents, fees, inspections and other related matters;

Now, Therefore, the *Council* of the Corporation of the City of Oshawa hereby enacts as follows:

### 1. Title

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

### 2. Definitions

2.1. In this By-law:

2.1.1. "Act" means the Building Code Act, 1992, S.O. 1992, chapter 23, as amended;

2.1.2. "alternative solution" means a substitute for an 'acceptable solution' as defined under Division A, Sentence 1.4.1.2. of the *building code*.

2.1.3. "applicant" means a person who applies for a *permit* and includes any person authorized by an *owner* to apply for a *permit* on the *owner's* behalf;

2.1.4. "architect" means a holder of a license, a certificate of practice, or a temporary license under the Architect's Act;

2.1.5. "building" means a building as defined in Section 1(1) of the *Act*;

2.1.6. "building code" means the regulations (Ontario Building Code) made under Section 34 of the *Act*;

2.1.7. "chief building official" means the person appointed by the *Council*, under the authority of the *Act*, for the purpose of enforcement of the *Act*;

- 2.1.8. “*City*” means the Corporation of the City of Oshawa;
- 2.1.9. “*Council*” means the Council of the Corporation of the City of Oshawa;
- 2.1.10. “*deficient permit*” means a *permit* where,
- a. an inspection notice or order to comply has been issued by an *inspector*, or
  - b. where an inspection required under the *building code* or this By-law has not been arranged;
- and six months or more have elapsed after the date the notice was issued or the inspection was required;
- 2.1.11. “*deputy chief building official*” means the person(s) appointed by *Council* as deputy chief building official, under the authority of the Legislation Act 2006, S.O. 2006, Chapter 21, Schedule F, and listed in Schedule ‘A’ to this By-law, for the purpose of enforcement of the *Act*;
- 2.1.12. “*equivalent*” means equivalent materials, systems or *building* designs proposed by an *applicant* pursuant to Section 9 of the *Act*;
- 2.1.13. “*holiday*” means any day in which the offices of the Corporation of the City of Oshawa are not open for the transaction of business with the public;
- 2.1.14. “*house*” means a detached residential dwelling, semi-detached dwelling, townhouse or row house containing not more than two dwelling units per house;
- 2.1.15. “*inspector*” means an inspector appointed by *Council* under the *Act* and listed in Schedule ‘A’ to this By-law;
- 2.1.16. “*owner*” means the registered owner of the land and includes a lessee, mortgagee in possession, the person or directors of a corporation acting as the *owner’s* authorized agent and the person in charge of the property, upon which is located, or will be located, the *building* or part thereof for which an application for a *permit* is, or has been made;
- 2.1.17. “*permit*” means permission or authorization given in writing by the *chief building official*,
- a. to perform work regulated by the *Act* or the *building code* or both; or
  - b. to change the use of a *building* or part of a *building* as regulated by the *Act* or the *building code* or both; or
  - c. to occupy a *building* or a part thereof;
- 2.1.18. “*permit holder*” means an *owner* to whom a *permit* has been issued, or where a permit has been transferred, the transferee;
- 2.1.19. “*professional engineer*” means a person who holds a license or a temporary license under the Professional Engineer’s Act, R.S.O. 1990, c. P. 28; and
- 2.1.20. “*registered code agency*” means a person or an entity that has the qualifications and meets the requirements as set out in the *Act*.
- 2.2. Any word or term not defined in this By-law shall have the meaning ascribed to them in the *Act* or the *building code*.

### **3. Appointments**

3.1. Each person whose name is set out in Column 2 of Schedule 'A' to this By-law is hereby appointed to the position set out beside that person's name in Column 1 thereof. Also provided are the municipal title, provincial Building Code Identification Number (BCIN) and qualifications for each person appointed.

3.1.1. The appointment of a *deputy chief building official* is under the authority of the Legislation Act 2006, S.O. 2006, Chapter 21, Schedule F, Section 77.

3.1.2. *The deputy chief building official* appointed under this By-law shall have all of the powers and duties of the *chief building official* under this By-law, and under the *Act*, and the *building code*.

### **4. Code of Conduct and Building Operational Policy**

4.1 Each person listed in Schedule "A" to this By-law shall be governed by the Code of Conduct setout in Schedule "D" to this By-law and by the Building Operational Policy, as established and amended from time to time by the *chief building official*, with respect to exercising powers and performing duties under the *Act*.

### **5. Classes of Permits**

5.1. Classes of *permits* with respect to the construction, demolition, conditional *permit*, change of use, occupancy of *buildings*, a stage of construction (partial *permit*), Fire Code retrofit *permit* and the *permit* fees therefore, shall be as set out in Schedule 'B' to this By-law.

### **6. Requirements for Filing Complete Permit Applications**

#### **6.1. General**

6.1.1. To obtain a *permit*, an *applicant* shall file a complete application on the form available from the *chief building official*, or from the Province of Ontario, together with the applicable requirements set out in Subsection 6.2. to this By-law.

6.1.2. All documents and drawings accompanying an application shall be coordinated and consistent with the description of the proposed work and in compliance with the requirements of Schedule 'C' to this By-law.

#### **6.2. Class of Permit**

##### **6.2.1. Building Permit**

6.2.1.1. Every application for a *building permit* or *permit* for a stage of construction (Partial *Permit*) under Subsection 8(1) of the *Act* shall,

- a. identify and describe, in detail, the work to be done and the existing and proposed use and occupancy of the *building*, or part thereof, for which the application for a *permit* is made;
- b. be accompanied by the plans drawn to scale, specifications, documents and other information prescribed in Section 6 and Schedule 'C' to this By-law; and
- c. be accompanied by the appropriate fee calculated in accordance with Schedule 'B' to this By-law.

## **6.2.2. Demolition *Permit* and Building Relocation *Permit***

- 6.2.2.1. Every application for a demolition *permit* under Subsection 8(1) of the *Act* shall,
- a. identify and describe, in detail, the work to be done and the existing use and occupancy of the *building*, or part thereof, for which the application for a *permit* is made, and the proposed use and occupancy of that part of the *building*, if any, that will remain upon completion of the demolition;
  - b. be accompanied by the plans drawn-to-scale, specifications, documents and other information prescribed in Section 6 and Schedule 'C' to this By-law;
  - c. be accompanied by the appropriate fee calculated in accordance with Schedule 'B' to this By-law; and
  - d. be accompanied by confirmation that,
    - i. arrangements have been made with the proper authorities for the safe and complete disconnection of all existing water, sewer, gas, electric, telephone and other utilities; and
    - ii. the *owner* will comply with the *City's* property standards by-law at the completion of demolition.

## **6.2.3. Conditional *Building Permit***

- 6.2.3.1. Every application for a conditional *building permit* under Subsection 8(3) of the *Act* shall,
- a. comply with the requirements set out in Section 6 to this By-law; and
  - b. be accompanied by,
    - i. a written statement from the *applicant* explaining why the *applicant* believes that unreasonable delays in construction would occur if a conditional *building permit* is not issued;
    - ii. a written acknowledgement from the *applicant* of the necessary approvals which must be obtained in respect of the proposed construction and the time period in which such approvals shall be obtained by the *applicant*; and
    - iii. a written agreement, in a form provided by the *chief building official*, executed by the *applicant*, the *owner* and such other necessary persons the *chief building official* determines for the purposes set out in clause 8(3)(c) of the *Act*;
    - iv. the conditional *permit* fee in accordance with Schedule 'B'.
- 6.2.3.2 The *chief building official* is hereby authorized to execute on behalf of the *city* the written agreement referred to above in 6.2.3.1.b.(iii) as part of the conditional *building permit* application.

#### **6.2.4. Change of Use *Permit***

- 6.2.4.1. Every application for a change of use *permit* under Subsection 10(1) of the *Act* shall,
- a. identify and describe in detail the existing and proposed use and occupancy of the *building*, or part thereof, for which the application for a *permit* is made;
  - b. be accompanied by plans and specifications which show the current and proposed occupancy of all parts of the *building* and which contain sufficient information to establish compliance with the *building code*, including, but not necessarily limited to, floor plans and details of wall, ceiling and roof assemblies identifying existing fire resistance ratings and load bearing capacities;
  - c. be accompanied by the appropriate fee calculated in accordance with Schedule 'B' to this By-law; and
  - d. be accompanied by the completed documents prescribed in Schedule 'C' to this By-Law.

#### **6.2.5. Occupancy *Permit* for an Unfinished *Building***

- 6.2.5.1. Every application for authorization to occupy an unfinished *building* pursuant to Division C, Subsection 1.3.3. of the *building code* shall,
- a. identify and describe in detail the occupancy, the date of such occupancy, and the *building* or part thereof for which the application for a *permit* is made;
  - b. be accompanied by plans which show the areas of the proposed occupancy; and
  - c. be accompanied by the appropriate fee calculated in accordance with Schedule 'B' to this By-law.

#### **6.2.6. *Permit* for a Stage of Construction (*Partial Permit*)**

- 6.2.6.1. When, in order to expedite work, approval of a portion of the *building* or project is requested prior to the issuance of a *permit* for the complete *building* or project, application shall be made and fees paid for the complete *building* or project. Complete plans and specifications covering the portion of the work for which immediate approval is requested shall be filed with the *chief building official*.
- 6.2.6.2. The fee shall be calculated in accordance with Schedule 'B' to this By-law.

### **7. Requirements for Plans and Specifications**

- 7.1. Every *applicant* shall submit sufficient plans, specifications, documents and other information to enable the *chief building official* to determine whether the proposed *building*, construction, demolition or change of use will contravene the *Act*, the *building code* or any other applicable law.

- 7.2. The *chief building official* shall determine the plans, specifications, documents and other information required to be submitted with an application in order to deem it complete according to Division C, Section 1.3. of the *building code* having regard for,
- 7.2.1. the scope of the proposed work;
  - 7.2.2. the requirements of the *building code*, the *Act* and other applicable law; and
  - 7.2.3. the requirements of this Section 7 and Schedule 'C' to this By-law.
- 7.3. Plans, specifications, documents and other information shall be submitted in a permanent medium upon paper or other suitable and durable material and shall contain text that is legible and drawings that are legible, complete, fully dimensioned and to scale.
- 7.4. Site plans submitted by an *applicant* shall,
- 7.4.1 be certified by the Planning Services Branch of the City of Oshawa as being in conformity with By-laws passed under Section 34 and 41 of the Planning Act R.S.O. 1990, c. P.13; and
  - 7.4.2. be referenced to a current plan of survey prepared and certified by an Ontario Land Surveyor, and a copy of the survey shall accompany the site plan submission, except where the *chief building official* waives the requirement to do so.
- 7.5. On the completion of the foundation for a detached, semi-detached, triplex, fourplex or townhouse dwelling, the *chief building official* may require submission of a survey prepared by an Ontario Land Surveyor indicating the location of the *building* to all property lines and elevations of the bottom and top of the foundation wall, including the garage cut, prior to a framing inspection being undertaken.
- 7.6. On the completion of the construction of a *building*, or part of a *building*, the *chief building official* may require submission of a set of plans of the *building* or part of a *building*, as constructed, together with a plan of survey prepared and certified by an Ontario Land Surveyor showing the location of the *building*.

## **8. Authorization of Alternative Solutions and Equivalents**

- 8.1. Where an *alternative solution* for an *equivalent* material, system or *building* design is proposed in either an application for a *permit*, or in a material change to a plan, specification, document or other information on the basis of which a *permit* is issued, the *applicant* shall submit,
- 8.1.1. completed "*Alternative Solution Application Form*";
  - 8.1.2. description of the proposed location(s) where the *alternative solution* is proposed to be installed;
  - 8.1.3. description of the proposed material, system or *building* design for which authorization is sought;
  - 8.1.4. description of all applicable provisions of the *building code* in contravention;
  - 8.1.5. supporting documentation demonstrating that the proposed material, system or *building* design will provide the level of performance required by the *building code*; and
  - 8.1.6. payment of the required fee as set out in Schedule 'B' to this By-law.

- 8.2 The *chief building official* or *registered code agency* may accept or reject any proposed *alternative solutions* and/or may impose conditions or limitations on their use.
- 8.3 *Alternative solutions* which are accepted under this Section 8 shall be applicable only to the location as described in the application, and are not transferable to any other *building permit*.

## **9. Incomplete *Permit* Applications**

- 9.1. An application shall be deemed not to be complete according to the *building code* where any of the applicable requirements of Section 6 to this By-law have not been complied with.
- 9.2. Except as provided in Subsection 9.3. of this By-law, an application deemed to be incomplete shall not be accepted by the *chief building official*.
- 9.3. The *chief building official* may accept an incomplete application where the *applicant* acknowledges, in writing, that the application is incomplete and waives the time period prescribed in the *building code* within which a *permit* must be issued or refused.
- 9.4. Where an *applicant* declares that an application is complete in all respects and complies with the *Act*, the *building code*, this By-law and applicable law, the *chief building official* shall issue or refuse to issue a *permit* within the time period prescribed in the *building code*.
- 9.5. Where an *applicant* declares that an application is complete in all respects, but the application is determined by the *chief building official* to be incomplete or does not comply with the *Act*, the *building code*, this By-law or applicable law, an additional fee as prescribed in Schedule 'B' shall be applied to the re-examination of documents required to be submitted by the *applicant*.

## **10. Abandoned/ Cancelled *Permit* Applications**

- 10.1. An application for a *permit* may be deemed to have been abandoned where,
- 10.1.1. the application is incomplete according to Section 9 of this By-law and remains incomplete six months after it was submitted;
- 10.1.2. six months have elapsed after the *applicant* was notified that the proposed *building*, construction, demolition or change of use will not comply with the *Act* or the *building code* or will contravene any other applicable law; or
- 10.1.3. the application is substantially complete, and six months have elapsed from the date upon which the *applicant* was first notified that a *permit* was available to be issued.
- 10.2. Where an application is deemed abandoned, all submitted plans, specifications and documents shall be disposed of, or upon written request from the *applicant*, returned to the *applicant*.
- 10.3. Where a *permit holder* wishes to re-activate a dormant *building permit* file, the *permit holder* shall pay the fee set out in Schedule 'B' to this By-law.

## **11. Revision to *Permits***

- 11.1. Should a *permit holder* wish to make any material change to any plan, specification, document or other information on the basis of which the *permit* was issued, the *permit holder* shall file an application for a revision to the *permit* which describes the material changes, and shall pay the fee set out in Schedule 'B' to this By-law.

## **12. Transfer of Permits**

- 12.1. If the *owner* of the land changes after a *permit* has been issued, the *permit* may be transferred to the new *owner* (the “transferee”) of the lands where an application is filed with the *City*, in writing, in accordance with this Section to this By-law.
- 12.2. Every application for the transfer of *permit* shall,
  - 12.2.1. include a written statement from the current *permit holder* authorizing the transfer of the *permit* to the transferee;
  - 12.2.2. include proof of ownership of the lands by the transferee satisfactory to the *chief building official*;
  - 12.2.3. confirm that the work to be done and the existing and proposed use and occupancy of the *building* or part thereof, for which the application for the transfer of the *permit* is made, is the same as that identified and described on the application of the *permit*;
  - 12.2.4. state the name, address, email address, telephone number and facsimile number of the transferee;
  - 12.2.5. state the name, address, email address, telephone number and facsimile number of the proposed *architect* and/or *professional engineer* or other designer, and their *building code* qualifications, where they are different from those identified in the application for the *permit* and a written confirmation from the *architect* and/or *professional engineer* or designer, that they have been retained to undertake general review of the construction or demolition where required under the *building code*;
  - 12.2.6. include, where the proposed transferee is a builder as defined in the Ontario New Home Warranties Plan Act, the proposed transferee’s registration number under that Act;
  - 12.2.7. be accompanied by the appropriate fee in accordance with Schedule ‘B’ to this By-law; and
  - 12.2.8. be signed by the proposed transferee who shall certify as to the truth of the contents of the application.
- 12.3. Upon the issuance of transfer of a *permit* to the transferee, the transferee shall be deemed to be the *permit holder* and the original *permit holder* shall have no further rights or obligations under the *permit* save and except for any obligations set out in any agreements entered into for the purposes of Clause 8(3)(c) of the *Act*.

## **13. Revocation of Permits**

- 13.1. Prior to revoking a *permit*, the *chief building official* shall give written notice of an intention to revoke the *permit* to the *permit holder* at the *permit holder’s* address shown on the application or to such other address as the *permit holder* may provide to the *chief building official* for that purpose.
- 13.2. Following issuance of the notice described in Subsection 13.1. of this By-law, the *permit* may be revoked immediately or after a period prescribed by the *chief building official*, and all submitted plans, specifications, documents and other information may be disposed of or, upon written request from the *permit holder*, returned to the *permit holder*.



13.3. Notice under Subsection 13.1. to this By-law shall be given either personally or by registered mail, and where notice is by registered mail, it shall be deemed to have been given on the fifth day after the day of mailing to the address as specified in Subsection 13.1, whether actually received or not.

## **14. Fees and Refund of Fees**

### **14.1. Fees In General**

14.1.1. A fee is to be paid as part of a *permit* application, calculated in accordance with Schedule 'B' to this By-law and the fee shall be due and payable, in full, upon the submission of the application for a *permit*.

14.1.2. The minimum fee payable on any application shall be as indicated in Item 1, Part "A" in Schedule 'B'.

14.1.3. Where the amount of a fee to be paid, as part of a *permit* application, is to be based upon the *type of building permit*, floor area and/or value of the proposed construction, the *chief building official*, or a person designated by the *chief building official*, shall determine the amount of the fee and that determination shall be final.

14.1.4. Where an application for a *permit* is subject to additional user fees prescribed by the *City*, the fees so prescribed shall be paid in addition to the fees set out in Schedule 'B' to this By-law.

14.1.5. Fees shall be increased by three percent each year effective on the first day of January of each year. Flat rate fees shall be rounded to the nearest dollar amount. Increments of half dollar and greater shall be rounded up. All other fees shall be rounded to the nearest cent.

### **14.2. Re-examination Fee and Alternative Solution Fee**

14.2.1. Where an *applicant* revises a proposed *building* design after examination of a previous submission has already been undertaken, a re-examination fee may apply as set out in Schedule 'B' to this By-law.

14.2.2. Where an *applicant* submits an *alternative solution* to a material, system or design, an examination fee shall apply as set out in Schedule 'B' to this By-law.

### **14.3. Additional Inspection Fee**

14.3.1. An additional inspection fee as set out in Schedule 'B' to this By-law shall apply and shall be paid prior to each inspection being undertaken on any *building*, where,

- a. any of the prescribed notice requirements under the *building code* or the additional notices required under this By-law have not been complied with by a *permit holder*;
- b. more than two inspections are required due to construction being incomplete or not in compliance with the *building code*;
- c. a *building* is occupied prior to the notice under Section 11 of the *Act* was given to the *chief building official*;
- d. an inspection is requested to confirm that outstanding items have been completed or corrected in respect of a *deficient permit*; or
- e. an inspection of the backflow device on a fire main is requested.

#### **14.4. Overtime Fee**

14.4.1. Where a request is made in writing for work outside of regular business hours, the overtime fee shall be calculated and paid in accordance with Schedule 'B' to this By-law.

#### **14.5. Permit Surcharge**

14.5.1. A *permit* surcharge, in addition to the regular calculated fee, shall be charged in accordance with Schedule 'B' to this By-law, where construction has commenced without a *permit* and an Order is issued.

#### **14.6. Occupancy or Building Code Compliance Letter**

14.6.1. Where an *applicant* or *owner* requests a letter for occupancy, conditional occupancy or Building Code Compliance, a fee shall apply as set out in Schedule 'B' to this By-law.

#### **14.7. Fee Refunds**

14.7.1. If requested, in writing, by an *applicant* or a *permit holder*, where,

- a. an *applicant* withdraws, in writing, an application for a *permit*;
- b. an application is deemed to have been abandoned in accordance with Section 10 of this By-law;
- c. the *chief building official* refuses to issue a *permit* for which an application has been made; or
- d. the *chief building official* revokes a *permit* after it has been issued;

14.7.2. The *chief building official* shall calculate the portion of any fee paid that may be refunded and authorize the payment thereof.

14.7.3. Eighty-five per cent (85%) of the *permit* fee paid in accordance with Schedule 'B' to this By-law shall be refunded if only application administrative functions have been performed.

14.7.4. Fifty per cent (50%) of the *permit* fee paid in accordance with Schedule 'B' to this By-law shall be refunded if,

- a. the functions described in Subsection 14.7.2. of this By-law, and all or part of plan review functions have been performed; and
- b. the *permit* has not been issued.

14.7.5. Twenty-five per cent (25%) of the fee paid in accordance with Schedule 'B' shall be refunded if the *permit* has been issued.

14.7.6. Notwithstanding the foregoing, no refund of any portion of the *permit* fee paid in accordance with Schedule 'B' shall be made if any construction or demolition has commenced.

14.7.7. No refund shall be payable where the amount calculated in accordance with this Section is the minimum fee or less or the flat fee is charged.

14.7.8. No refund shall be payable in the case of abandonment of an application or the revocation of a *permit*.

14.7.9. The refund shall be returned to the *owner* or the payee named on the *permit* application, unless the *owner* advises the *chief building official*, in writing and prior to the release of the refund, of a change in name, in which case the refund shall be returned to the person then authorized to receive it.

## **15. Registered Code Agency Agreements**

15.1. Pursuant to Subsection 4.1(3) of the *Act* and Division 3, Section 3.7. of the *building code*, the *chief building official* is authorized to enter into service agreements with *registered code agencies* and appoint them to perform one or more of the specified functions described in Section 15.15 of the *Act*.

## **16. Spatial Separation Agreements**

16.1. The *chief building official* is authorized to enter into spatial separation agreements, as set out in Division B, Sentences 9.10.15.2.(4) and (5) and Sentences 3.2.3.1.(8) and (9) of the *building code*, on behalf of the municipality and the *owners* of the properties on which the limiting distance is measured.

## **17. Fences at Construction and Demolition Sites**

17.1. Where, in the opinion of the *chief building official* or *inspector*, a construction or demolition site presents a hazard to the public, the *chief building official* or *inspector* may require the *owner* to erect such fences as the *chief building official* or *inspector* deems appropriate to the circumstances.

17.2. In considering the hazard presented by the construction or demolition site, the necessity for fences and the height and characteristics of such fences, the *chief building official* or *inspector* shall have regard for,

17.2.1. the proximity of the *building* site to other *buildings* that are occupied;

17.2.2. the proximity of the construction or demolition site to lands accessible to the public;

17.2.3. the hazards presented by the construction or demolition activities and materials;

17.2.4. the feasibility and effectiveness of site fences; and

17.2.5. the duration of the hazard.

17.3. Every fence required by this Section shall,

17.3.1. be erected so as to fully enclose all areas of the site which present a hazard;

17.3.2. create a continuous barrier and be sufficient to deter unauthorized entry;

17.3.3. have a height not less than 1.2 metres above grade at any point, unless the *chief building official* or *inspector* determines that a greater minimum height is necessary;

17.3.4. if constructed of plastic mesh, snow fencing or other similar materials, be securely fastened at 200mm o.c. to vertical posts not more than 1.8 metres apart, and to horizontal members or a minimum 11 gauge cable at the top and bottom; and

17.3.5. be maintained in a vertical plane and in good repair.

## **18. Mandatory Inspection Notices**

- 18.1. The *permit holder* shall also give notice to the *chief building official* or *registered code agency* of the following stages of construction in addition to the mandatory notices prescribed by the *building code*:
- 18.1.1. commencement of construction of,
    - a. masonry fireplaces and masonry chimneys;
    - b. factory-built fireplaces and allied chimneys;
    - c. stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys;
  - 18.1.2. substantial completion of interior finishes;
  - 18.1.3. substantial completion of heating, ventilating, air-conditioning and air-contaminant extraction equipment.
  - 18.1.4. substantial completion of the pool deck and dressing rooms for a *public pool* or *public spa* and readiness for inspection of the emergency stop system for a *public pool* or *public spa*;
  - 18.1.5. completion of the *building* or part prior to occupancy or use pursuant to Section 11 of the *Act*; and/or
  - 18.1.6. completion of the building where a person has occupied or permitted the occupancy under the *building code* – Occupancy of Unfinished Building.
- 18.2. A notice required to be given by a *permit holder* to the *chief building official* or *registered code agency* pursuant to Division C Subsection 1.3.5. of the *building code* shall be given to the *chief building official* or *registered code agency* in accordance with Section 11. of the *Act*.
- 18.3. For the purpose of Subsection 18.2. of this By-law, the term “day” means any Monday, Tuesday, Wednesday, Thursday or Friday other than a *holiday*.
- 18.4. A notice given to the *chief building official* pursuant to Division C Subsection 1.3.5. of the *building code* may be given orally or in writing to either the *chief building official*, an *inspector* or *registered code agency* and if given to an *inspector* in accordance with this Section, shall be deemed to have been given to the *chief building official*.
- 18.5. A notice given to the *chief building official* or *registered code agency* pursuant to Division C Subsection 1.3.5. of the *building code* and this Section shall not be effective until actually received by the *chief building official*, *inspector* or *registered code agency* as the case may be.

## **19. Offences and Penalties**

- 19.1. Any person who contravenes any portion of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in Section 36 of the *Act*.

## **20. Severability**

- 20.1. Should any provision of this By-law be declared by a court of competent jurisdiction to be invalid it shall not affect the validity of this By-law as a whole or any other part thereof, other than the provision declared to be invalid.

**21. Interpretation and Implementation**

21.1. Schedules 'A', 'B', 'C' and 'D' attached shall form part of this By-law.

21.2. Unless otherwise specified, references in this By-law to Sections, Subsections and Schedules are references to this By-law.

21.3. By-law 33-2009 is hereby amended by By-law 125-2018.

By-law passed this 19<sup>th</sup> day of May 2009.

*Original Signed By:*

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Mayor

*Original Signed By:*

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City Clerk

**SCHEDULE 'A' TO BY-LAW 33-2009  
(Amended by By-law 8-2016)**

**APPOINTMENTS**

Under the authority of the Building Code Act, S.O. 1992, Chapter 23, and the Legislation Act, 2006, S.O. 2006, Sched. F., Section 77.

The following people, listed in Column 2 of Table A, below, are appointed by Council, under the authority of the Building Code Act, in the positions listed in Column 1.

**Table A**

Item	Column 1 Provincial Appointment	Column 2 Name	Column 3 Municipal Title	Column 4 Provincial BCIN
1.	<i>Chief Building Official</i>	Tyler Stoddard	Chief Building Official	31957
2.	<i>Deputy Chief Building Official</i>	Shiu-Kwan Lo	Manager of Building Permit Services	19033

The following people, listed in Column 2 of Table B, are appointed as *Inspectors* by Council, under the authority of the Building Code Act, for the enforcement of the Building Code Act as described in Table D, Column A.

**Table B**

Item	Column 1 Provincial Appointment	Column 2 Name	Column 3 Municipal Title	Column 4 Provincial BCIN
3.	<i>Inspector</i>	Kevin Van Vaals	Senior Building Inspector	13157
4.	<i>Inspector</i>	Normand Deschaines	Senior Building Inspector	18696
5.	<i>Inspector</i>	Robert Cook	Senior Building Inspector	20909
6.	<i>Inspector</i>	Antonio Nobile	Senior Building Inspector	44573
7.	<i>Inspector</i>	Tania Fylak	Building Inspector	39618
8.	<i>Inspector</i>	Volkert Van Beusekom	Senior Plans Examiner	20933
9.	<i>Inspector</i>	David Lisozzi	Senior Plans Examiner	39845
10.	<i>Inspector</i>	Catherine Morris	Plans Examiner	38829
11.	<i>Inspector</i>	Anthony Procaccini	Plans Examiner	106067
12.	<i>Inspector</i>	Brock Cross	Permit Intake Examiner	117208
13.	<i>Inspector</i>	Eledi Danglli	Buildings Engineer	43512
14.	<i>Inspector</i>	Dan Qing Xu	Mechanical Engineer	33282
15.	<i>Inspector</i>	Craig Smith	Plumbing Supervisor	35316
16.	<i>Inspector</i>	Gordon Ross	Plumbing Inspector	43446
17.	<i>Inspector</i>	Adam Dunn	Plans Examiner	25118

The following people, listed in Column 2 of Table C, are appointed as *Inspectors* by Council, under the authority of the Building Code Act, for plans review and inspection as described in Table D, Column B.

**Table C**

Item	Column 1 Provincial Appointment	Column 2 Name	Column 3 Municipal Title	Column 4 Provincial BCIN
17.	<i>Inspector</i>	Fariborz Sadeghi	Fire Prevention Inspector	20931
18.	<i>Inspector</i>	Andrew Banga	Chief Fire Prevention Officer	20910
19.	<i>Inspector</i>	Catherine Beaver	Captain Fire Prevention	37183

**SCHEDULE 'A' TO BY-LAW 33-2009**

**Table D**

<b>Column A</b>	<b>Column B</b>
<p><i>Inspectors</i> listed in Schedule 'A', Table B are appointed for the enforcement of the Building Code Act in the roles and jurisdictions identified in the categories of qualification pursuant to Division C, Section 3.1. of the Ontario Building Code.</p>	<p><i>Inspectors</i> listed in Schedule 'A', Table C are appointed for plans review and inspection in the role and jurisdiction identified in the category of qualification for Fire Protection pursuant to Division C, Section 3.1 of the Ontario Building Code, specifically for:</p> <p>Fire alarm and detection systems,                      Standpipe and hose systems,                      Fire suppression systems (including sprinkler systems),                      Voice communication systems,                      Fire fighter's elevators,                      Emergency electrical power supply (including related emergency and exit lighting),                      Access for fire fighters,                      Fire access routes,                      Fire hydrants,                      Fire extinguishers                      Exterior tanks, and                      Hazardous substances.</p>

*Inspectors* listed in Schedule 'A', Table C, shall report deficiencies to the Chief Building Official or the Deputy Chief Building Official for determination of issuance of orders and compliance.

**Schedule 'B' to By-law 33-2009**

**Part "A"**

**Fees Payable for *Permits*  
(Effective January 1, 2022)**

**Floor Area Calculation**

**Floor area shall:**

- a) be calculated by measuring to the outer face of exterior walls and to the center of party walls or demising walls, except when calculating interior renovation work,
- b) where there are no exterior walls, be calculated by measuring to the perimeter of the building and/or structure,
- c) include all habitable areas, including mezzanines, finished attics and enclosed balconies,
- d) include a roof area with an occupancy,
- e) include interior partitioning, corridors, lobbies, washrooms, service rooms, etc.,
- f) include floor openings for stairs, escalators, elevators, shafts, ducts, etc.
- g) not include the area of the floor opening found above the lowest floor level in an interconnected floor space or atrium.
- h) not include the area of an unfinished basement of a *house*.
- i) be calculated by measuring the area affected or serviced by the heating, ventilation and air-conditioning (HVAC) system, the sprinkler system and the fire alarm system.

## Shell Building Definition

A shell building is defined as consisting of the structural foundation and framing system and the exterior envelope and does not contain building services such as heating, ventilation and air-conditioning (HVAC) system, sprinkler system, plumbing facilities, etc.

## Interior Renovations / Alterations

The floor area used for the calculation of *permit* fees for interior renovations / alterations shall be the greater of the actual area of the floor being renovated and/or altered or **50 sq. m.**

## Occupancy Classifications and Fees

The occupancy classifications used in this by-law shall be based on the *building code* major occupancy classifications.

For floor areas with mixed occupancies, the fee shall be calculated based on each major occupancy within the *building*.

## Minimum Fee

A minimum fee of **\$150** shall be charged unless the fee is a larger amount as otherwise stated in this By-law.

## Model House Fee

Where the floor area of a new model *house* is less than the original model *house* floor area, no fee refund is payable.

## Revised Floor Area

Where the floor area of revised plans is less than the original floor area, no fee refund is payable.

## Permit Fees Not listed in Fee Table

For *permit* types not listed, the *permit* fee shall be calculated on the basis of **1.09%** of estimated construction value, or as determined by the *chief building official* or his/her designate.

## No Additional Fee

No additional *permit* fee shall be charged for a fireplace and unfinished basement where they are proposed and constructed at the same time as the detached dwelling, semi-detached dwelling, duplex or townhouse they serve.

No additional *permit* fee shall be charged for plumbing and drains, sprinkler system, fire alarm system, electromagnetic locks or other mechanical system or equipment proposed and installed at the same time as the construction they serve.

No additional *permit* fee shall be charged for porches for new *houses* effective November 1, 2021.



## Schedule 'B' to By-law 33-2009

### Part "A"

### Fees Payable for *Permits*

#### Classes of Permits and Permit Fees

Item	Class of <i>Permit</i>	By-law Reference	Fee Payable
1.	Building Permit	6.2.1. 14.1.2.	See Schedule 'B' Part "B" The minimum fee payable on any application shall be <b>\$150</b> flat fee
2.	Demolition Permit	6.2.2.	<b>\$30.27</b> for each 100 square metres of floor area or part thereof
3. a)	Conditional Building Permit (Detached Dwelling, Semi-Detached Dwelling, Duplex (not including Townhouse))	6.2.3.	Applicable <i>Permit</i> Type and Fee payable plus <b>\$150</b> flat fee
3. b)	Conditional Building Permit (All other building permit types)	6.2.3.	Applicable <i>Permit</i> Type and Fee payable plus <b>\$756</b> flat fee
3. c)	Conditional Building Permit for Fire Code Retrofit not compliant with Zoning By-law	6.2.3.	<b>\$0</b>
4.	Change of Use Permit	6.2.4.	a) Where no construction is proposed <b>\$150</b> flat fee b) Where construction is proposed - fee based upon <i>Permit</i> Type found in Schedule 'B', Part "B"
5.	Occupancy Permit for an Unfinished Building	6.2.5.	<b>\$756</b> flat fee
6.	Permit for Stage of Construction (partial permit)	6.2.6.	<b>\$756</b> each stage of construction requested
7.	Fire Code Retrofit Permit	6.2.7.	<b>\$228</b> flat fee

A minimum fee of **\$150** shall be charged unless the fee is a larger amount.

## Schedule 'B' to By-law 33-2009

### Part "A"

### Fees Payable for *Permits*

#### Classes of *Permits* and *Permit Fees* (continued)

#### Other *Permit Fees*

Item	Fee Type	By-law Reference	Fee Payable
8.	Alternative <i>Solution</i> Examination Fee	14.2.2.	<b>\$150</b> / hour, in addition to applicable type of <i>permit</i> fee (minimum 1 hour for <i>house</i> or 4 hours for other <i>building</i> )
9.	Dormant Permit File Reactivation fee	10.3.	<b>\$228</b> flat fee
10.	Inspection Fee - Additional	14.3.	<b>\$150</b> per inspection
11.	Inspection of Backflow Device on fire main	14.3.	<b>\$150</b> each device
12.	Limiting Distance Agreement	16.	<b>\$717</b> flat fee
13.	Overtime Fee for Building Inspector or Plans Examiner	14.4.	<b>\$151</b> per hour, minimum 4 hours
14.	Resubmission of Application previously found to be incomplete	9.5.	25% of <i>permit</i> fee
15.	Revision to application or permit	11. 14.2.1.	<b>\$150</b> per hour (minimum 1 hour for <i>house</i> or 4 hours for other <i>building</i> )
16.	Transfer of permit	12.	<b>\$150</b> flat fee
17.	Occupancy or Building Code Compliance Letter	14.6.	<b>\$150</b> flat fee
18.	Permit Surcharge	14.5.	Surcharge applies after an Order is issued for building without a <i>permit</i> shall be the greater of: a) Surcharge of 25% of <i>permit</i> fee when construction has begun and a <i>permit</i> application has been received, and b) Surcharge of 50% of <i>permit</i> fee when construction has begun and no <i>permit</i> application has been received.

A minimum fee of **\$150** shall be charged unless the fee is a larger amount.

## Schedule 'B' to By-law 33-2009

### Part "B"

#### Permit Types and Permit Fees

#### Major Occupancy Classification (New or Addition)

##### Group A Major Occupancy (Assembly)

Item	Type of <i>Permit</i>	Fee (\$)
19.	All Types (Including Recreation Facility, School, College, University, Library, Place of Worship, Restaurant, Theatre, Pool, Arena, Gymnasium)	\$24.98 / sq. m.
20.	Public Pool	\$7.17 / sq. m.

##### Group B Major Occupancy (Care or Detention)

Item	Type of <i>Permit</i>	Fee (\$)
21.	All Types (Including Hospital, Nursing Home, Home for the Aged, Detention Quarters)	\$26.92/ sq. m.

##### Group C Major Occupancy (Residential)

Item	Type of <i>Permit</i>	Fee (\$)
22.	Apartment	\$14.33 / sq. m.
23.	House	\$14.66 / sq. m.
24.	Motel, Hotel	\$21.85 / sq. m.

##### Group D Major Occupancy (Business & Personal Service)

Item	Type of <i>Permit</i>	Fee (\$)
25.	Shell Building – Office, Bank, Medical Clinic	\$14.83 / sq. m.
26.	Complete Building – Office, Bank, Medical Clinic	\$18.53 / sq. m.

##### Group E Major Occupancy (Mercantile)

Item	Type of <i>Permit</i>	Fee (\$)
27.	Shell Building – Retail Store, Department Store, Supermarket, Convenience Store	\$13.47 / sq. m.
28.	Complete <i>Building</i> – Retail Store, Department Store, Supermarket, Convenience Store, Gas Station Kiosk	\$16.96 / sq. m.

##### Group F Major Occupancy (Industrial)

Item	Type of <i>Permit</i>	Fee (\$)
29.	Industrial – (11,600 sq. m. or less)	\$14.23 / sq. m.
30.	Industrial – (more than 11,600 sq. m.)	\$7.11 / sq. m.
31.	Car Wash, Repair Garage	\$12.95 / sq. m.
32.	Parking Garage, including roof area used for parking	\$6.73 / sq. m.

**Schedule 'B' to By-law 33-2009**  
**Part "B"**  
**Permit Types and Permit Fees (continued)**

**Other Occupancies**

Item	Type of <i>Permit</i>	Fee (\$)
33.	Attached Garage (House)	\$4.43 / sq. m.
34.	Farm Building	\$4.56 / sq. m.
35.	Fire hall	\$18.53 / sq. m.
36.	Funeral Home	\$18.53 / sq. m.
37.	Relocate Pre-occupied Portable Classroom	\$299 flat fee
38.	Seasonal Use open-air structure (e.g., garden centre), Air Supported Structure / Temporary Sales Office	\$7.80 / sq. m.
39.	Tent or Other Temporary Structure – excluding farm <i>building</i> (more than 60 sq. m. in area) Note: A temporary structure means a <i>building</i> or structure intended to be erected and used for a period of not more than 12 months.	\$264 flat fee
40.	Tent or Other Temporary Structure – excluding farm <i>building</i> (more than 225 sq. m. in area) Note: A temporary structure means a <i>building</i> or structure intended to be erected and used for a period of not more than 12 months.	\$529 flat fee

No additional *permit* fee shall be charged for plumbing and drains, sprinkler system, fire alarm system, electromagnetic locks or other mechanical system or equipment proposed and installed at the same time as the construction they serve.

A minimum fee of \$150 shall be charged unless the fee is a larger amount.

Site services are included in the fee noted in Schedule 'B' provided that it is servicing one building only and it is installed at the same time as the building it serves.

No additional *permit* fee shall be charged for porches for new *houses* effective November 1, 2021.

**Schedule 'B' to By-law 33-2009**  
**Part "B"**  
**Permit Types and Permit Fees (continued)**

**Interior Finishing and Alterations**

**Interior Finishing and Alteration to Group A Major Occupancy (Assembly)**

Item	Type of <i>Permit</i>	Fee (\$)
41.	All Types Recreation Facility, School, College, University, Library, Place of Worship, Restaurant, Theatre, Pool, Arena, Gymnasium	\$12.48 / sq. m.

**Interior Finishing and Alteration to Group B Major Occupancy (Institutional)**

Item	Type of <i>Permit</i>	Fee (\$)
42.	All Types Hospital, Nursing Home, Home for the Aged	\$13.47 / sq. m.

**Interior Finishing and Alteration to Group C Major Occupancy (Residential)**

Item	Type of <i>Permit</i>	Fee (\$)
43.	Apartment	\$6.81 / sq. m.
44.	House, Finishing Basement (Existing or New House)	\$7.34 / sq. m.
45.	Motel, Hotel	\$11.20 / sq. m.
46.	Interior Gutting (house)	\$150 flat fee
47.	Interior Gutting (other than house)	\$2.12 / sq. m.

**Interior Finishing and Alteration to Group D Major Occupancy (Business & Personal Service)**

Item	Type of <i>Permit</i>	Fee (\$)
48.	Office, Funeral Home, Bank, Medical Clinic, Fire Hall	\$8.49 / sq. m.
49.	Interior Gutting	\$2.12 / sq. m.

**Interior Finishing and Alteration to Group E Major Occupancy (Mercantile)**

Item	Type of <i>Permit</i>	Fee (\$)
50.	Retail Store, Department Store, Supermarket, Convenience Store	\$8.49 / sq. m.
51.	Interior Gutting (and for A, B and F occupancies)	\$2.12 / sq. m.

**Interior Finishing and Alteration to Group F Major Occupancy (Industrial)**

Item	Type of <i>Permit</i>	Fee (\$)
52.	Industrial (11,600 sq. m. or less)	\$7.10 / sq. m.
53.	Industrial (more than 11,600 sq. m.)	\$3.58 / sq. m.
54.	Car Wash, Repair Garage	\$6.45 / sq. m.
55.	Repairs to Parking Garage	\$3.34 / sq. m.

No additional *permit* fee shall be charged for plumbing and drains, sprinkler system, fire alarm system, electromagnetic locks or other mechanical system or equipment proposed and installed at the same time as the construction they serve.

The floor area used for the calculation of *permit* fees for interior renovations/ alterations shall be the greater of the actual area of the floor being renovated and/or altered or **50 sq. m.**

A minimum fee of **\$150** shall be charged unless the fee is a larger amount.

**Schedule 'B' to By-law 33-2009**  
**Part "B"**  
**Permit Types and Permit Fees (continued)**

**Miscellaneous**

The *permit* fee for construction not provided for in this Schedule shall be calculated at **1.09%** of estimated construction value.

Item	Type of <i>Permit</i>	Fee (\$)
56.	Accessory Structure - Residential (e.g., detached garage, carport, shed, etc.)	\$4.56 / sq. m.
57.	Balcony Slab or Guard (Replacement / Repair)	\$24 flat fee per balcony per suite
58.	Canopy, Roof-like structure (e.g. Gas Station canopy, etc.)	\$10.60 / sq. m. of roof/canopy
59.	Ceiling (new or replacement)	\$0.78 / sq. m.
60.	Communication or Transmission Tower; Wind Turbine for houses	\$454 flat fee each
61.	Deck, Porch, Ramp, Balcony per storey	\$150 flat fee each
62.	Interior Wall (Demising Wall, Firewall, Party Wall, partition)	\$14.69 / linear metre per storey
63.	Repairing/Recladding of exterior wall	\$2.12 / sq. m.
64.	Repairing/Replacing roof	\$7.38 / sq. m.
65.	Electromagnetic Lock	\$150 each, maximum \$756 at fee
66. a)	Fire Alarm System – New	\$756 flat fee
66. b)	Fire Alarm System – New High Rise	\$1.09% of estimated construction cost or min. \$734
67.a)	Fire Alarm System – Alteration	\$303 flat fee
67.b)	Fire Alarm System – Alteration High Rise	\$1.06% of estimated construction cost or min. \$303
68.	Building Repair (e.g., Fire Damage, Vehicle Impact, etc.)	\$18.14 / \$1000 of estimated construction repair cost
69.	Fireplace, Wood Stove, etc.	\$150 flat fee
70.	Mechanical Penthouse / Room	\$7.17 / sq. m.
71.	Rack Storage	\$8.36 / sq. m.
72.	Relocate Pre-occupied Building – Foundation or Unfinished Basement	\$6.06 / sq. m.
73.	Retaining Wall or Shoring (3 meters high)	\$14.84 / metre
74.	Sign (Regulated by the Ontario Building Code)	\$303 flat fee / sign
75.	Solar Panels (house)	\$150 flat fee / 10 panels

Item	Type of <i>Permit</i>	Fee (\$)
76.	Sprinkler system – new or alteration	\$0.76 / sq. m.
77.	Storage Tank – above or underground	\$150 flat fee each
78.	Window or Door Replacement	\$9.09 / metre of window/door width

A minimum fee of \$150 shall be charged unless the fee is a larger amount.

**Schedule 'B' to By-law 33-2009**  
**Part "B"**  
**Permit Types and Permit Fees (continued)**

**Mechanical System**

**Groups A, B and D Heating, Ventilation & Air Conditioning (HVAC)**

Item	Type of Permit	Fee (\$)
79.	Assembly, Institution, Restaurant and Office Building	\$1.50 / sq. m.

**Group C – Residential Building (HVAC)**

Item	Type of Permit	Fee (\$)
80.	House (with or without Air Conditioning)	\$228 flat fee
81.	Heating Unit Replacement – House	\$150 flat fee
82.	Apartment, Hotel, etc.	\$0.95 / sq. m.

**Groups E & F – Retail/Industrial (HVAC)**

Item	Type of Permit	Fee (\$)
83.	Small (250 sq. m. or less)	\$240 flat fee
84.	All Others (>250 sq. m.)	\$1.01 / sq. m.

**Special Ventilation System**

Item	Type of Permit	Fee (\$)
85.	Commercial Kitchen Exhaust, Spray Booth, Dust Collector, etc.	\$454 flat fee

**Minor Alterations All Buildings**

Item	Type of Permit	Fee (\$)
86.	Ductwork only or Air Conditioning Unit addition or repair	\$228 flat fee
87.	Add on system, Space Heater, Make-up Air Unit, Exhaust Fan, Geothermal system	\$228 flat fee

**Plumbing and Septic System**

**Plumbing**

Item	Type of Permit	Fee (\$)
88.	House	\$25 flat fee / fixture
89.	Service Connection (per residential unit – dry model (House permit includes))	\$150 flat fee
90.	All other buildings	\$33 flat fee / fixture
91.	<b>Inside Sanitary &amp; Storm Piping</b> All buildings – other than houses	\$2.15 / m.
92.	<b>Outside Water Services (domestic &amp; fire)</b> All buildings – other than houses	\$3.60 / m.



## Septic System

Item	Type of <i>Permit</i>	Fee (\$)
93. a)	Septic System (Residential) - New installation	\$1,003 flat fee
93. b)	Septic System (Residential) - Repair to existing	\$502 flat fee
94. a)	Septic System (Non-Residential) - New installation	\$2,005 flat fee
94. b)	Septic System (Non-Residential) - Repair to existing	\$1,003 flat fee
95.	Conversion from Septic System to sewer	\$240 flat fee

## Other

Item	Type of <i>Permit</i>	Fee (\$)
96.	Backflow Preventer	\$78 flat fee each
97.	Holding Tank (new installation or repair to existing)	\$418 flat fee each
98.	Manhole, Catchbasin, Interceptor, Sump, etc.	\$78 flat fee each
99.	Site Services, Renewable Energy Project	1.09% of estimated construction value
	Temporary Signs	\$127
	Admin fee (municipal address fee)	\$126

A minimum fee of \$150 shall be charged unless the fee is a larger amount.

## SCHEDULE 'C' TO BY-LAW 33-2009

### Documents and Drawings required for *Permit* Applications

Row	Class of <i>Permit</i>	Documents and Drawings Required
1.	<b>Building <i>Permit</i> Residential</b> <ul style="list-style-type: none"> <li>• Detached Dwelling</li> <li>• Semi-detached dwelling</li> <li>• Triplex</li> <li>• Fourplex</li> <li>• Town House</li> </ul>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Applicable Law Checklist</li> <li>b. HVAC Design Summary including heat loss/gain calculations EDS form SB-12</li> <li>c. Regional Municipality of Durham approval for sewer and water connections</li> <li>d. Development Charges Information Forms               <ol style="list-style-type: none"> <li>i. Regional Municipality of Durham Residential</li> <li>ii. School Boards Residential Education</li> <li>iii. City of Oshawa</li> </ol> </li> <li>e. TARION Registration number</li> <li>f. Roadway Restoration Deposit Form</li> <li>g. Well Water Certificate, if applicable</li> <li>h. Ontario <i>Building Code</i> Design Information form, if applicable</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>a. Approved Site Plan</li> <li>b. Plan of Survey</li> <li>c. Approved Grading Plan</li> <li>d. Architectural</li> <li>e. Structural</li> <li>f. HVAC</li> <li>g. On-Site Sewage System</li> </ol>
2.	<b>Building <i>Permit</i> Residential</b> <ul style="list-style-type: none"> <li>• Alteration</li> <li>• Addition</li> <li>• Accessory Building</li> </ul>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Applicable Law Checklist</li> <li>b. Regional Municipality of Durham approval for sewer and water connections</li> <li>c. Roadway Restoration Deposit Form</li> <li>d. Ontario <i>Building Code</i> Design Information Form, if applicable</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>a. Approved Site Plan</li> <li>b. Architectural</li> <li>c. Structural</li> <li>d. On-Site Sewage System</li> </ol>
3.	<b>Building <i>Permit</i> Non-Residential and Other Residential not provided in Rows 1 or 2</b> <ul style="list-style-type: none"> <li>• New Building</li> <li>• Addition</li> </ul>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Applicable Law Checklist</li> <li>b. General Review Commitment Certificates by <i>Architect</i> and/or Engineers for Part 3 <i>building/occupancy</i></li> <li>c. Letter of Undertaking by <i>Owner</i></li> <li>d. Ontario <i>Building Code</i> Design Information Form</li> <li>e. Structural Design Information</li> <li>f. Confirmation of Energy Efficient Design</li> <li>g. HVAC Design including heat loss/gain calculations EDS form SB-12</li> <li>h. Development Charges Information Forms               <ol style="list-style-type: none"> <li>i. Regional Municipality of Durham Residential</li> <li>ii. School Boards Residential Education</li> <li>iii. City of Oshawa</li> </ol> </li> <li>i. Roadway Restoration Deposit Form</li> <li>j. Well Water Certificate, if applicable</li> <li>k. Environmental Waiver or ESA or RSC as required</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>a. Approved Site Plan</li> </ol>

Row	Class of <i>Permit</i>	Documents and Drawings Required
		<ul style="list-style-type: none"> <li>b. Plan of Survey</li> <li>c. Approved Grading Plan</li> <li>d. Architectural</li> <li>e. Structural</li> <li>f. HVAC</li> <li>g. Plumbing</li> <li>h. Electrical</li> <li>i. Fire Protection</li> <li>j. On-Site Sewage System</li> </ul>
4.	<b>Building <i>Permit</i> Non-Residential</b> <ul style="list-style-type: none"> <li>• Alteration</li> <li>• Renovation</li> <li>• Tenant Occupancy</li> </ul>	<b>Documents</b> <ul style="list-style-type: none"> <li>a. Applicable Law Checklist</li> <li>b. General Review Commitment Certificates by <i>Architect</i> and/or Engineers for Part 3 <i>building/occupancy</i></li> <li>c. Letter of Undertaking by <i>Owner</i></li> <li>d. Ontario <i>Building Code</i> Design Information Form</li> <li>e. Well Water Certificate, if applicable</li> </ul> <b>Drawings</b> <ul style="list-style-type: none"> <li>a. Location Plan</li> <li>b. Site Plan</li> <li>c. Architectural</li> <li>d. Structural</li> <li>e. HVAC</li> <li>f. Plumbing</li> <li>g. Electrical</li> <li>h. Fire Protection</li> <li>i. On-Site Sewage System</li> </ul>
5.	<b>Change of Use <i>Permit</i></b>	<b>Documents</b> <ul style="list-style-type: none"> <li>a. Applicable Law Checklist</li> <li>b. General Review Commitment Certificates by <i>Architect</i> and/or Engineers for Part 3 <i>building/occupancy</i></li> <li>c. Letter of Undertaking by <i>Owner</i></li> <li>d. Environmental Waiver or ESA or RSC as required</li> </ul> <b>Drawings</b> <ul style="list-style-type: none"> <li>e. Location Plan</li> <li>f. Site Plan</li> <li>g. Architectural</li> <li>h. HVAC</li> <li>i. Plumbing</li> <li>j. Electrical</li> <li>k. Fire protection</li> </ul>
6.	<b>Demolition <i>Permit</i></b>	<b>Documents</b> <ul style="list-style-type: none"> <li>a. Applicable Law Checklist</li> <li>b. General Review Commitment Certificate by Engineer for Part 3 building</li> <li>c. Letter of Undertaking by <i>Owner</i></li> <li>d. Designated Substances and Hazardous Materials Report</li> <li>e. Demolition Permit Information Form</li> <li>f. Notice to Disconnect Services for Demolitions</li> <li>g. Environmental Waiver</li> </ul> <b>Drawings</b> <ul style="list-style-type: none"> <li>a. Location Plan</li> <li>b. Site Plan</li> <li>c. Structural Safety Report, if applicable</li> <li>d. Fire Safety Report, if applicable</li> </ul>

Row	Class of <i>Permit</i>	Documents and Drawings Required
7.	<b>Building <i>Permits</i></b> <b>Other than Rows 1 to 6</b>	<b>Documents</b> <ul style="list-style-type: none"> <li>a. Applicable Law Checklist</li> <li>b. Documents from Rows 1 to 6, or other documents which are applicable to the scope of work proposed</li> </ul> <b>Drawings</b> <ul style="list-style-type: none"> <li>a. Drawings from Rows 1 to 6 which are applicable to the scope of work proposed</li> </ul>

**Notes:**

1. The blank forms for documents described in this Schedule are available on our website.
2. The *chief building official* may waive requirements for any specified documents or drawings where the scope of the work, applicable law or *building code* requirements do not necessitate their submission.

# SCHEDULE 'D' TO BY-LAW 33-2009

## Code of Conduct for Building Officials

### Purpose

1. To promote appropriate standards of behaviour and enforcement actions by the *chief building official* and *inspectors* in the exercise of a power or the performance of a duty under the Building Code Act or the *building code*.
2. To prevent practices, which may constitute an abuse of power, including unethical or illegal practices, by the *chief building official* and *inspectors* in the exercise of a power or the performance of a duty under the Building Code Act or the *building code*.
3. To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the Building Code Act or the *building code* by the *chief building official* and *inspectors*.

### Enforcement Guidelines

The *chief building official*, *deputy chief building official* and *inspectors* appointed in Schedule 'A' to this By-law shall comply with this code of conduct. Any appointed *chief building official*, *deputy chief building official* or *inspector* who fails to act in accordance with the provisions of this code may be subject to disciplinary action appropriate to the seriousness of the breach. All allegations concerning a breach of this code shall be made in writing.

Any person who has reason to believe that this code of conduct has been breached may bring the matter to the attention of the *chief building official*. Where the allegation concerns the actions of the *chief building official*, the matter may be brought to the attention of the Commissioner to whom the *chief building official* reports.

Any *chief building official* or senior staff person who receives information in writing concerning a significant breach of this code of conduct shall investigate the matter, and where appropriate, shall commence disciplinary action in accordance with the employment standards of the place of work. All communications received by a *chief building official* or senior staff person concerning a breach of this code of conduct shall be held in confidence. The *chief building official* or senior staff person shall advise *Council*, in writing, about the particulars of the alleged breach, its investigation and the final disposition of the matter upon its conclusion.

### Code of Conduct

In exercising powers and performing duties under the Building Code Act, the *chief building official*, *deputy chief building official* and *inspectors* shall:

1. Exercise powers in accordance with the provisions of the Building Code Act, the *building code* and other applicable law that governs the authorization, construction, occupancy and safety of *buildings* and designated structures, and the actions, duties and qualifications of *chief building officials*, *deputy chief building officials* and *inspectors*;
2. Act to identify and enforce compliance where significant contraventions of the *Act* or regulations are known to exist;
3. Apply all relevant *building* laws, regulations and standards in a consistent and fair manner, independent of any influence by interested parties;
4. Not accept any personal benefit which may create a conflict with their duties or perform duties where a personal interest may create a conflict;
5. Obtain the counsel of persons with expertise where the *chief building official*, *deputy chief building official* or *inspector* does not possess sufficient knowledge to make an informed judgment; and
6. Act honestly, reasonably and professionally in the discharge of their duties.