

**PROPERTY MAINTENANCE**

**Chapter 830  
BUILDING**

**CHAPTER INDEX**

**Article 1  
SHORT TITLE**

830.1.1 Citation

**Article 2  
INTERPRETATION**

830.2.1 Act - defined  
830.2.2 Applicable Law - defined  
830.2.3 As constructed plans - defined  
830.2.4 Architect - defined  
830.2.5 Building - defined  
830.2.6 Building Code - defined  
830.2.7 Chief Building Official - defined  
830.2.8 Construct - defined  
830.2.9 Corporation - defined  
830.2.10 Demolish - defined  
830.2.11 Designer - defined  
830.2.12 Inspector - defined  
830.2.13 Municipality - defined  
830.2.14 Owner - defined  
830.2.15 Permit - defined  
830.2.16 Plumbing - defined  
830.2.17 Prescribed Value - defined  
830.2.18 Professional Engineer - defined  
830.2.19 Regulations - defined  
830.2.20 Sewage System - defined

**Article 3  
GENERAL PROVISIONS**

830.3.1 Classes of permits - set out  
830.3.2 Revision - permits  
830.3.3 Notification – CBO – 2 days

- 830.3.4 Transfer of Permits
- 830.3.5 Fencing at Construction and Demolition Sites
- 830.3.6 Hazardous - assessment

**Article 4  
APPLICATIONS AND PERMITS**

- 830.4.1 Permit – available
- 830.4.2 Application – information
- 830.4.3 Demolition Permit
- 830.4.4 Conditional Permit
- 830.4.5 Change of Use Permit
- 830.4.6 Sewage System Permit
- 830.4.7 Sufficient Information – compliance - legislation
- 830.4.8 Application – three complete copies
- 830.4.9 Plans – required – drawn
- 830.4.10 Site Plans

**Article 5  
FEES**

- 830.5.1 Prescribed Value
- 830.5.2 Prescribed Value – Schedule “B “
- 830.5.3 Fees – Schedule “A”
- 830.5.4 Cheque – invalid
- 830.5.5 Refund of Permit Fees

**Article 6  
REPEAL ENACTMENT**

- 830.6.1 By-law - previous
- 830.6.2 Effective Date

**SCHEDULES**

- Schedule "A" – Classes of Permits and Fees
  - Schedule "B" – Minimum Construction Value
  - Schedule "C" – Plumbing Fees
  - Schedule “D” – Demolition Procedures
-

**Article 1  
SHORT TITLE**

**832.1.1 Citation**

This Chapter may be cited as “The Building By-law”.

**Article 2  
INTERPRETATION**

**830.2.1 Act - defined**

“Act” means the Building Code Act, 1992, including amendments thereto.

**830.2.2 Applicable Law - defined**

“Applicable Law” means applicable law as defined in the Building Code.

**830.2.3 As constructed plans - defined**

“As constructed plans” means as constructed plans as defined in the Building Code.

**830.2.4 Architect - defined**

“Architect” means the holder of a licence, a certificate of practice or a temporary licence under the Architect Act as defined in the Building Code.

**830.2.5 Building - defined**

“Building” means a building as defined in Section 1 (1) of the Act.

**830.2.6 Building Code - defined**

“Building Code” means the regulations made under Section 34 of the Act.

**830.2.7 Chief Building Official - defined**

“Chief Building Official” means the Chief Building Official appointed by By-Law of the City of Orillia for the purposes of enforcement of the Act.

**830.2.8 Construct - defined**

“Construct” means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and has a corresponding meaning; (construction).

**830.2.9 Corporation - defined**

“Corporation” means the Corporation of the City of Orillia.

**830.2.10 Demolish - defined**

“Demolish” means to do anything in the removal of a building or any material part thereof and has a corresponding meaning (demolition).

**830.2.11 Designer – defined**

“Designer” means the person responsible for the design.

**830.2.12 Inspector - defined**

“Inspector” means an Inspector appointed under Section 3, of the Act.

**830.2.13 Municipality - defined**

“Municipality” means the Corporation of the City of Orillia.

**830.2.14 Owner - defined**

"Owner" includes the registered owner of a property, a lessee, tenant, mortgagee in possession, or person otherwise in charge of any property, acting as the authorized agent of the owner.

**830.2.15 Permit - defined**

"Permit" means written permission or written authorization from the Chief Building Official to perform the work regulated by this Chapter and the Act, or to Change the Use of a building or part of a building or parts thereof as regulated by the Act.

**830.2.16 Plumbing - defined**

"Plumbing" means plumbing as defined in Section 1 (1) of the Act.

**830.2.17 Prescribed Value - defined**

"Prescribed Value" means the value of the building project as shown on contract documents; the sum of the cost of all components of the proposed work, including labour, material, equipment, overhead and professional fees; or the value placed on the work by the Chief Building Official.

**830.2.18 Professional Engineer – defined**

"Professional Engineer" means a person who holds a licence or a temporary licence under the Professional Engineers Act as defined in the Building Code and has corresponding meaning (engineer).

**830.2.19 Regulations - defined**

"Regulations" means regulations made under the Act and include, without limiting the generality of the foregoing, the Ontario Regulation and Amendments thereto, otherwise referred to as the Building Code.

**830.2.20 Sewage System - defined**

"Sewage System" means a sewage system as defined in Section 1(1) of the Act.

### **Article 3 GENERAL PROVISIONS**

**830.3.1 Classes of Permits – set out**

Classes of permits with respect to the construction, demolition and change of use of buildings and permit fees shall be as set out in Schedule 'A' to this By-Law.

**830.3.2 Revision – permits**

After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued, must be given in writing, to the Chief Building Official together with the details of such change, which is not to be made without his or her written authorization.

**830.3.3 Notification – CBO – 2 days**

The owner shall notify the Chief Building Official or Inspector that the construction is ready to be inspected at least two (2) municipal business days in advance of the stages of construction as specified in the Regulations.

**830.3.4 Transfer of Permits**

Where land changes ownership for which a permit has been issued, the new owner shall apply for a Transfer Permit as set out in Schedule 'A'.

**830.3.5 Fencing at Construction and Demolition Sites**

Where in the opinion of the Chief Building Official, a construction or demolition site presents a particular hazard to the public, the Chief Building Official may require the erection of such fencing as he or she deems appropriate to the circumstances.

**830.3.6 Hazardous - assessment**

In considering the hazard presented by the construction or demolition site, the necessity for fencing and the height and characteristics of such fencing, the Chief Building Official shall have regard for:

- (a) the proximity of the building site to other buildings,
- (b) the proximity of the construction or demolition site to lands accessible to the public,
- (c) the hazards presented by the construction or demolition activities and materials,
- (d) the feasibility and effectiveness of such fences, and,
- (e) the duration of the hazard.

**Article 4  
APPLICATIONS AND PERMITS**

**830.4.1 Permit – available**

To obtain a permit, the owner shall file an application in writing by completing a prescribed form available at the offices of the municipality or from the Building Code website [www.obc.mah.gov.on.ca](http://www.obc.mah.gov.on.ca) or from the City of Orillia website [www.city.orillia.on.ca](http://www.city.orillia.on.ca).

**830.4.2 Application - information**

Every application for a permit shall be submitted to the Chief Building Official and contain the following information: Where application is made for a Building Permit under subsection 8(1) of the Act, the application shall:

- (a) Identify and describe in detail the work to be covered by the permit for which application is made.
- (b) Describe the land on which the work is to be done, by a description that will readily identify and locate the building lot.
- (c) Include complete plans and specifications as described in this Chapter for the work to be covered by the permit and show the occupancy of all parts of the building.
- (d) State the prescribed value of the proposed work.
- (e) State the names, addresses and telephone numbers of the owner, Architect or Engineer, where applicable, or other designer or constructor.
- (f) Be accompanied by a written acknowledgment of the Architect and/or Engineer that they have been retained to carry out the field review of the construction where required by the Ontario Building Code, and
- (g) Be signed by the owner who shall certify the truth of the contents of the application.

**830.4.3 Demolition Permit**

Where an application is made for a Demolition Permit under Subsection 8(1) of the Act, the application shall:

- a) Contain the information required by section 830.4.2.
- b) Comply with the requirements prescribed in Schedule "D" of this Chapter.

**830.4.4 Conditional Permit**

Where application is made for a Conditional Permit under Subsection 8(3) of the Act, the application shall:

- (a) Contain the information required by section 830.4.2.
- (b) Contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require.
- (c) State 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, the time in which such approvals will be obtained, and
- (e) State the time in which plans and specifications of the complete building will be filed with the Chief Building Official.

**830.4.5 Change of Use Permit**

Where an application is made for a Change of Use permit under Subsection 10(1) of the Act, the application shall:

- (a) describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building.
- (b) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made.
- (c) include 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 requirements of The Building Code including: floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, details of existing sewage system, if any.
- (d) State the name, address and telephone number of the owner.
- (e) Be signed by the owner who shall certify the truth of the contents of the application.

**830.4.6 Sewage System Permit**

Every application for a Sewage System Permit shall be submitted to the Chief Building Official, and contain the following information:

- (1) The information required by section 830.4.2.
- (2) The name, address, telephone number and licence number of the person installing the sewage system,

- (3) Where the person named in (2) above requires a licence under the Act and the Building Code,
  - (a) the number and date of issuance of the license, and
  - (b) the name of the qualified person supervising the work to be done under the sewage system permit;
- (4) a site evaluation which shall include all of the following items, unless otherwise specified by the Chief Building Official;
  - (a) the date the evaluation was done,
  - (b) name, address, telephone number and signature of the person who prepared the evaluation,
  - (c) a scaled map of the site showing
    - i) the legal description, lot size, property dimensions, existing rights-of-way,
    - ii) the location of items listed in Column 1 of Tables 8.2.1.5.A, 8.2.1.5.B, and 8.2.1.5.C of the Building Code,
    - iii) the location of the proposed sewage system,
    - iv) the location of any unsuitable, disturbed or compacted areas and,
    - v) proposed access routes for system maintenance.
  - (d) depth to bedrock,
  - (e) depth to zones of soil saturation,
  - (f) soil properties, including soil permeability, and
  - (g) soil conditions, including the potential for flooding.

#### **830.4.7 Sufficient Information – compliance – legislation**

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 or change of use will conform with the Act, The Building Code and any other applicable law.

#### **830.4.8 Application – three complete copies**

Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by three (3) complete sets of the plans and specifications required under this Chapter.

#### **830.4.9 Plans – required – drawn**

Plans shall be drawn to scale on paper, cloth or other durable material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as site plans, floor plans, foundation plans, framing plans, roof plans, sections, details, elevations, electrical drawings, heating, ventilation and air conditioning drawings and plumbing drawings unless otherwise specified by the Chief Building Official.

#### **830.4.10 Site Plans**

Site plans, drawn to scale, showing the location of the proposed Building with respect to the streetline and all other property lines and other Buildings and structures presently located on the property and

in adjoining properties. Site plans shall be referenced, whenever possible, to an up-to-date survey. Where required, to establish compliance with the Regulations and other pertinent By-Laws, a copy of the survey shall be submitted to the Chief Building Official. Site plans shall, where required, show existing and finished grades, flood elevations referenced to an established geodetic bench mark, existing right-of-way, easements, municipal services, fire access routes and new and existing fire hydrant locations.

## **Article 5 FEES**

### **830.5.1 Prescribed Value**

Permit fees, except flat rate fees, shall be based on the Prescribed Value of the project.

### **830.5.2 Prescribed Value – Schedule “B”**

The Prescribed Value shall not be less than the values as determined in accordance with Schedule “B” of this Chapter.

### **830.5.3 Fees – Schedule “A”**

Fees for a required permit shall be as set out in Schedule “A” to this Chapter and are due and payable at the time of Permit issue.

### **830.5.4 Cheque – invalid**

Where fees are paid by cheque and the cheque is found to be invalid, then it shall be deemed that the Permit was issued on mistaken or false information, and the Chief Building Official may revoke the Permit without further notice.

### **830.5.5 Refunds of Permit Fees**

A request for a refund of a Permit fee shall be made in writing to the Chief Building Official. The amount of the refund shall be calculated in accordance with the following:

- (a) 60% of the original Permit and Plumbing fee, provided work on a project has not been commenced.
- (b) 100% of the fee for an Occupancy Permit.
- (c) Notwithstanding 830.5.5(a) above, the minimum amount retained shall be \$75.00.
- (d) Notwithstanding Sections 830.5.5(a) and 830.5.5(c) where a duplicate Permit has been issued, 100% of the fee for the duplicate Permit.
- (e) Where the fee is based on the Prescribed Value of the work, and upon completion and final inspection the cost of the project is less than the value placed by the Chief Building Official, an audited statement satisfactory to the Chief Building Official, may be submitted detailing the cost of all items included in the Prescribed Value of the project. Upon being satisfied that the statement of costs includes all necessary items upon which the valuation is based, the Chief Building Official shall authorize the appropriate refund.

## **Article 6 REPEAL ENACTMENT**

### **830.6.1 By-law – previous**

By-Law Number 1993-114 and 1990-62 and amending by-laws are hereby repealed.

**830.6.2 Effective Date**

This By-law shall come into force and take effect on February 6, 2007.

**Adopting By-law:** By-law 1993-114, 18 October 1993.

**By-law Amendments:** By-law 1994-65, 21 March 1994; By-law 1997-65, 9 June 1997; By-law 1998-90, 29 June 1998; By-law 2001-164, 19 November 2001.

**Repealed and Replaced:** By-law 2007-17, 5 February 2007.

## SCHEDULES

### Schedule "A" – Classes of Permits and Fees

1. A permit for new construction, including factory built structures and for additions, alterations and repairs:
  - (a) for the first \$4000.00 of prescribed value of the work or fraction thereof, the fee shall be \$75.00.
  - (b) for each additional \$1000.00 of prescribed value or fraction thereof, the fee shall be \$8.00.
2. For a conditional permit pursuant to the provisions of subsection 8(3) of the Act, the fee shall be calculated on the same basis as in Class 1 above, and shall be based on the value of the entire project.
3. For a permit to complete an individual floor area or suite within a speculative building or within a building of multiple occupancy, the fee shall be calculated on the same basis as in Class 1 above.
4. For a permit to Change the Use of a building pursuant to subsection 10(1) of the Act (no construction proposed) \$75.00.
5. Moving/relocation permit:
  - (a) if no construction is required, the fee shall be \$30.00.
  - (b) for construction in conjunction with the moving and/or relocation of a structure, the fee shall be calculated on the same basis as in Class 1 above.
6. For a permit for a temporary structure, to be removed within a predetermined time frame, the fee shall be \$75.00.
7. For a permit for an extension of the time frame for the removal of a temporary structure, the fee shall be \$75.00.
8. For a Transfer Permit to be issued to a new owner where ownership changes occur during or prior to the closing of any Permit previously issued, the fee shall be \$75.00.
9. Demolition permit:
  - (a) for permit where the regulations require the services of a professional engineer, the fee shall be \$150.00.
  - (b) for all other demolition permits, the fee shall be \$75.00.
10. For an Occupancy permit for every new suite, residential unit or freestanding building to be created, the fee shall be \$30.00.
11. For a permit for a new fireplace, woodstove or chimney, the fee shall be \$75.00.
12. Septic permit:
  - (a) Certificate of Approval for new on-site sewage system  
Class 4, 5, and 6. \$400.00

(b)	Certificate of Approval for new on-site sewage system Class 2	\$300.00
(c)	File search	\$60.00
(d)	Copy of Use Permit (owner/agent)	\$30.00
(e)	Applications for Rezoning, Variance, Official Plan Amendments, Additions, Renovations, Conversions, Subdivision, Severance and Condominium (per lot)	\$160.00
13.	For a Liquor Licence application inspection, the fee shall be	\$75.00
14.	For a permit to reinstate validity after a permit has been revoked pursuant to subsection 8(1) of the Act, the fee shall be	\$75.00
15.	For a permit to install plumbing, the fee shall be in accordance with Schedule 'C' of this Chapter.	
16.	Re-inspection fee	\$25.00
17.	Fee to provide information from files involving research and closing files	\$25.00
18.	Where any construction has commenced prior to permit issuance, the required fee shall be determined as the required permit fee plus the required fee x 25% to a maximum of \$500.00.	

## Schedule "B" – Minimum Construction Value

BUILDING TYPE	FLOOR SPACE	COST/SQ. FOOT
<b>Residential:</b>		
Single Family Dwelling	Up to 1200 sq. ft.(112 m2)	\$90.00
	1201 sq. ft. to 2000 sq. ft. (112 m2 to 186 m2)	\$95.00
	Over 2000 sq. ft.(186 m2)	\$100.00
Rowhouses – vertically separated		\$70.00
Apartments – all multiple residential		\$75.00
Attached Garage		\$25.00
Carports, decks and porches		\$15.00
Accessory Buildings		\$15.00
Finished basements - Inground		\$25.00
- Walk-out		\$30.00
Additions		\$50.00
<b>Commercial:</b>		
Single Storey without basement – shell only		\$45.00
<b>Industrial:</b>		
Factories and Warehouses, one storey – shell only		\$35.00
<b>All other projects</b>		Contract Value

**Schedule "C" - Plumbing Fees**

1.	For all buildings of single or multiple occupancy	
	(a) basic fee per unit	\$15.00
	(b) rough-in for each fixture	\$ 5.00
2.	For each stack	\$10.00
3.	Water service pipe connection to a main	\$15.00
4.	Sanitary and storm sewer connection	\$15.00
5.	For a manhole	\$15.00
6.	For an inspection maintenance hole	\$15.00
7.	For conversion from a septic system to a sanitary sewer	\$15.00
8.	For an interceptor	\$10.00
9.	Minimum total fee	\$30.00

**Schedule "D" – Demolition Procedures**

1. The Owner shall contact all utility companies for locations of pipes, ducts and wires, and shall ensure that all services are disconnected and/or removed and **provide proof to the Municipality.**
2. Prior to the issuance of a Demolition Permit, where demolition includes the disconnecting of a municipal water service pipe and/or a sewer lateral, the owner shall:
  - (a) Make a refundable deposit in the amount of \$500.00 per connection payable to the City of Orillia.
  - (b) Contact the Operations Division (705-329-7249) and have all decommissioned connections visually inspected during regular working hours by the service truck operator. 24 hours notice is required.
  - (c) Stake all decommissioned connections with appropriate length of 2 x 4.
  - (d) Cut, cap and stake all decommissioned services at or inside the property line.
3. The owner shall notify the Ontario Provincial Police – Orillia Detachment, Peter Street South, (705-326-3536) whenever the normal flow of traffic on a city street may be impeded while the demolition work is in progress.
4. Where applicable, the owner shall ensure the safety of pedestrians with the installation of proper barricades, hoarding, etc.
5. All building material shall be removed from the site and all waste materials shall be taken to an approved site for disposal in accordance with the provisions of the Environmental Protection Act. **The applicant is required to indicate on the application what approved site he will be using.**
6. Basement walls must be demolished to a depth of 18" below finished grade. This material may be left in the basement with the remaining filled with a pitrun material.
7. After all building material and rubbish has been removed, the property must be graded in such a manner as to avoid uneven settling and ponding.
8. Upon request, the owner shall provide proof of adequate Public Liability and Property Damage Insurance.
9. The owner shall, at the request of the Chief Building Official, provide a letter from a licenced pest control company stating that the building has been inspected and no evidence of vermin infestation has been found or that vermin control has been completed not more than seven days prior to the date on which the demolition is to be commenced.