

THE CORPORATION OF THE CITY OF WELLAND

By-law 2020-140

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 regulations of the *Building Code Act*, S.O. 1992 c.23 as amended, a Building Code has been established which is in force throughout Ontario; and

Whereas section 3(1) of the *Building Code Act*, S.O. 1992, c.23 as amended provides that the Council of the municipality is responsible for enforcement of the Act in the municipality; and

Whereas section 3.(2) of the *Building Code Act*, S.O. 1992 c.23 as amended provides that the Council of a municipality shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the Act in the areas in which the municipality has jurisdiction; 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 City of Welland 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 including, but not limited to, the Architect, Professional Engineer, Contractor and/or builder.

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

1.1.4 "Building Code" means Ontario Regulation 332/12, as amended, made under section 34 of the Act.

1.1.5 "Certified Model" means a unique building design for a detached, semidetached or a row house unit that has been reviewed by the Chief Building Official. A certified model is not itself a permit.

1.1.6 "Chief Building Official" means a Chief Building Official appointed by By-law by The corporation of the City of Welland for the purposes of enforcement and administration of the Act.

1.1.7 "City" means the City of Welland.

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

1.1.9 "Corporation" means The Corporation of the City of Welland.

1.1.10 "Demolish" means demolish as defined in subsection 1(1) of the Act

1.1.11 "Fast Track Service" means, when authorized by the Chief Building Official, an expedited plan examination service conducted outside the normal review process, usually carried out

outside regular working hours, with no guarantee of earlier permit issuance.

1.1.12 "House" means a single detached house, semi-detached house, or a row house containing not more than two dwelling units.

1.1.13 "Inspector" means an inspector appointed by By-law by The Corporation of the City of Welland for the purposes of enforcement of the *Act*.

1.1.14 "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.

1.1.15 "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.

1.1.16 "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.

1.1.17 "Professional Engineer", as defined in the Building Code, means a person who holds a licence or temporary licence under the Professional Engineers *Act*.

1.1.18 "Registered Code Agency" means a registered code agency, as defined in subsection 1(1) of the *Act*.

1.1.19 "Sewage System" means a sewage system, as defined in the Building Code.

1.1.20 "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 Classes of Permits

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 Application for Permit

To obtain a permit, an applicant shall file an application electronically or in writing, on forms prescribed by the Province of Ontario and available from the Chief Building Official 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.

Application forms prescribed by the City under section 7(i) (f) of the *Act* are set out in Schedule "B" of this bylaw and are available on the City website.

3.2 Information to be submitted

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 Div. C, 1.3.1.3.(5) of the Building Code and as described in this By-law for the work to be covered by the permit;
- (c) Where a building is required to be designed by an Architect or an Engineer [Div. C, 1.2.1.1 of the Building Code], provide a completed Commitment to General Reviews by Architect and Engineers form;
- (d) Where plumbing is being proposed, provide a written acknowledgement that the owner has retained a Master Plumber (as defined in the City's Master Plumbers By-law 8324) licensed in the City to install the plumbing;
- (e) provide all applicable documentation as set out in Part 4, Subsection 4.1 to 4.4, and Schedule "C".
- (f) comply with all requirements of subsection 8(1) of the *Act*.
- (2) Where application is made for a **demolition** permit under subsection 8(1) of the *Act*, the applicant shall:
- (a) use the provincial application form, "Application for a Permit to Construct or Demolish";
- (b) Where the demolition of a building is required to be reviewed by an Engineer [Div. C, 1.2.2.3 of the Ontario Building Code], include applicable plans and specifications, documents and other information as required by Div. C, 1.3.1.1.(3) and Div. C, 1.3.1.3.(5) of the Building Code and as described in this By-law for the demolition to be covered by the permit;
- (c) include completed demolition supplementary form; and
- (d) provide all applicable documentation as set out in Part 4, Subsection 4.2 to 4.4, and Schedule "C".
- (e) be accompanied by satisfactory proof that arrangements have been made for the disconnection of water, sewer, gas, electric and telephone utilities and services;
- (f) be accompanied by a deposit described in Schedule "E" to this By-law, to be retained for the purposes of ensuring removal of demolition material from the site leaving the site in reasonably level condition; and
- (g) comply with all requirements of subsection 8(1) of the *Act*.
- (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 Div. C, 1.3.1.3.(5) of the Building Code and as described in this By-law for the work to be covered by the permit;
- (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 and the time in which such approvals will be obtained; and
- (e) state the time in which plans, and specifications of the complete building will be filed with the Chief Building Official;

(f) be required to enter 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 sewage permit issued under subsection 8(1) of the *Act*, the application shall:

(a) use the provincial application form, "Application for a Permit to Construct or Demolish; and

(b) include complete plans and specifications, documents and other information as required under Div. C, 1.3.1.3.(5) of the Building Code and as described in this By-law for the work to be covered by the permit; and

(c) include a site evaluation which shall include all of the following items, unless otherwise specified by the Chief Building Official; and

(i) include the date the evaluation was done; and

(ii) include name, address, telephone number and signature of the person who prepared the evaluation; and

(iii) include a scaled site plan showing:

- the legal description, lot size, property dimensions, existing right-of-way, easements or municipal/utility corridors.

- the location and applicable clearances of items listed in Column 1 of Div. B, Tables 8.2.1.5., 8.2.1.6.A., 8.2.1.6.B. and 8.2.1.6.C. of the Building Code;

- the location of the proposed sewage system;

- the location of any unsuitable, disturbed or compacted areas;

- proposed access routes for system maintenance;

- depth to bedrock;

- depth to zones of soil saturation;

- soil properties, including soil permeability; and

- soil conditions, including the potential for flooding; and

(d) 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 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: floor plans; details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, and details of the existing sewage system, if any;

(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".

(6) Where application is made for a transfer of permit because of a change of ownership of the land, as permitted under section 7(1)(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 owner;
- (c) provide 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".

(7) Occupancy Permits

Where an application is made to occupy an unfinished building as provided for in Div. C, 1.3.3.1 of the Building Code, the application shall:

- (a) use the prescribed form in Schedule "B" of this By-law;
- (b) describe the building or part of the building floor areas to be occupied; and
- (c) be accompanied by a floor plan which identifies the floor areas to be occupied.

An Occupancy Permit for buildings described in Div. C, 1.3.3.1.(1) of the Building Code, [other than dwelling units], including additions and renovations to those buildings, shall be issued where the Chief Building Official has determined that the requirements for occupancy in Div. C, 1.3.3.1.(2). of the Building Code have been met and has authorized the occupancy of the building or part.

A Residential Occupancy Permit for new dwellings described in Div. C, 1.3.3.4. of the Building Code, [including detached, semidetached and rowhouses], shall be issued where the Chief Building Official has determined that the requirements for occupancy in Div. C, 1.3.3.4.(5) of the Building Code have been met and has authorized the occupancy of the building or part.

3.3 Incomplete Applications

An application is deemed to be incomplete pursuant to Div. C, 1.3.1.3.(6)(a) of the Building Code if the application:

- (a) does not contain the plans and specifications prescribed by this By-law,
- (b) does not contain the information and documents prescribed by this By-law which enable the Chief Building Official to determine whether the proposed building, construction or demolition will contravene any applicable law; or
- (c) the proposed building, construction or demolition will contravene any applicable law.

The Chief Building Official will provide reasons in writing to the applicant in accordance with Div. C, 1.3.1.3.(6)(b) of the Building Code for the decision.

Where an application for permit is determined to be incomplete, the application may be accepted for processing when the application is accompanied by completed form as set out in Schedule "B" of this By-law.

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, provided that:

- (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.

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.

3.7 Alternative Solutions

Where a proposed material, system or building design differs from the “acceptable solution” in Division B of the Building Code, then it is treated as an “alternate solution”. The following information shall be provided to the Chief Building Official in support of the alternate solution:

- (a) A description of the proposed material, system or building design for which an alternate solution is requested,
- (b) Documentation that the alternate solution will achieve the level of performance required by the applicable acceptable solutions in Division B of the Building Code in respect to the objectives and the functional statement attributes to the applicable acceptable solutions in Supplementary Standard SA-1, as stipulated in Div. A, 1.2.1.1(1)(b) of the Building Code.
- (c) Documentation described in Div. C, 2.1.1.1 of the Building Code and such other information or documentation as may be required by the Chief Building Official.
- (d) Each application for consideration of an alternate solution shall be accompanied by a non-refundable fee as stipulated in Schedule “A” Section of this Bylaw.

3.8 Fire Department Approval

(a) The Fire Chief (as defined in the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c.4) or his or her designate, shall be responsible for the enforcement, plan examination and filed inspections of the following sections of the Building Code as amended, respecting fire safety matters:

- (i) Fire Alarm and Detection Systems as described in Div. B. 3.2.4;
- (ii) Provisions for Fire Fighting as described in Div. B. 3.2.5;
- (iii) Standpipe Systems as described in Div. B. 3.2.9;
- (iv) Commercial Cooking Equipment in conformance with NFPA 96; and
- (v) Design and installation of Solid Wood Burning Stoves and appliances in conformance with CAN/CSA-B365.

(b) The Fire Chief or designate shall approve all drawings submitted pursuant to an application for a permit as complying with the requirements of the Building Code, respecting fire safety matters, prior to issuance of a permit by the Chief Building Official.

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 to 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 legible scale on paper, electronic media approved by the City or other durable material and shall be legible to scale (minimum 1:75 or 3/16"=1'-0").

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) rights-of-way, easements and municipal services,
- (2) lot size and the dimensions of property lines and setbacks to any existing or proposed buildings;
- (3) existing and proposed municipal services, private services and utility locations
- (4) existing and proposed driveway entrances, fire access routes and parking spaces; and
- (5) existing and proposed finished ground levels or grades;

4.5 Surveyor's certificate – location of foundation

A surveyor's certificate, prepared by a registered Ontario Land Surveyor, shall 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 any new dwelling, or addition to a dwelling: including: detached, semi-detached, duplex, triplex, four-plex, and row house. Elevations shall be given for the top of foundation(s).

4.6 Lot Grading plans

In the case of a lot in respect of which an accepted master grading plan has been filed with the City, (such as Subdivision agreement or other multiple lot agreement) and not yet assumed by the City, a Detailed Lot Grading Plan approved by the developer's Professional Engineer who is responsible for the overall subdivision grading design, certifying thereon that the detailed lot grading plan conforms to the master grading plan must be filed with the City.

In the case of:

- (1) a lot in respect of which no accepted master grading plan or other grading plan has been filed with the City, or
- (2) a lot in respect of which an accepted master grading plan has been filed with the City in which the Developer is no longer responsible for the development of the subdivision, or
- (3) a lot in respect of which an accepted single lot grading plan has been filed with the City (such as a single lot development or grading agreement),

a Detailed Lot Grading Plan approved by a Professional Engineer or an Ontario Land Surveyor, certifying that the Detailed Lot Grading Plan conforms with the grading plan filed with the City, or that the drainage scheme depicted on the Detailed Lot Grading Plan will be compatible with the existing drainage patterns, in the case where there is no grading plan must be filed with the City

4.7 As constructed plans

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

4.8 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.

4.9 Where required by the Chief Building Official, a certified copy of a current PIN sheet or deed shall be submitted to verify ownership and legal description of a property.

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 Div. C, 1.3.1.3. 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 DEPOSITS 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”, or where no new floor area is created, or where materials, systems or equipment regulated by the Building Code render it impossible to determine the permit fee on the basis of the classifications noted in this Schedule, the permit fee payable shall be 1.6 % of the projects construction value [or as] otherwise determined by the Chief Building Official.

No permit shall be issued until the fees and deposits 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 Chief Building Official 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, corporation or other entity 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. Where a project receives multiple partial permits, the additional fee shall be based on the overall permit fee. The fee will not exceed \$5000 per occurrence and for each stage of construction.

6.4 Additional fee and penalty

The additional fee in section 6.3 shall not relieve any person or corporation or other 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 Fast Track Service– fee

Where the applicant for a building permit requests a Fast Track Service, additional fees as detailed in Schedule “A” shall apply.

6.6 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.

6.7 Limiting distance agreement – fee

Where the applicant for a building permit enters into a limiting distance agreement, pursuant to Part 9 of this By-law, additional fees as detailed in Schedule “A” shall apply.

6.8 Administrative fees – non-refundable administrative fees collected under this Section are not refundable.

6.9 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) 20% for permit processing where zoning examination has commenced;
- (iii) 30% for in addition to (i) and (ii), plans examination has commenced; and
- (iv) 80% where permit has been issued and no field inspections have been performed

6.10 Minimum permit fee – not refundable

Notwithstanding section 6.9, no refund will be made which shall result in the retention by the City of a sum less than the minimum permit fee payable.

6.11 Changing Permit Fees

(1) Prior to passing a By-law to change any fees listed under Schedule “A”, the City shall comply with the requirements set under Div. C, 1.9.1.2. of the Building Code.

(2) The fee rates within Schedule “A” of this By-law are to be indexed to the Consumer Price Index (CPI) of Ontario as of December 31, and are to be adjusted annually on February 1. Flat fee rates shall be rounded to the nearest dollar amount (increments of half dollar shall be rounded up). All other fees shall be rounded to the nearest cent.

6.12 Deposits

1) Every permit application for work shall require submission of a deposit in accordance with Schedule “E”. The deposit is to be retained by the City until completion of the project as security to facilitate compliance with Lot Grading requirements, the *Act*, the Building Code, this by-law, and other permit requirements.

2) The deposit shall also be held by the City to cover repair costs associated with damage to municipal sidewalks, curbs, boulevards, roads, water or sewer services, existing driveway entrances or any other municipal property which may arise from the work associated with construction or demolition authorized by the permit. If in the opinion of the City, such damage has occurred, the permit holder must repair the damage to a standard equal or better than that which existed prior to the damage, as approved by the City.

The City may give the permit holder or the owner an opportunity to repair the damage within a reasonable time frame, or, if the damage creates an unsafe condition, may cause the damage to be repaired immediately by the City or by contractors hired by the City.

If the permit holder or owner does not repair the damage within the specified time frame, the City may authorize all or a portion the deposit to be retained for repair costs, however the City is under no obligation to repair the damage immediately, and may postpone repair until such time as it sees fit.

Should the cost of repair be greater than the amount of the deposit, the City shall invoice the owner or the permit holder the amount in excess of the deposit, and if such bill is not paid, the City may recover the costs by action or by adding the costs to the tax roll of the property to which the permit relates, and collecting them in the same manner as taxes according to Section 427 of the *Municipal Act*.

3) Where a deposit has been taken and a Detailed Lot Grading Plan submitted pursuant to this by-law, a Final Lot Grading Certificate shall be provided to the City within 1 year of building occupancy, approved by a Professional Engineer, or an Ontario Land Surveyor, certifying thereon that the finished elevations and the grading of the lot, as constructed, generally conforms to the Detailed Lot Grading Plan accepted with the permit application.

4) The deposit shall be returned to the person who paid the deposit upon completion of the Final Inspection and once the City is satisfied that there is no damage to municipal property and closed the permit file.

Part 7 TRANSFER OF PERMITS

7.1 Application – completed by new owner

In any case wherein the ownership of the land is transferred after a 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 the permit holder a notice by personal service, electronic service or registered mail at the last known address of the permit holder.

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 City as provided for in Div. B, 3.2.3.1.(8) or in Div. B, 9.10.14.2.(4) 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 Div. C, 1.3.5.1. 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 Div. C, 1.3.3.1, 1.3.3.2, 1.3.3.3. and 1.3.3.4 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 Div. C, 1.3.5.2. of the Building Code:

- (a) commencement of construction of the building;
- (b) substantial completion of structural framing for each storey, if the building is a type of building that is within the scope of Parts of Div. B other than Part 9 of the Building Code;
- (c) substantial completion of site grading;
- (d) substantial completion of the pool deck, and dressing rooms for a public pool or public spa and readiness for inspection of emergency stop system for a public pool or public spa.
- (e) completion of a building for which an occupancy permit is required under Article 1.3.3.4 or 1.3.3.5. of the Building Code.

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 Div. C 1.3.5.3. 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.

11.2 Fences at Construction and Demolition Sites

- (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.

(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 and/or Inspector shall have regard for:

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

(3) Every fence required by the Section shall:

- (a) be erected to fully enclose all areas of the site which represent a hazard;
- (b) create a continuous barrier and be enough to deter unauthorized entry;
- (c) have a height of not less than 1.2m above grade at any point, unless the Chief Building Official or Inspector determines that a greater minimum height is necessary;
- (d) if constructed of plastic mesh, snow fencing or other similar materials, be securely fastened at 200mm on center, to vertical posts not more than 1.2m apart, and horizontal members of a minimum 11 gauge cable at the top and bottom; and
- (e) be maintained in a vertical plane, and in good repair.

(4) All fencing shall be maintained in a structurally secure manner and painted or otherwise treated to inhibit deterioration.

11.3 Environmental Impacts

(1) The contractor shall make every effort to minimize the amount of dust generated during demolition. A method of dust control can be, but is not limited to, wetting-down the construction debris during the actual demolition.

(2) Consideration for neighboring properties shall be given when construction processes generate dust. The Ministry of Environment, Conservation and Parks and/or Ministry of Health will be contacted when complaints occur.

(3) Where the contractor believes that hazardous materials exist in a building, the Niagara Region Health Department and/or the Ministry of the Environment, Conservation and Parks & the Ministry of Labour shall be contacted and an assessment shall be made prior to the start of demolition. Hazardous materials shall be safely removed as required by the respective authority(ies).

(4) If required by the Chief Building Official, a report from a Professional Engineer with respect to the impacts of vibration from the proposed construction methods and the measures to be employed to mitigate such impacts may be submitted as part of an application for construction and/ or demolition.

(5) If required by the Chief Building Official, a demolition control plan may be required for buildings where existing conditions, including proximity to adjacent property, justify such a requirement.

(6) If required by the Chief Building Official, full or partial draping of a building under construction, particularly high-rise projects, may be required in order to mitigate potential impact of flying debris on neighbouring properties and pedestrians.

11.4 Code of Conduct

The Chief Building Official and inspectors shall be governed by the Code of Conduct set out in Schedule D with respect to exercising powers and performing duties under the *Act*.

Part 12
REPEAL – ENACTMENT

12.1 Previous By-law

By-Law 2005-91 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 January 1, 2021.

Enacted and passed this 1st day of December, 2020

Mayor Frank Campion

A black ink signature of Mayor Frank Campion, consisting of a large, stylized 'F' and 'C' followed by a horizontal line.

City Clerk Tara Stephens

A blue ink signature of City Clerk Tara Stephens, written in a cursive style.

Online version of this document does not contain signatures. Please contact City Clerk to obtain a copy of the signed original.

CLASSES OF PERMITS AND PERMIT FEES

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

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

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

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

2. MINIMUM PERMIT FEE

Notwithstanding the fees indicated below, a minimum fee of \$164.00 shall be charged for all work, unless otherwise indicated.

3. CLASSES OF PERMITS AND FEES – SCHEDULE “A”

Description	Charging Parameter	Fee
Minimum Permit Fee	Flat	\$ 164
A. CONSTRUCTION - NEW BUILDINGS, ADDITIONS, ALTERATIONS		
Group A (Assembly Occupancies)(1)		
New & Additions	\$/ft ²	\$ 2.07
Alterations/Renovations	\$/ft ²	\$ 0.63
Group B (Detention, Care and Treatment, and Care Occupancies)		
New & Additions	\$/ft ²	\$ 2.22
Alterations/Renovations	\$/ft ²	\$ 0.63
Group C (Residential Occupancies)		
New & Additions		
Detached, Semi-Detached, Townhouse, and Rowhouse	\$/ft ²	\$ 1.45
Multi-Unit, Apartments, Hotels, and Other	\$/ft ²	\$ 1.29
Alterations/Renovations	\$/ft ²	\$ 0.63
Accessory Dwelling Unit	\$/ft ²	\$ 0.41
Garage, Deck, Shed, & Sunroom	Flat	\$ 164
Group D/E (Business, Personal Services, and Mercantile Occupancies)		
New & Additions		
Finished	\$/ft ²	\$ 1.90
Shell	\$/ft ²	\$ 1.38
Alterations/Renovations	\$/ft ²	\$ 0.63
Group F (Industrial Occupancies)		
New & Additions		
Finished	\$/ft ²	\$ 1.65
Shell	\$/ft ²	\$ 0.50
Alterations/Renovations	\$/ft ²	\$ 0.63
Miscellaneous (Other)		
Designated Structures		
Retaining Walls	\$/linear ft	\$ 10.00
All Other Designated Structures	Flat	\$ 921
Farm Building/Accessory Building/Greenhouse	\$/ft ²	\$ 0.55
Public Pool	Flat	\$ 493
Roof	\$/ft ²	\$ 0.10
Shoring and/or Building Excavation	\$/linear ft	\$ 10.00
Underpinning Existing Foundation	\$/linear ft	\$ 10.00
B. STAND ALONE & MISCELLANEOUS WORK		
Tents/Temporary(2)	Flat	\$ 255
Demolition		
One-family Dwelling/Building <3,000 ft ² GFA	Flat	\$ 245
Other Demolitions	\$/ft ²	\$ 0.14
C. LIFE SAFETY SYSTEMS		
Electromagnetic Locking Device	Per Item	\$ 336

Commercial Kitchen Exhaust Hood, Dust Collectors, Fire Alarm, Spray Booth, Sprinkler System, or Standpipe & Hose System	Flat (incl. 4 devices) + \$/device greater than 4	\$ 1,341 + \$ 336 (> 4)
D. MECHANICAL		
New/Alterations to HVAC Standalone House	Flat	\$ 255
Other than House	\$/ft ²	\$ 0.14
E. PLUMBING		
Site Servicing/Private Water Lines	\$/linear ft	\$ 2.42
Plumbing Fixtures (incl. Backflow Prevention Devices and Backwater Valves)	\$/fixture	\$ 15.50
F. ON-SITE SEWAGE SYSTEM		
Construction of a Septic System Class 4	Flat	\$ 958
Other than Class 4	Flat	\$ 864
G. OTHER FEES		
Certified Model Home Service	Flat	\$ 400
Fast Track Service (3) In addition to the regular permit fee payable for the entire project.	Flat + \$/hr over 4 Hours	\$ 492 + \$ 123/hr
Alternative Solution Application	Flat + \$/hr over 4 Hours	\$ 500 + \$ 123/hr
Change of Use Permit	Flat	\$ 255
Transfer of permit	Flat	\$ 255
Occupancy Permit (of unfinished building)	Flat	\$ 260
Partial Permits/Staged Construction Foundation Stage including Underground Site Services	Flat + Appl. Fee %	\$ 348 + 25% of applicable fee
Superstructure		
Interior Finishing		
Completion		
Conditional Permit	Flat	\$ 1,159
Amendment to Conditional Permit Agreement	Flat	\$ 348
H. SIGNS		
Ground Signs exceeding 7.5 Min Height	\$/ft ²	\$ 0.98
Projecting Sign weighing more than 115 kg		
Projecting Sign attached to a parapet		

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. a) 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 and decks are included in the permit fee for new 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. The Service Index for ceiling applies only when alterations occur in existing buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.
- Where demolition of partitions or alteration to existing ceilings is a part of an alteration or 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.

b) REFERENCES

- (1) Include air supported structures and structures with removable roofs.
- (2) As defined in Zoning By-law and does not include facilities described in (1) above or Group "A" structures as defined in OBC and/or requiring the professional services of an Architect and/or Professional Engineer.
- (3) As defined in 1.1.10 of the Building Permit By-law.
- (4) As outlined in 6.3 of the Building Permit By-law.
- (5) In addition to Flat Rate fee, permit fee will be adjusted should there be an increase in floor area.
- (6) Fee could be determined as per Chief Building Official as per 6.1 of the Building Permit By-Law.
- (7) Fees shown in italics are considered flat fees.

SCHEDULE "B"

Permit Application Forms

Change of Use,

Partial Occupancy /Transfer of Permit,

Incomplete Application,

Alternative Solution,

Certified Model,



Application for a Change of Use Permit

This form is authorized under subsection 10(1) of the Building Code Act.

For use by Principal Authority

Application Number:	Permit Number (if different):
Date Received:	Roll Number:

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

A. Project Information

Building Number, Street Name		Unit Number	Lot/Con.
Municipality	Postal Code	Plan Number/Other Description	
Project Value Est. \$		Area of Work (m ²)	

B. Purpose of application

Proposed Use of Building/Tenant	Current Use of Building/Tenant
Description of Proposed Work	

C. Applicant

Applicant is: Owner Authorized Agent of Owner

Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number ()	Fax Number ()	Cell Number ()	

D. Owner (if different from applicant)

Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number ()	Fax Number ()	Cell Number ()	

E. Builder (optional)				
Last Name		First Name	Corporation or Partnership (if applicable)	
Street Address			Unit Number	Lot/Con.
Municipality		Postal Code	Province	E-mail
Telephone Number ()		Fax Number ()		Cell Number ()
F. Required Schedules				
i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.				
G. Document Submission and Applicable Law				
i) This application is for a change of use which results in an increase in hazard as determined by 1.3.1.4. of Division C. The application and all required schedules are submitted			<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii) Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the <i>Building Code Act, 1992</i> , to be paid when the application is made.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> .			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iv) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> which enables the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
v) The proposed building, construction or demolition will not contravene any applicable law.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
H. Declaration of Applicant				
I _____ declare that:				
(print name)				
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.				
2. If the owner is a corporation or partnership, I have authority to bind the corporation or partnership.				
_____			_____	
Date			Signature of Applicant	

Personal information contained in this form and schedules is collected under the authority of subsection 10(1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.

Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information			
Building number, street name		Unit no.	Lot/con.
Municipality	Postal code	Plan number/ other description	
B. Individual who reviews and takes responsibility for design activities			
Name		Firm	
Street address		Unit no.	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ()	Fax number ()	Cell number ()	
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1 of Division C]			
<input type="checkbox"/> House	<input type="checkbox"/> HVAC – House	<input type="checkbox"/> Building Structural	
<input type="checkbox"/> Small Buildings	<input type="checkbox"/> Building Services	<input type="checkbox"/> Plumbing - House	
<input type="checkbox"/> Large Buildings	<input type="checkbox"/> Detection, Lighting and Power	<input type="checkbox"/> Plumbing – All Buildings	
<input type="checkbox"/> Complex Buildings	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> On-site Sewage Systems	
Description of designer's work			
D. Declaration of Designer			
_____ declare that (choose one as appropriate): (print name)			
<input type="checkbox"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories. Individual BCIN: _____ Firm BCIN: _____			
<input type="checkbox"/> I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5 of Division C, of the Building Code. Individual BCIN: _____ Basis for exemption from registration: _____			
<input type="checkbox"/> The design work is exempt from the registration and qualification requirements of the Building Code. Basis for exemption from registration and qualification: _____			
I certify that:			
1. The information contained in this schedule is true to the best of my knowledge. 2. I have submitted this application with the knowledge and consent of the firm.			
Date		Signature of Designer	

NOTE:

1. For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.47(1) (d), of Division C, Article 3.2.5.1, of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4, and 3.2.5, of Division C.
2. Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practise, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

Effective January 1, 2011

Alternate formats available upon request at 905.683.7575.



**Application for a Permit:
Partial Occupancy – Unfinished Building
Transfer of Permit – New Ownership**

For use by Municipal Authority				
Application number:		Permit number (if different):		Date received (month,day,year)
A. Project information				
Building Number, Street Name		Unit number	Municipality	Postal Code
B. Purpose of application <input type="radio"/> Partial Occupancy – Unfinished Building <input type="radio"/> Transfer of Permit – New Ownership				
Proposed use of building		Current use of building		
Description of proposed work/area to be occupied				
C. Applicant Applicant is: <input type="radio"/> Owner or <input type="radio"/> Authorized agent of owner (if corporation or partnership, name of person applying on its behalf)				
Last name		First name	Corporation or partnership	
Street address		Municipality	Province	Unit number Postal Code
Telephone number ()	Fax ()	Cell number ()	E-mail	
D. Owner (if different from applicant)				
Last name		First name	Corporation or partnership	
Street address		Municipality	Province	Unit number Postal Code
Telephone number ()	Fax ()	Cell number ()	E-mail	
E. Permit via <input type="radio"/> Mail to <input type="radio"/> Pick up <input type="radio"/> Applicant <input type="radio"/> Owner <input type="radio"/> Authorized Agent				
F. Declaration of Applicant				
_____		_____		declare that:
Applicant - print name		Date (month,day,year)		Signature of Applicant
<ol style="list-style-type: none"> The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership. 				
G. Former Owner (To be completed for Transfer of Permit)				
Last name		First name	Corporation or partnership	
Street address		Municipality	Province	Unit number Postal Code
Telephone number ()	Fax ()	Cell number ()	E-mail	
H. Declaration of Former Owner (To be completed for Transfer of Permit)				
_____		_____		declare that:
Former Owner (for Transfer of Permit only) - print name		Date (month,day,year)		Signature of Former Owner
<ol style="list-style-type: none"> The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership. 				

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

Jan 2018



Application for a Certified Model

Pursuant to the City of Welland Building By-law

Note: This Application for a Certified Model is a form prescribed by the Chief Building Official pursuant to the City of Welland Building By-law and must be completed for each model. A certified model is not itself a building permit.

For use by City of Welland					
Certified Model Number:			Date received:		
A. Project and Model Information					
Name of Subdivision			Registered Plan No. / Draft Plan No.		
Builders Model Name		Gross Floor Area (m ²)		Construction Value	
Building Type: <input type="checkbox"/> Detached <input type="checkbox"/> Semi-detached	Opt. Elevations: <input type="checkbox"/> A or 1 <input type="checkbox"/> B or 2 <input type="checkbox"/> C or 3 <input type="checkbox"/> D or 4 <input type="checkbox"/> E or 5	Bedroom Options: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	Finished Basement: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No Basement Walkout: <input type="checkbox"/> Yes <input type="checkbox"/> No	Deck on Plans: <input type="checkbox"/> Yes <input type="checkbox"/> No Loft: <input type="checkbox"/> Yes <input type="checkbox"/> No	Garage Type: <input type="checkbox"/> None <input type="checkbox"/> Single <input type="checkbox"/> Double <input type="checkbox"/> Triple
B. Applicant					
Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner (if the Applicant is a corporation or partnership, name the person applying on its behalf)					
Last Name		First Name		Corporation or partnership	
Street address					Unit number
Municipality		Postal code	Province	Email	
Telephone number		Fax		Cell	
C. Owner (if different from Applicant) (if the Owner is a corporation or partnership, name the person applying on its behalf)					
Last Name		First Name		Corporation or Partnership	
Street address					Unit number
Municipality		Postal code	Province	Email	
Telephone number		Fax		Cell	
D. Builder					
Registered Name of Builder			Contact		TARION Reg. No.
Street address					Unit number
Municipality		Postal code	Province	E-mail	
Telephone number		Fax		Cell number	
E. Declaration of Applicant					
I _____ certify that:					
(print name)					
1. The information contained in this application and the attached drawings and other documentation is true to the best of my knowledge.					
2. I have authority to bind the corporation or partnership (if applicable).					
_____ Date			_____ Signature of Requestor		

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 Clause 7 (1) (b) 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. [Pre-demolition Clearance Form]
 - (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, Div. C, 1.3.1. 1..
 - (iii) Where a building is designated under the *Heritage Act*, approval must be obtained from Welland Heritage Committee.
 - (iv) Where a building is required to be reviewed by an Engineer [Div. C, 1.2.2.3. of the Ontario Building Code], provide a completed Commitment to General Reviews by Architect and Engineers form.
 - (b) On-Site Sewage System
 - (i) Requirements (ii) and (iv) below shall be prepared by a Qualified Designer (as defined in the OBC), except for the replacement of a septic tank of equal size or larger.
 - (ii) Site Evaluation Report, including soil permeability, and soil conditions, including the potential for flooding.
 - (iii) Site plan (property survey) and/or and lot grading/drainage and servicing plan.
 - (iv) Sewage system design and drawings.
 - (c) 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
 - (d) 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)
 - (e) Residential Addition or Renovation Permit
 - (ii) Site plan (property survey)
 - (iii) Foundation plan
 - (iv) Floor plan (one per floor & include framing)
 - (v) Building elevations (min. 3)
 - (vi) Building section (min. 1)
 - (vii) Private sewage system evaluation where applicable
 - (viii) Heat loss / heat gain calculations and furnace make/model and duct design layout (where applicable)

SCHEDULE "C" cont'd

- (f) New Residential Detached or Semi-Detached House
 - (i) Lot grading, drainage and servicing plan
 - (ii) Where applicable, a complete on-line sewage system permit application
 - (iii) Site plan (property survey)
 - (iv) Floor plan (one per floor)
 - (v) Floor and roof framing plans/truss specifications sealed by Professional Engineer
 - (vi) Building elevations (min. 4)
 - (vii) Building section (min. 1)
 - (viii) Mechanical ventilation form
 - (ix) Heat loss / heat gain calculations and furnace make/model and duct design layout
 - (x) Energy Efficiency Design Summary

- (g) New Residential Townhouse, Tri-plex or Four-plex
 - (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved Site Plan (agreement and drawings)
 - (iv) Floor plan (one per floor)
 - (v) Floor and roof framing plans / truss specifications sealed by a Professional Engineer
 - (vi) Building elevations (min. 4)
 - (vii) Building section (min. 1)
 - (viii) Mechanical ventilation form
 - (ix) Heat loss / heat gain calculations and furnace make/model and duct design layout
 - (x) Energy Efficiency Design Summary

SCHEDULE "C" cont'd

- (h) New Residential Apartment Building
 - (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Approved Site Plan (agreement and drawings)
 - (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) Window & door / hardware schedules
 - (xii) Room finish schedules
 - (xiii) Mechanical drawings (plumbing and HVAC)
 - (xiv) Electrical drawings (lighting, fire alarm system)
 - (xv) Sprinkler shop drawings if applicable
 - (xvi) Standpipe shop drawings if applicable
 - (xvii) Energy Efficiency Design Summary
- (i) 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) Window schedule
 - (x) Door & hardware schedule
 - (xi) Wall sections and/or details
 - (xii) Mechanical plans (plumbing & HVAC)
 - (xiii) Electrical plans (general lighting, emergency/exit lighting, and fire alarm system)
 - (xiv) Automatic sprinkler and standpipe drawings where applicable
 - (xv) Private sewage system evaluation where applicable
 - (xvi) Energy Efficiency Design Summary
- (j) Non-Residential Renovation (Part 3 or 9 Building)
 - (i) Site plan (property survey), and/or key plan
 - (ii) Floor plan(s)
 - (iii) Door, hardware and partition schedule
 - (iv) Building elevations if exterior work proposed
 - (v) Building section if exterior work proposed
 - (vi) Mechanical plans (plumbing & HVAC) where applicable
 - (vii) Electrical plans (lighting, fire alarm system) where applicable
 - (viii) Energy Efficiency Design Summary
- (k) Designated Structures
The following plans prepared and stamped by a registered Architect or Professional Engineer:
 - (i) Approved lot grading, drainage and servicing plan
 - (ii) Approved zoning certificate (including approved drawings)
 - (iii) Site plan (property survey)

SCHEDULE "C" cont'd

- (iv) Floor plan and roof plan (where applicable)
- (v) Elevations (where applicable)
- (vi) Sections and details (where applicable)

(l) Commercial Exhaust Hood (NFPA 96)

- (i) Floor plan
- (ii) Mechanical plan, details and section

(m) Electro-Magnetic Locking Devices

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

(n) Plumbing or Backflow Prevention Devices ONLY Plumbing

- (i) Plumbing Layout – Floor Plan & Details

Backflow Prevention Devices

- (i) Schematic drawing of backflow preventer in system including expansion tank, strainer & existing equipment (water meter)
- (ii) Site plan or floor plan showing location of backflow preventer
- (iii) Specification for the backflow preventer & other parts
- (iv) For existing ICI buildings where the backflow is for a sprinkler system provide complete sprinkler system hydraulic calculations (including backflow) & a riser drawing showing the location of the backflow preventer. All drawings & calculations must be stamped by a Professional Engineer."

as

(o) Private Water & Sewer Systems Permits ONLY (Site Servicing)

- (i) Approved Site Plan or Partial Site Plan Approval (agreement and drawings)
- (ii) Property Survey (Architectural Site Plan)
- (iii) Site Services plans (showing all sanitary, storm, domestic water and fire mains) sealed by a Professional Engineer
- (iv) Cross sections & profiles sealed by a Professional Engineer
- (v) Details and general notes sealed by a Professional Engineer

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 meters and bounds and compass orientation (legal description),
- (b) The location, use, height and dimensions of any existing and proposed building(s) 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,

SCHEDULE "C" cont'd

- (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 on-site sewage system report shall include the following:
- (a) The name, mailing address and telephone/fax numbers of the person who prepared the report and the system installer,
 - (b) The date the evaluation was complete,
 - (c) The provincial sewage system installer's registration number, date of issuance, and the name of the qualified person supervising the work to be done under the permit,
 - (d) A scaled map of the site showing;
 - (i) Legal description, lot size, property dimension, existing rights-of-way, easements or municipal/utility corridors,
 - (ii) The locations of items listed in Column 1 of Div.B, Tables 8.2.1.6.A, 8.2.1.6.B and 8.2.1.6.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) The proposed access routes for system maintenance.

SCHEDULE "C" cont'd

- (e) Soil investigation including;
 - (i) Depth to bedrock,
 - (ii) Depth to zones of soil saturation,
 - (iii) Soil properties and permeability,
 - (iv) Potential for flooding

- 2.7 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) Road Occupancy permit approved by the Welland Infrastructure and Development Services Traffic Division,
 - (c) Approval by the Ministry of the Environment Conservation and Parks for the design and construction of a private sewage disposal and water supply systems where applicable,
 - (d) Where applicable, approvals by the Ontario Ministries of Labour, Transport, Environment Conservation and Parks, the Ontario Liquor Control Board, Ontario Fire Marshall's Office and Niagara Peninsula Conservation Authority,
 - (e) Minister's Rulings from the Ministry of Municipal Affairs and Housing, with respect to products not addressed in the Ontario Building Code,
 - (f) Such other approvals as may be required to demonstrate compliance with "applicable law".

SCHEDULE "D"

Code of Conduct for Building Officials

1.0 Introduction

The City of Welland maintains this code of conduct in accordance with the provisions of the *Building Code Act*. This Code applies to the Chief Building Official and Inspectors as appointed by By-law 2019-xx and reflects Welland Building Department's commitment to the highest standards of professionalism, technical competence, skill, honesty, and integrity.

2.0 Purpose

The purposes of this code of conduct are:

- To promote appropriate standards of behavior and enforcement 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 Ontario Building Code;
- 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 Ontario Building Code, and;
- 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 Ontario Building code by the Chief Building Official and Inspectors.

3.0 Standards of Conduct and Professionalism

In addition to The City of Welland's Code of Conduct (Policy 2-52), the Chief Building Official and Inspectors for the City of Welland always undertake to:

- (1) Act in the public interest, particularly regarding the safety of buildings and structures.
- (2) Conduct themselves with a high degree of personal integrity and ethics, and in particular they should not place themselves, or permit themselves to be placed, in a position which would constitute, or on an objective basis give a reasonable apprehension, of a conflict of interest or breach of trust.
- (3) Exercise powers in accordance with the provisions of the *Building Code Act, 1992*, the Building Code and other applicable law that governs the authorization, construction, occupancy and safety of buildings and designated structures.
- (4) Apply all relevant building laws, regulations and standards in a consistent and fair manner, independent of any influence by interested parties.
- (5) Act honestly, reasonably and professionally in the discharge of their duties.

(6) Not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.

4.0 Guideline for responding to misconduct allegations

The *Building Code Act* provides that the performance of the Chief Building Official and Inspectors will be measured against this code of conduct. In response to any allegation of a breach of this code, the Chief Building Official, in conjunction with the Human Resources Department, shall direct an investigation and where appropriate, recommend disciplinary action against any Inspector who fails to comply with this code of conduct.

Where the allegation is against the Chief Building Official, the General Manager and the Director of Human Resources will direct the investigation and make such recommendations as are reasonable.

In determining the appropriate discipline, the Chief Building Official, the General Manager and the Manager of Human Resources will have regard to the relevance of the conduct to the official's powers and responsibilities as well as the severity of any misconduct.

Disciplinary Action arising from violations of this Code of Conduct is the responsibility of Welland's administration and is subject to relevant Collective Agreements employment laws and standards and includes corrective actions up to and including formal reprimands, suspensions and terminations of employment.

SCHEDULE "E"

Deposits

DESCRIPTION OF BUILDING AND TYPE OF CONSTRUCTION		AMOUNT OF DEPOSIT
1(a) New Main Buildings	Houses ³	\$1,000
1(b)	Other Than Houses ³	\$3,000
2(a) Additions, Accessory	Houses ³	\$250
2(b)	Other Than Houses ³	\$1,000
3(a) Alterations	Houses ³	\$250
3(b)	Other Than Houses ³	\$500
4(a) Demolitions	Main Building	\$1,000
4(b)	Accessory	\$250
5(a) Pools	Inground	\$250
6(a) Other ⁴	See Note 4	\$250

SCHEDULE "F"

Appointments

1. The following person is hereby appointed Chief Building Official for the purpose of enforcement of the Building Code Act for the Corporation of the City of Welland.

- I. Jack Tosta

2. The following persons are hereby appointed as Inspectors/Property Standards Officers for the Corporation of the City of Welland:

- I. Jennifer Blacklock

- II. Tony Ranalli

- III. Thomas Ferguson

- IV. Gary Graziani

- V. Silvestro Ravenda

- VI. Matt Richardson

- VII. Gerald Moore

- VIII. Mandy Harris

- IX. Barbara Mocny

3. That in the absence of the Chief Building Official, his designate shall have full authority to exercise the powers and perform the duties of the Chief Building Official