

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2023-063

BUILDING BY-LAW AMENDMENT

WHEREAS, Section 7(1) of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, authorizes a municipality to pass by-laws for,

- (a) prescribing classes of permits under this Act, including permits in respect of any stage of construction or demolition;
- (b) providing for applications for permits and requiring the applications to be accompanied by such plans, specifications, documents and other information as is prescribed;
- (b.1) subject to the regulations made under subsection 34 (2.1), establishing and governing a program to enforce standards prescribed under clause 34 (2) (b), in addition to any programs established under subsection 34 (2.2);
- (b.2) subject to the regulations made under subsection 34 (2.2), governing a program established under subsection 34 (2.2);
- (c) requiring the payment of fees and prescribing the amounts of the fees,
 - (i) on application for and on issuance of permits,
 - (ii) for maintenance inspections,
 - (iii) for providing documentation, records or other information under section 15.10.4, and
 - (iv) for providing information under subsection 15.10.6 (2);
- (c.1) requiring the payment of interest and other penalties, including payment of collection costs, when fees are unpaid or are paid after the due date;
- (d) providing for refunds of fees under such circumstances as are prescribed;
- (e) requiring a person specified in the building code to give notice to the chief building official or an inspector or to a registered code agency if one is appointed, of any of the stages of construction specified in the building code, in addition to the stages of construction prescribed under subsection 10.2 (1) and prescribing the period of time after such notice is given during which an inspection may be carried out;
- (f) prescribing forms respecting permits and applications for permits and providing for their use;
- (g) enabling the chief building official to require that a set of plans of a building or any class of buildings as constructed be filed with the chief building official on completion of the construction under such conditions as may be prescribed in the building code;
- (h) providing for the transfer of permits when land changes ownership;
- (i) requiring the person to whom a permit is issued to erect and maintain fences to enclose the site of the construction or demolition within such areas of the municipality as may be prescribed;
- (j) prescribing the height and description of the fences required under clause (i).

AND WHEREAS, the Council of the Corporation of Tay Valley Township enacted and passed By-Law No. 2013-005 – Building By-Law;

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AND WHEREAS, the Council of the Corporation of Tay Valley Township enacted and passed By-Law No. 2020-054 to amend Schedule "A" – Building Permit Fees of By-Law No. 2013-005;

AND WHEREAS, Schedule "A" – Building Permits Fees requires updating;

AND WHEREAS, Council deems it expedient to update Schedule "A" – Building Permits Fees, as hereinafter set out;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT, Schedule "A" – Building Permit Fees of By-Law No. 2013-005, be replaced with a revised Schedule A, attached hereto as Schedule "A".

2. BY-LAWS AMENDED AND REPEALED

2.1 By-Law No. 2020-054 is hereby repealed.

2.2 By-Law No. 2013-005 is hereby amended.

2.3 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

3. ULTRA VIRES

3.1 Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

4. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 1st day of January 2024.

ENACTED AND PASSED this 12th day of December, 2023.



Rob Rainer, Reeve





Amanda Mabo Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2023-063**

SCHEDULE "A"

BUILDING PERMIT FEES

RESIDENTIAL/FARM Building-New Construction or Addition, Demolition

Class of Permit	Fee/per sq.ft. of gross floor area
Single Detached Dwelling	
Living Space/Habitable	\$0.55
Unfinished Basement Space	\$0.30
Finish Basement Upgrade	\$0.30 (in addition to \$0.30 above)
Accessory Area (eg. Garage)	\$0.35
Plumbing fixtures or System	\$10 per fixture, \$150 minimum
Decks	\$0.35 per square foot, \$250 minimum
Solid Fuel/Wood Heat System/Appliance	\$150
Outdoor Swimming Pool and Enclosure	\$150
Outdoor Swimming Pool Fencing	\$100
Multiple residential	\$0.75
Farm Building per code	\$0.15 (OFA id.)
Demolition or Removal of Building or Building System	\$150

RESIDENTIAL/FARM Building-Renovation (Alteration/Repair)

Class of Permit	Fee/sq.ft or percentage of value
Living Space/Habitable	1.25%
Accessory Area (eg. Garage)	1.25%
Finish Basement	\$0.35 per sq.ft of gross floor area
Farm Building per code	0.33% of value (OFA id.)
Change of Use (Part 10)	1%
Multiple residential	1.5%
Demolition or Removal of Building or Building System	\$60

Non-Commercial Roof-Mounted Solar Panel Installations	\$150
Plumbing Fixtures	\$10 per fixture, \$150 minimum

COMMERCIAL Building-New Construction or Addition, Demolition

Class of Permit	Fee/sq.ft
Demolition or Removal of Building or Building System	\$150/building
Group A & B per code: Assembly & Institutional	\$1.00 to 2000 sq.ft., \$0.75 thereafter
Group D & E per code: Business & Mercantile	\$1.00 to 2000 sq.ft., \$0.75 thereafter
Group F per code: Industrial	\$1.00 to 2000 sq.ft., \$0.75 thereafter
Commercial HVAC unit	\$150 per unit

COMMERCIAL Building-Renovation (Alteration/Repair)

Class of Permit	Fee / percentage of value
Group A & B per code: Assembly & Institutional	1.5%
Group D & E per code: Business & Mercantile	1.5%
Group F per code: Industrial	1.5%
Change of Use (Part 10)	1.5%

MISC. Fees - Permit and/or Inspection (If not otherwise accounted)

Class of Permit	Fee/percentage of construction value
Conditional	10% s/c + agreement + deposit
Designated Structure as per building code, save and except Non-Commercial Roof-Mounted Solar Panel Installations	1%
Occupancy permit	\$100 (Commercial only)
Relocation of Building	\$100/building

Revision Permit	\$100, includes 1 review hour, any extra time to be billed at the plans review rate of \$50/hour
<u>Site inspection (extra):</u> -Other than mandatory -Pre-Permit or Revision -Same type more than 2x -Work Order posting	\$100/inspection
Temporary Permit	\$100+ \$30/month.+ agreement
Transfer of open permit	\$75, for new Owner(s)

OTHER Administrative Fees of the Building Department

Description	Fee/percentage of construction value
Plans Review rate / hr.	\$50 per hour, CBO
Minimum Permit Fee	\$150
Commercial application deposit for Plans Review	1%
Cancellation of permit	Graduated refund based on work done by CBO, calculated by CBO at the time
Permit Extension / Renewal (no activity after 6 months of issuance or lapse in activity for more than 1 year)	\$75 (max 1 extension available following which permit revoked, no refund of fee and return of security deposit)
Permit Expiry after 3yrs.	No refund of fee, forfeit of security deposit and/or extra fees to cover plans review and inspections undertaken after expiry
Revocation of permit (inappropriate action/inaction of applicant-false information)	No refund fee and forfeit of security deposit if required to cover site, administration or legal/planning advice
Building without permit – minor (ex. decks, sheds, pools)	Double the Permit Fee, \$1,000 minimum
Building without permit – major (ex. additions, renovations)	Double the Permit Fee, \$2,000 minimum
Building Code Act Compliance Order	\$150