



THE CORPORATION OF THE TOWN OF HALTON HILLS

BY-LAW NO. 2016-0030

A By-law to provide for the administration and enforcement of the Building Code Act within the Town of Halton Hills.

AND WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992, chapter as amended, empowers Council to pass certain by-laws with respect to construction, demolition, change of use permits, inspections and related matters.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law

- a) "Act" means the *Building Code Act*, 1992, S.O. 1992, chapter 23, as amended from time to time, and any successor thereto;
- b) "Applicant" means the Owner of a Building or property who applies for a Permit or the person authorized by the Owner to apply for a Permit on the Owner's behalf;
- c) "Architect" means the holder of a license, a certificate of practice, or a temporary license under the *Architects Act* as defined in the Building Code;
- d) "Building" means a building as defined in Section 1(1) of the Act;
- e) "Building Code" means the regulations made under Section 34 of the Act;
- f) "Chief Building Official" means the person appointed as Chief Building Official by the Council for the purpose of enforcement of the Act;
- g) "Construction Value" means the value prescribed by the Chief Building Official to represent the total value of all work, services and material associated with the construction for which a Permit is applied, including all professional and related services;
- h) "Council" means the Council of the Corporation of the Town of Halton Hills;
- i) "Inspector" means a person appointed by Council as an Inspector,
- j) "Mandatory Sewage Systems Maintenance Inspection Program" means inspections program established under the authority of Section 34.(2).(b) and Section 34.(2.2) of the Building Code Act and Section 1.10.2., Division C of the 2012 Building Code.
- k) "Owner" means the registered Owner of the land upon which is located, or will be located, the Building or part thereof for which an application for a Permit is, or has been made;

- l) "Permit" means permission or authorization given in writing by the Chief Building Official,
 - (i) To perform work regulated by the Act or the Building Code or both; or
 - (ii) To change the use of a Building or part of a Building as regulated by the Act or the Building Code or both; or
 - (iii) To occupy a Building or a part thereof;
- m) "Permit Holder" means an Owner, or Applicant, to whom the Permit has been issued;
- n) "Professional Engineer" means a person who holds a license or a temporary license under the Professional Engineer's Act, as defined in the Building Code.
- o) "Registered Code Agency" means a person or an entity that has the qualifications and meets the requirements set out in the Building Code;
- p) "Site Plan" means a plan prepared and certified by a registered Ontario Land Surveyor, showing: lot size and the dimensions of property lines and setbacks to any existing or proposed Buildings; existing and finished ground levels or grades; and existing rights-of-way, easements and municipal services; and
- q) "Town" means the Corporation of the Town of Halton Hills.

CLASSES OF PERMITS

- 2. Classes of permits with respect to the construction, demolition, change of use and occupancy of buildings and Permit fees shall be as set out in Schedule "A" to this By-law.

REQUIREMENTS FOR FILING PERMIT APPLICATIONS

- 3. (1) To obtain a Permit, an Applicant shall file a complete application on the form available from the Chief Building Official, or from the Ministry of Municipal Affairs and Housing, together with the applicable requirements set out in Subsections (2) to (9) to this Section; and
- (2) All documents and drawings accompanying an application shall be coordinated and consistent with the description of the proposed work.
- (3) Where this By-law requires the Owner or Applicant to submit a form or document, and the required form or document is not prescribed by applicable federal, provincial or municipal legislation, the Chief Building Official is authorized to design, prepare, produce and provide to the Owner or Applicant the required form or document, and the Owner or Applicant shall use the form or document so provided in completing the required submission.

Building Permits

- (4) Every application for a Permit to construct a Building shall:
 - a) Identify and describe in detail the work to be done and the existing and proposed use and occupancy of the Building, or part thereof, for which the application for a Permit is made;

- b) Be accompanied by the plans, specifications, documents and other information prescribed in Section 4 of Schedule B to this By-law; and
- c) Be accompanied by the appropriate fee calculated in accordance with the Fees as listed Schedule A to this By-law.

Demolition Permits

- (5) Every application for a Permit to demolish a Building shall:
- a) Identify and describe in detail the work to be done and the existing use and occupancy of the Building, or part thereof, for which the application for a Permit is made, and the proposed use and occupancy of that part of the Building, if any, that will remain upon completion of the demolition.
 - b) Be accompanied by the plans, specifications, documents and other information prescribed in Section 4 and Schedule B to this By-law;
 - c) When Sentence 1.2.2.3.(1), Division C of the 2012 Building Code applies, be accompanied by a signed statement of the Professional Engineer on the form provided by the Chief Building Official, undertaking to provide general review of the demolition of the Building;
 - d) Be accompanied by the appropriate fee calculated in accordance with Schedule A to this By-law.
 - e) Be accompanied by confirmation that:
 - (i) Arrangements have been made with the proper authorities for the safe and complete disconnection of all existing water, sanitary and storm sewer, gas, electric, telephone and other utilities; and
 - (ii) Arrangements have been made with Heritage Halton Hills to satisfy their interest in the history of the subject Building.

Conditional Building Permits

- (6) Where the issuance of a conditional building Permit respecting the construction of a Building or part of a Building is sought, an application for a building Permit respecting the complete construction of the Building, or part of a Building, shall be submitted, and the plans, specifications, documents and other information as required, shall be supplemented by:
- a) A written acknowledgement from the Applicant of the necessary approvals which must be obtained in respect of the proposed construction and the time period in which such approvals shall be obtained by the Applicant; and
 - b) A written agreement from the applicant to assume all risk in commencing the construction; and
 - c) A written agreement, in a form provided by the Chief Building Official, executed by the Applicant, the Owner and such other necessary persons the Chief Building Official determines for the purpose set out in clause 8(3)(c) of the Act.

- d) Financial securities for compliance with subclause 8.(3)(c)(iv) of the Building Code Act.
- (7) Where a conditional building Permit is sought, and where the Applicant has complied with Subsection 3(6) to this By-law, and where the Chief Building Official is satisfied that the compliance required under clause 8(3)(a) of the Act has been achieved, and where the Chief Building Official is of the opinion that unreasonable delays in construction would result if a conditional building Permit were not issued, the Chief Building Official is hereby authorized to execute on behalf of Town the written agreement referred to in Clause 3(6)(c) to this By-law as part of the conditional building Permit application.
- (8) Where deemed necessary by the Chief Building Official, the agreement referred to in clause 3(6)(b) of this By-law may be registered on title to the lands upon which is located or will be located the Building, or part thereof, for which the application for Permit has been made, and the Chief Building Official shall require financial securities be provided to the Town.

Change of Use Permits

- (9) Every application for a change of use Permit shall:
 - a) Identify and describe in detail the existing and proposed use and occupancy of the Building, or part thereof, for which the application for a Permit is made.
 - b) Be accompanied by plans and specifications which show the current and proposed occupancy of all parts of the Building and which contain sufficient information to establish compliance with the Building Code, including but not necessarily limited to, floor plans, details with wall, ceiling and roof assemblies identifying existing fire resistance ratings and load bearing capacities and details of the existing sewage system, if any;
 - c) Be accompanied by the appropriate fee calculated in accordance with Schedule A to this By-law, and
 - d) Be accompanied by the completed documents prescribed in Schedule B to this By-law.

REQUIREMENTS FOR PLANS AND SPECIFICATIONS

- 4. (1) Every Applicant shall submit sufficient plans, specifications, documents and other information to enable the Chief Building Official to determine whether the proposed Building, construction, demolition or change of use will contravene the Act, the Building Code or any other applicable law.
- (2) The Chief Building Official shall determine the plans, specifications, documents and other information required to be submitted with an application in order to keep it complete according to sentence 1.3.1.3.(5), Division C of the 2012 Building Code, having regard for:
 - a) The scope of the proposed work;
 - b) The requirements of the Building Code, the Act and all applicable law; and
 - c) The requirements of this Section and Schedule B to this By-law.

- (3) Plans, specifications, documents and other information shall be submitted in a permanent medium upon paper or other durable material and shall contain text that is legible and drawings that are legible, complete, fully dimensioned and to scale.
- (4) Site plans submitted by an Applicant shall be referenced to a current plan of survey prepared and certified by a registered Ontario Land Surveyor, and a copy of the survey shall accompany the site plan submission, except where the Chief Building Official waives the requirement to do so. Site plans shall show:
 - a) Lot size and the dimensions of property lines and setbacks to any existing or proposed Buildings;
 - b) Existing and finished ground levels or grades; and
 - c) Existing rights-of-way, easements and municipal services.
- (5)
 - (a) A certificate, prepared by a registered Ontario Land Surveyor, confirming the location of the foundation(s) on the property for the buildings and the top of foundation elevations, shall be submitted and approved prior to the commencement of above-grade framing or structure.
 - (b) Where a fire route is required and indicated on the approved Site Plan, as-constructed layout of the fire route must be certified by an Ontario Land Surveyor and must be submitted prior to giving the Town notice for an occupancy inspection.
- (6) On completion of the construction of a Building, or part of a Building, the Chief Building Official may require submission of a set of plans of the Building or part of a Building, as constructed, together with a plan of survey, prepared and certified by an Ontario Land Surveyor, showing the location of the Building.

COMPLIANCE VIA ALTERNATIVE SOLUTIONS

5. Where a design differs from the "Acceptable Solution" in Division B of the 2012 Building Code, then it shall be treated as "Alternative Solution". A proponent of an Alternative Solution must demonstrate that the Alternative Solution addresses the same issues as the applicable solution in Division B and their attributed "Objectives" and "Functional Statements". In accordance with clause 1.2.1.1.(1)(b), it must be demonstrated that an Alternative Solution will perform as well as a design that would satisfy the applicable Acceptable Solution in Division B.

INCOMPLETE PERMIT APPLICATIONS

6.
 - (1) An application shall be deemed not to be complete until all the requirements set out in article 1.3.1.3., Division C of the 2012 Building Code have been complied with.
 - (2) The Chief Building Official may accept an incomplete application. Within two days the applicant will be advised in writing that the application is incomplete and will also be provided with the reasons for the determination.

ABANDONED PERMIT APPLICATIONS

7.
 - (1) An application for a Permit shall be deemed to have been abandoned by the Applicant where:

- a) The application is incomplete and remains incomplete six months after it was submitted; or
- b) The Chief Building Official has determined that the proposed Building, construction, demolition or change of use will not comply with the Act or the Building Code or will contravene any other applicable law.

PERMIT ISSUANCE

- 8. (1) Where the applicable requirements of Section 3 to this By-law have been complied with, and the Chief Building Official has determined that the proposed Building, construction, demolition or change of use will not contravene the Act, the Building Code or any other applicable law, the Chief Building Official shall issue a Permit.
- (2) Where the issuance of a conditional building Permit respecting construction of a Building or part of a Building is sought, and the requirements of Subsection 3(6) to this By-law have been complied with, an agreement under Subsections 3(6) has been executed, financial securities paid and, the Chief Building Official has determined that the proposed Building or construction will not contravene the Act, the Building Code or any other applicable law, the Chief Building Official may issue a conditional building Permit, but the Chief Building Official shall not be under any obligation, by reason of the issuance of such a Permit, to issue any further Permit or Permits relating to other parts of the Building or to the entire Building.

REVISION TO PERMITS

- 9. Should a Permit Holder wish to make any material change to any plan, specification, document or other information on the basis of which the Permit was issued, the Permit Holder shall submit to the Town the revised design documentation that, depending on the scope of the changes, will be reviewed under the original permit or a new application for a Supplementary permit (-01) will have to be made. The provisions of Section 3 and 4 of this By-law shall apply to such application.

TRANSFER OF PERMITS

- 10. (1) If the ownership of the land changes after a Permit has been issued, the Permit may be transferred to the new Owner (the “transferee”) of the lands where an application is filed with the Town in writing in accordance with Section 10(2) to this By-law.
- (2) Every application for the transfer of Permit shall:
 - a) Include a written statement from the current Permit Holder authorizing the transfer of the Permit to the transferee;
 - b) Include proof of ownership of the lands by the transferee satisfactory to the Chief Building Official;
 - c) Confirm that the work to be done and the existing and proposed use and occupancy of the Building or part thereof, for which the application for the transfer of the Permit is made, is the same as that identified and described on the application for the Permit;
 - d) State the name, address and telephone number of the proposed transferee;

- e) State the name, address, telephone number and facsimile number of the proposed Architect, Professional Engineer or other designer and their Building Code qualifications, where they are different from those identified in the application for the Permit;
 - f) Include a written confirmation from the original or proposed Architect or Professional Engineer(s), or both, that they have been retained to undertake general review of the construction or demolition on behalf of the transferee where required under the Building Code;
 - g) Include, where the proposed transferee is a builder as defined in the Ontario New Home Warranties Plan Act, or any successor thereto, the proposed transferee's registration number thereunder; and
 - h) Be signed by the Permit Holder and by the proposed transferee each of whom shall certify as to the truth of the contents of the application.
 - i) Be accompanied by the appropriate fee in accordance with Schedule A to this By-law.
- (3) Upon the issuance of transfer of a Permit to the transferee, the transferee shall be deemed to be the Permit Holder and the original Permit Holder have no further rights or obligations under the Permit save and except for any obligations set out in any agreements entered into for the purposes of Clause 8(3)(c) of the Act.

REVOCAION OF PERMITS

11. (1) Prior to revoking a Permit pursuant to Section 8(10) of the Act, the Chief Building Official shall give written notice of his or her intention to revoke the Permit to the Permit Holder's address shown on the application or to such other address as the Permit Holder may provide to the Town for that purpose. If on the expiration of thirty (30) days from the date of such notice, the ground for revocation continues to exist, the Permit may be revoked without further notice and all submitted plans, specifications, documents and other information may be disposed of.
- (2) Notice under Subsection 11(1) to this By-law shall be given either personally or by registered mail and where notice is by registered mail, it shall be deemed to have been given on the third day after the day of mailing.

FEEES AND REFUNDS OF FEES

12. (1) A fee is to be paid as part of a Permit application, calculated in accordance with Schedule A to this By-law, and shall be due and payable, in full, upon the submission of the application for a Permit. No Permit shall be issued until the fees therefore have been paid in full.
- (2) The Chief Building Official, or his designate, shall determine the appropriate Building category, floor area and/or value, and that determination shall be final.
- (3) Where fees payable in respect of an application are based on a floor area, the floor area shall mean the total floor space of all storeys above grade, or below grade for an underground Building, measured as the horizontal area between the outer face of exterior walls and to the centre of party walls or demising walls.

- (4) Fees payable in respect of a Conditional Permit issued under Subsection 8(3) of the Act shall be paid for the complete project in accordance with Schedule A to this By-law.
- (5) Where fees payable in respect of an application for a Change of Use Permit issued under Subsection 10(1) of the Act are based on a floor area, the floor area shall mean the total floor space of all storeys subject to the change of use.

Plan Re-examination Fees

- (6) Where an Applicant substantially revises a proposed building design after examination of a previous submission has already been undertaken, a re-examination fee shall apply as set out in Schedule A to this By-law.

Additional Inspection Fees

- (7) An additional inspection fee as set out in Schedule A to this By-law, where:
 - a) Any of the prescribed notice requirements under the Building Code, or the additional notices required under this By-law, have not been complied with;
 - b) Any substantial portion of work required to be inspected is covered prior to an inspection being undertaken;
 - c) More than two inspections are required due to construction being incomplete or not in compliance with the Building Code;
 - d) A Building is occupied before a notice to inspect is received; or
 - e) An inspection is requested to confirm that outstanding items have been completed or corrected.

Additional Fee where the Construction Commenced without a Permit

- (8) Where construction or demolition is carried out prior to permit issuance to offset the additional investigative and administrative costs incurred by the Municipality, the Permit Fee prescribed in Scheduled A to this By-law shall be increased by 50% of the respective Building Permit Fee up to a maximum of \$5000.00.
- (9) An occupancy inspection will not be performed unless all outstanding additional fees per Subsection 12(7) of this By-law have been paid.

FEE REFUNDS

- (10) If requested in writing by an Applicant or Permit Holder where:
 - a) An Applicant withdraws in writing an application for a Permit;
 - b) The Chief Building Official refuses to issue a Permit for which an application has been made; or
 - c) The Chief Building Official revokes a Permit after it has been issued, the Chief Building Official shall calculate the portion of any fee paid that may be refunded and authorize the payment thereof in accordance with Subsections 12(10) to 12(15) to this By-law.

- (11) Seventy-five per cent (75%) of the Permit fee paid in accordance with Schedule A to this By-law shall be refunded if only the application administrative functions have been performed.
- (12) Fifty per cent (50%) of the Permit fee paid in accordance with Schedule A to this By-law shall be refunded if the following have been performed:
 - a) The functions described in Subsection 12(11) to this By-law,
 - b) All or part of technical plans review functions, and
 - c) The Permit has not been issued.
- (13) Twenty-five per cent (25%) of the fee paid shall be refunded if the Permit has been issued but no inspection has been performed.
- (14) Notwithstanding Subsection 12(9) to 12(13) to this By-law, no refund of any portion of the Permit fee paid in accordance with Schedule A to this By-law shall be made if any construction or demolition has commenced.
- (15) No refund shall be payable where the amount calculated in accordance with this Section is less than \$100.00.
- (16) Any amount authorized by the Chief Building Official to be refunded shall be paid to the Applicant or Permit Holder, unless he directs in writing that it be refunded to another person.

REGISTERED CODE AGENCIES

- 13. (1) Subject to the provisions of the Act and the Building Code, the Town may enter into agreements with Registered Code Agencies authorizing an agency to perform the functions specified in the agreement with respect to the construction of any Building or class of Building specified in the agreement.
- (2) Where the Town has entered into an agreement with a Registered Code Agency, the Chief Building Official is authorized to appoint the Registered Code Agency to perform specified functions in respect of the construction of a Building or a class of Buildings from time to time in order to maintain the time periods for Permits prescribed in Subsection 1.3.1, Division C of the 2012 Building Code.
- (3) An appointment under Section 14 may include any one or more of the specified functions described in Section 15.15 of the Act.

INSPECTION NOTICES

- 14. (1) The Permit Holder shall give notice of the following stages of construction in addition to the notices prescribed per Article 1.3.5.1, Division C of the 2012 Building Code;
 - a) Commencement of construction of:
 - (i) Masonry fireplaces and masonry chimneys;
 - (ii) Factory-built fireplaces and allied chimneys; and
 - (iii) Stoves, ranges, space heaters and add-on furnaces using solid fuel and allied chimneys.
 - b) Substantial completion of:
 - (i) Exterior cladding and grading

- (2) A notice required to be given by a Permit Holder to the Chief Building Official or Registered Code Agency pursuant to Subsection 1.3.5, Division C of the 2012 Building Code shall be given to the Chief Building Official or Registered Code Agency at least two days in advance of the construction stage of which notice is being given.
- (3) A notice given to the Chief Building Official pursuant to Subsection 1.3.5, Division C of the 2012 Building Code may be given orally or in writing to either the Chief Building Official or his designate, or Registered Code Agency.
- (4) A notice given pursuant to Subsection 14(3) of this By-law is not deemed effective until actually received by the Chief Building Official or his designate, or Registered Code Agency as the case may be.
- (5) When a Mandatory Sewage Systems maintenance inspection is required in accordance with article 1.10.2.3., Division C, of the 2012 Building Code, the property owner shall, within the given time
 - a) contact the municipality to arrange for an inspection of the existing on-site sewage disposal system, or
 - b) submit all documentation as deemed necessary for compliance with the requirements set out in Schedule D to this By-law.

FENCES AT CONSTRUCTION AND DEMOLITION SITES

- 15. (1) Where in the opinion of the Chief Building Official or an Inspector, a construction or demolition site presents a hazard to the public, he or she may require the erection of such fencing as deemed appropriate to the circumstances, such as described in Subsection 8.2.1, Division B of the National Building Code.
- (2) In considering the necessity for fencing the hazard presented by the construction or demolition site, the Chief Building Official or Inspector shall have regard for,
 - a) The proximity of the construction or demolition site to other occupied Buildings;
 - b) The proximity of the construction or demolition site to lands accessible to the public, including but not limited to streets, pools, commercial and institutional activities;
 - c) The hazards presented by the construction or demolition activities and materials;
 - d) The feasibility and effectiveness of site fencing; and,
 - e) The duration of the hazard.

SEVERABILITY

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

CODE OF CONDUCT FOR BUILDING OFFICIALS

17. Subsection 7.1(1) of the Act requires the Town to establish and enforce a Code of Conduct for the Chief Building Official and Inspectors. All building officials under the employ of the Town shall abide by the Code of Conduct set out in Schedule C to this By-law, with respect to exercising powers and performing duties under the Building Code Act.

INTERPRETATION AND IMPLEMENTATION

18. This By-law comes into effect on May 30th, 2016.
19. By-law 2007- 0022 is hereby repealed.
20. Schedules A, B, C and D as attached shall form part of this By-law.
21. Fees listed in Schedule A and current Rates and Service Charges By-law, as amended from time to time represent the Building Permit Fees for the current time period. Any and all changes to the fees will be presented to Council for approval in the reports produced by the Finance Department.

BY-LAW read and passed by the Council for the Town of Halton Hills this 30th day of May, 2016.

Originally Signed By:

MAYOR – Rick Bonnette

Originally Signed By:

CLERK – Suzanne Jones

SCHEDULE A

A detailed list of the all fees and rates related to the administration and enforcement of the Building Code Act and Regulations (including building, demolition and change of use permit fees, and other applicable fees and rates) as well as the explanatory Notes are included in the Town of Halton Hills Rates and Service Charges By-law, as amended from time to time.

Fees for the implementation of Mandatory Sewage Systems Maintenance Inspection Program will be as follows:

- (a) \$240/inspection, where all applicable work (administration and inspection) is performed by the Town staff;
- (b) \$60/review, where only administration work is performed by the Town staff (the Inspection Report and Certificate being submitted to the Town for review and recording).

The fees associated with the implementation of the MSSMIP will be applicable for the year 2016 only. The applicable 2017 fees for these services will be included in the Town of Halton Hills Rates and Service Charges By-law, as amended from time to time.

SCHEDULE B - PART A

DOCUMENTS & DRAWINGS REQUIRED FOR PERMIT APPLICATIONS

| Row | Class of Permit | Documents and Drawings Required |
|------------|--|--|
| 1. | Building Permit Residential - New - Detached houses - Semi Detached/ Duplex houses - Triplexes - Fourplexes - Town Houses | Documents (a) Confirmation of compliance with applicable law (b) TARION Registration Form Drawings & other technical design information (a) Site Plan (b) Lot Grading Plan (c) Architectural Drawings (d) Structural Drawings (e) HVAC Drawings (f) Energy Efficiency documentation (g) Sizing of Water Service line |
| 2. | Building Permit Residential - Alterations - Additions - Accessory Buildings | Documents (a) Confirmation of compliance with applicable law Drawings & other technical design information (a) Site Plan (b) Lot Grading Plan (c) Architectural Drawings (d) Structural Drawings (e) HVAC Drawings (f) Assessment of the existing sewage system design. (g) Energy Efficiency documentation |

| | | |
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| | | (h) Sizing of Water Service line, where applicable. |
| 3. | <p>Building Permit</p> <p>Non-residential and other residential not provided for in Rows 1 and 2</p> <ul style="list-style-type: none"> - New Buildings - Additions | <p>Documents</p> <ul style="list-style-type: none"> (a) Confirmation of compliance with applicable law (b) Commitment to General Reviews by Architect & Engineers (c) Ontario Building Code Data Matrix (d) Land and Building Use Declaration (e) Sizing of Water Service line, where applicable (f) Development charges forms completed by the owner/designer <p>Drawings & other technical design information</p> <ul style="list-style-type: none"> (a) Site Plan (approved, where applicable) (b) Grading Plan (approved, where applicable) (c) Architectural Drawings (d) Structural Drawings (e) HVAC Drawings (f) Site Servicing Drawings (approved where applicable) (g) Plumbing Drawings (h) Electrical Drawings (i) Fire Protection Systems Drawings (j) Energy Efficiency documentation <p>Assessment of the existing sewage system, where applicable.</p> |
| 4. | <p>Building Permit</p> <p>Non-residential</p> <ul style="list-style-type: none"> - Alterations - Renovations - Tenant Improvements | <p>Documents</p> <ul style="list-style-type: none"> (a) Confirmation of compliance with applicable law (b) Commitment to General Reviews by Architect & Engineers (c) Ontario Building Code Data Matrix (d) Sizing of Water Service line, where applicable <p>Drawings & other technical design information</p> <ul style="list-style-type: none"> (a) Site Plan (b) Architectural Drawings (c) Structural Drawings (d) HVAC Drawings (e) Site Servicing Drawings (f) Plumbing Drawings (g) Electrical Drawings (h) Fire Protection Systems Drawings (i) Assessment of the existing sewage system, where applicable |
| 5. | <p>Building Permits</p> <ul style="list-style-type: none"> - Other than Rows 1 to 4 | <p>Documents</p> <ul style="list-style-type: none"> (a) Confirmation of compliance with applicable law (b) Documents from rows 1 to 4 or other documents which are applicable to the scope of work proposed |

| | | |
|----|-----------------------------|---|
| | | <p>Drawings & other technical design information</p> <p>(a) Drawings from rows 1 to 4 which are applicable to the scope of work proposed</p> |
| 6. | Change of Use Permit | <p>Documents</p> <p>(a) Confirmation of compliance with applicable law</p> <p>(b) Commitment to General Reviews by Architect & Engineers</p> <p>(c) Ontario Building Code Data Matrix</p> <p>Drawings & other technical design information</p> <p>(d) Location Plan</p> <p>(e) Architectural Drawings</p> <p>(f) Structural P. Eng.'s assessment report</p> <p>(g) HVAC Drawings</p> <p>(h) Plumbing Drawings</p> <p>(i) Electrical Drawings</p> <p>(j) Fire protection Drawings</p> <p>(k) Sewage System Assessment Report</p> |
| 7. | Demolition Permit | <p>Documents</p> <p>(a) Confirmation of compliance with applicable law</p> <p>(b) Commitment to General Review by Engineer, where applicable</p> <p>(c) Demolition Agreement/ confirmation of clearances</p> <p>(d) Site Plan Drawing indicating a building to be demolished</p> <p>(e) Description of the structural design characteristics and the method of demolition , where applicable</p> |

Notes:

A description of the information required on drawings is contained in Part B of this Schedule.

The Chief Building Official may waive the requirements for any specified documents or drawings where the scope of the work, applicable law or Building Code requirements does not necessitate its submission.

A Site Plan referenced to a current survey certified by a registered Ontario Land Surveyor shall be filed with the Municipality unless this requirement is waived because the Chief Building Official is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code and any other applicable law.

Notwithstanding the above, if required for the scope of work proposed, the Chief Building Official may require additional design to be submitted.

SCHEDULE B – PART B

INFORMATION REQUIRED ON DRAWINGS

| Item | Drawing Type | Information required | Class of Permit – Part A Row No. | | | | | |
|------|---------------|---|----------------------------------|---|---|---|---|---|
| | | | 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | Site Plan | a) Legal description, survey property lines, property dimensions, compass orientation, location and names of adjacent roads | X | X | X | X | X | X |
| | | b) Outline of all existing and proposed buildings and structures, building dimensions and their distance to property lines | X | X | X | X | X | X |
| | | c) Dimensions and location of parking vehicle access and fire routes | | | X | X | | X |
| | | d) Dimensions and location of barrier-free parking, curb cuts, path of travel to Building and building access | | | X | X | | X |
| 2. | Grading Plan | a) Signature and seal of Professional Engineer, landscape Architect or Ontario land surveyor | X | | X | | | |
| | | b) Property lines, easements sidewalks, driveways, building location, curb cuts, retaining walls | X | | X | | | |
| | | c) Existing and proposed elevations within the site and at property lines (including adjacent lands), retaining wall elevation, slopes and driveways, drainage flow and swales | X | | X | | | |
| | | d) Location of catch basins, above and below ground utilities, and connections to services | | | X | | | |
| 3. | Architectural | a) Existing plans showing construction and room and space identification of all floors in the area of proposed work or occupancy | | X | X | X | | X |
| | | b) Plans of all floors including basements complete with all rooms and room names | X | X | X | X | | X |
| | | c) Roof plan showing roof slope, drainage, roof and roofing construction details | X | X | X | X | | |
| | | d) Building elevations showing grade, floor and ceiling heights, overall building height, exterior finish materials, window heights and sizes and spatial separation requirements | X | X | X | X | | |

| | | | | | | | | | |
|----|------------|--|---|---|---|---|--|--|---|
| | | e) Residential construction details including proposed wall section from footing to roof, specifications of all wall, floor and roof assemblies and all building materials and construction specifications | X | X | | | | | X |
| | | f) Stairs, guards and handrail dimensions and details, window sizes and height above floor level; location and fuel type of all fireplaces. | X | X | X | X | | | X |
| | | g) Mezzanine plan showing construction, guardrails, egress | | | X | X | | | |
| | | h) Location and details of barrier free entrances and barrier free washrooms | | | X | X | | | X |
| | | i) Reflected ceiling plans, bulkhead details, horizontal service shaft details | | | X | X | | | |
| | | j) Roof equipment screening, anchorage for window washing, roof access | | | X | | | | |
| | | k) Building cross sections showing grade, floor and ceiling heights, horizontal and vertical fire separations | X | X | X | X | | | X |
| | | l) Enlarged sections and detail plans of washrooms and exit stairs | | | X | X | | | |
| | | m) Wall sections, plan and section construction details | X | X | X | X | | | X |
| | | n) Exit stair enclosure, wall construction details, fire separations and listed design numbers, door numbers referenced to a door schedule | | | X | X | | | |
| | | o) Door and hardware schedule, door and frame details, window schedule, room finish schedule | | | X | X | | | |
| 4. | Structural | a) Foundation plans, floor and roof framing plans, footing, column and beam schedules, structural details and material specifications | X | X | X | X | | | |
| | | b) Design specifications, live and dead loading, wind and snow loading, earthquake loading, geotechnical report design basis | | | X | X | | | |
| | | c) Structural drawings sealed by a Professional Engineer for all structural elements not within the scope of part 9 of the Building Code | X | X | | | | | |
| | | d) Roof and floor truss drawings sealed by a Professional Engineer | X | X | | | | | |

| | | | | | | | | |
|----|---------------------------|--|---|---|---|---|--|---|
| 5. | HVAC | a) Heating, ventilating and air conditioning plans, service shafts, equipment layout and schedules | X | X | X | X | | |
| | | b) Heat loss and gain calculations, ventilation design summary | X | X | X | X | | |
| | | c) Fire damper locations, kitchen exhaust equipment | | | X | X | | |
| 6. | Plumbing & Site Servicing | a) Plumbing and drainage plans; location and sizing of under and above ground storm, sanitary and water supply piping and appurtenances | | | X | X | | |
| | | b) Location of fire stopping; specifications of plumbing and fire-stopping materials | | | X | X | | |
| 7. | Electrical | a) Electrical supply and distribution plans; location of power and lighting outlets; equipment schedules; transformer locations | | | X | X | | |
| | | b) Location and specification of emergency lighting, emergency generators and exit signage | | | X | X | | |
| 8. | Fire Protection | a) Fire hydrant locations, sprinkler and standpipe distribution plans and schedules; sprinkler head layout; fire hose cabinet locations | | | X | X | | |
| | | b) Location and specification of emergency lighting, emergency generators and exit signage; fire alarm system annunciator, diagrams and specifications | | | X | X | | |
| | | c) Location of smoke alarms and carbon monoxide detectors * | X | X | X | X | | X |

Notes:

- a) Where indicated by an X, the information described is required to be included on the drawings for the class of Permit specified.
- b) Required information may be located or consolidated on other drawings rather than as specified in this schedule.
- c) The Chief Building Official may waive the requirement for any required information specified in this schedule due to limited scope of work, applicable law or Building Code requirements.
- d) Notwithstanding the above, if required, for the scope of work proposed, the Chief Building Official may require additional information to be submitted.

SCHEDULE C

CODE OF CONDUCT FOR BUILDING OFFICIALS

PURPOSE

The following are the purposes of this code of conduct:

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

ENFORCEMENT GUIDELINES

Compliance with this code of conduct is a serious matter to the Town and the public, and will be treated as such. Compliance shall constitute a condition of employment as a Chief Building Official or Inspector appointed under the *Building Code Act*. Any appointed Chief Building Official or Inspector who fails to act in accordance with the provisions of this code may be subject to disciplinary action appropriate to the seriousness of the breach. All allegations concerning a breach of this code shall be made in writing.

Any person who has reason to believe that this code of conduct has been breached may bring the matter to the attention of the Chief Building Official. Where the allegation concerns the actions of the Chief Building Official, the matter may be brought to the attention of the senior staff person to whom the Chief Building Official reports.

Any Chief Building Official or senior staff person who receives information in writing concerning a significant breach of this code shall review the allegations of breach and, where justified, shall direct an investigation. Where appropriate, the Chief Building Official or senior staff person shall recommend disciplinary action in accordance with the employment standards of the place of work. All communications received by a Chief Building Official or senior staff person concerning a breach of this code shall be held in confidence. The Chief Building Official or senior staff person shall advise Council in writing about the particulars of the alleged breach, its investigation and the final disposition of the matter upon its conclusion.

Disciplinary action arising from violations of this code of conduct is the responsibility of the Town and the Chief Building Official, and will be based on the severity and frequency of the violation in accordance with employment laws and standards, and relevant collective agreements.

CODE OF CONDUCT

In exercising powers and performing duties under the *Building Code Act*, the Chief Building Official and Inspectors shall:

1. Exercise powers in accordance with the provisions of the *Building Code Act*, the Building Code and other applicable law that governs the authorization, construction, occupancy and safety of buildings and designated structures, and the actions, duties and qualifications of Chief Building Officials and Inspectors;

2. Act to identify and enforce compliance where significant contraventions of the Act or regulations are known to exist;
3. Apply all relevant building laws, regulations and standards in a consistent and fair manner, independent of any influence by interested parties;
4. Not accept any personal benefit which may create conflict with their duties; or perform duties where a personal interest may create a conflict;
5. Act honestly, reasonably, professionally, efficiently and in a timely manner, and with integrity, objectivity and impartiality, in the discharge of their duties.
6. Act in the public interest with respect to health and safety issues related to Buildings, and take all reasonable precautions to ensure the safety of the public, Town staff and themselves.
7. Act within the area of qualification obtained under the Act, seek assistance when required, and participate in training as required by the Occupational Health and Safety Act, the Building Code Act and other legislation.
8. Conduct themselves with the highest degree of ethical behaviour and integrity; ensure that public confidence and trust are maintained at all times; protect and promote the best interests of the Town; ensure the protection and appropriate use of the Town's resources and assets; and perform duties without misleading the public.
9. Be ambassadors and reflect a professional image at all times; treat the public and each other with respect at all times; be reasonable and fair in their expectations of others; resolve conflicts in a professional manner; be courteous and considerate to all through language and actions; recognize the barriers of discrimination and disadvantage faced by human rights protected groups; and recognize the dignity of all people by equitable treatment of the public and staff.
10. Obtain qualifications as required to be appointed and to remain appointed under the Act; maintain qualifications as requirements evolve and/or change; keep current on construction practices and standards through continuous education and training; and be mentors to each other at all time.
11. Maintain confidentiality regarding Town business; disclose information only in compliance with the Municipal Freedom of Information and Protection of Privacy Act; and ensure that no information collected, produced or obtained in the course of duties, whether reports, memos, verbal/written/electronic communication is disclosed without proper approval.

The conduct of non-union Town staff, elected officials and citizen appointees is governed by the Code of Conduct set out in Schedule H to the Town's Personnel Policy Manual. In the event of a conflict between the provisions of that Code of Conduct and those contained herein, the more stringent provision shall apply.

This code of conduct shall be brought to the attention of the public in the following manner:

- Posting on the Town web site
- Posting in a conspicuous location at the customer service counter for Building Services.

SCHEDULE D

By-Law No. 2016-

MANDATORY SEWAGE SYSTEMS MAINTENANCE INSPECTION PROGRAM

Authority for Inspections

The Clean Water Act, 2006 (CWA) was developed as a result of Justice O'Connor's Walkerton report, which identified improperly installed and poorly maintained septic systems as a potential threat to drinking water. In order to establish and govern Mandatory Sewage Systems Maintenance Inspection Programs (MSSMIPs), the CWA included requirements for amendments to the Ontario Building Code (Ontario Regulation 315/10). Article 1.10.2.3., Division C of the Ontario Building Code requires that principal authorities (i.e. municipalities) to establish and administer these programs. Under the CWA and its Regulation, Source Protection Areas, Source Protection Regions, and 19 corresponding Source Protection Committees were established in Ontario. A Source Protection Plan that was developed for each Source Protection Area provided a strategy and set of policies which outlined how water quantity and quality for municipal drinking water systems will be protected from current and future threats. These threats were identified through technical and scientific work in the Assessment Reports. Mandatory on-site sewage systems maintenance inspection programs relate to vulnerable areas described in the Source Water Protection Plans and Assessment Reports, both developed under the Clean Water Act.

The Town of Halton Hills is located in the CTC Source Protection Region (CTC SPR). There are three (3) Source Protection Authorities in the CTC SPR: Credit Valley, Toronto and Region, and Central Lake Ontario. Each of these authorities has developed its Assessment Program. These programs provided land-uses information, identified the locations of drinking water sources, and highlighted threats and issues that result in overuse and contamination of drinking water sources. The CVC Assessment Report applicable to the Halton Hills area was approved in January 2012.

The original CTC Source Protection Plan (CTC SPP) was submitted for approval in October, 2012. Throughout 2013-2014, the CTC SPP was amended to address new drinking water threats and vulnerable areas. The amended CTC SPP submitted for approval to the Minister of the Environment and Climate Change in December, 2014 was approved on July 28, 2015 (effective date: December 31, 2015).

The CTC SPP identified private on-site sewage systems as potential significant threats to our municipal drinking water systems. Small on-site sewage disposal systems (for single-family dwellings and small businesses) are regulated under the Building Code Act, 1992. Large systems (greater than 10,000 l/day) are regulated under the Ontario Water Resources Act, 1990.

Based on the current information, there are approximately seventy three (73) properties and sewage systems within vulnerable areas surrounding municipal water supply systems within the Halton Hills Source Protection Area. The vulnerable areas within Halton Hills SPP are shown on CTC SPP Maps(as may be amended by the Source Water Protection authority): #1.11 - Prospect Park, Acton; #1.12 - Fourth Line, Acton; #1.13 – Davidson Well, Acton; #1.14 - Cedarville, Princes Anne Drive & Lindsay Court Wells, Georgetown – Attachments I, II, III, IV.

The OBC requires properties which are identified in the vulnerable areas to be subject to the Mandatory Sewage Systems Inspection Program. The initial inspections must occur:

- no later than five (5) years after the date of the Approval of the Vulnerable Area Mapping in the Assessment Report for sewage systems constructed before the date of that Approval, and
- five (5) years after the construction for sewage systems installed after the date of the Approval.

Each sewage system within the defined areas must then be inspected every five (5) years after the most recent inspection of the sewage system has been conducted.

Alternatively, the OBC authorizes municipalities to accept a Certificate from the property owner as an alternative to conducting inspections under mandatory maintenance inspection programs. These certificates must be in a form approved by the Minister of Municipal Affairs and Housing and be signed by a qualified person (as set out in the Regulation).

Maintenance Inspections

The purpose of the Mandatory Sewage Systems Maintenance Inspection Program is to identify operational and maintenance concerns as defined under Section 8.9, Division B., of the Ontario Building Code.

The Town of Halton Hills proposes two compliance models for implementation of the Inspection Program:

- *Model 1: Full Municipal Service* - All administrative, inspection and enforcement processes will be delivered by municipal staff.
- *Model 2: Hybrid model* - Municipal staff will deliver administrative and enforcement services and a third party/qualified person [which can be a person with a Building Code Identification Number (BCIN) registered with the Ministry of Municipal Affairs and Housing (MMAH) for septic design, a Septic Supervisor (with BCIN), an Architect, or a Professional Engineer] will inspect the sewage system and complete the Inspection Report and the MSSMIP Certificate. The certificate must be in a form approved by the Minister of Ministry of Municipal Affairs and Housing and must be signed by a qualified person.

The Town will implement a two tiered approach to maintenance inspections: Initial inspections (Phase I) are designed to be non-intrusive tests and will generally avoid significant disturbance to the system and the surrounding soil area. Where the Phase I inspection indicates a defect or failure more investigation (Phase II) will follow.

Phase I – Maintenance Inspections

The purpose of a Phase I maintenance inspection is to:

- a) Obtain the most recent information on the system, as well as the size of the building and the number of fixtures and bedrooms that it is servicing;
- b) Locate the sewage system's components;
- c) Identify any obvious or outward signs of malfunction or failure; and
- d) Identify systems that are at risk of malfunction or failure.

During the course of a Phase I maintenance inspection, the inspector would normally identify:

- a) The type of occupancy to determine the source and type of the sanitary sewage;
- b) The source of water supply (municipal, well, lake, etc);
- c) The approximate volume of sewage generated;
- d) The use of special devices such as garbage grinders or water softeners;
- e) The general nature of the system (class, components, type, layout, etc);

- f) The location of the system's components with respect to wells, surface water, and other environmental features;
- g) The approximate level of ground water;
- h) The size, material and the condition of the septic tank, or the holding tank;
- i) The frequency of tank pump-out and the last time the tank was cleaned;
- j) Any indication of sewage system failure, including:
 - Evidence of backup of effluent,
 - Signs of hydraulic failure (breakout of sewage, wetting conditions in the leaching bed area),
 - Condition of surface vegetation, and
 - Odour problems;
- k) Documentation of previous effluent sampling test results, where required (i.e., under Article 8.9.2.4. of the Building Code).

Phase II – Follow-Up Maintenance Inspections

More intensive follow-up maintenance inspections will be undertaken where:

- The Phase I maintenance inspection has identified that the septic system is at risk of future malfunction or failure, or
- The Phase I inspection detected a malfunction or failure, but did not reveal the reason (e.g., location or nature) of malfunction or failure.

Phase II inspections may typically include examinations of the following elements:

- a) The depth of the sludge layer and the distance from the top of the sludge layer and the outlet tee;
- b) The thickness of the scum layers;
- c) The distance between the bottom of the scum/grease layer and the bottom of the outlet tee;
- d) The distance between the top of the scum layer and the top of the outlet tee;
- e) The physical condition of the inlet and outlet; and
- f) The condition of the effluent filter, if utilized.
- g) For sewage systems utilizing treatment units, Phase II inspections may also include a review of:
 - The existence of a maintenance agreement and the date of latest servicing;
 - The test results of a new round of effluent sampling (if otherwise required by the Building Code, or by an authorization issued by the BMEC); and
 - Operational problems or system malfunction before or, at the time of inspection.
- h) Where used in sewage systems, distribution boxes, dosing tanks and pumps may be inspected to determine their condition and functionality.
- i) Phase II inspections of leaching beds may also include:
 - Clearance distances to environmental features, wells and surface water intakes;
 - Soil type and its permeability;
 - Additional sources of hydraulic loading (e.g. surface discharge, roof drains);
 - Evidence of ponding;

- Encroachments into the leaching bed area (e.g. building additions, patios, driveways, pools), and
 - Trees and deep rooting shrubs in the vicinity of the bed.
- j) Blockages in the leaching bed and pollution sources may be identified by following measures:
- Evaluation of in-home plumbing and estimates of water usage;
 - Conducting a leak diagnostics;
 - Conducting a flow trial;
 - Conducting a dye tracing test; or
 - Excavating a cross section of the leaching bed.

Inspection Reports and MMAH Certificate

The Town will maintain inspection documentation (inspection reports) in respect of maintenance inspections, which will include the following information:

- a) Identification of the property attended;
- b) Identification of any information collected as part of the inspection;
- c) Deficiencies identified during the current visit;
- d) Enforcement actions, if any;
- e) The legislative authority for the inspection program; and
- f) Property flagged for re-inspection every five years.

The MMAH Certificate and the Sewage System Inspection Report, where applicable (Model 2) will be submitted to the Town of Halton Hills, Building Services five days after completion of the inspection by a qualified person.

All information related to the administration of the Mandatory Sewage Systems Maintenance Inspection Program will be utilized for the required reporting to the Source Water Protection authority.

Enforcement

When as the result of the MSSMIP, it was determined that repairs to a malfunctioning sewage disposal system are necessary, a building permit may be required. Building permits related to the on-site sewage disposal systems are currently set out in the Town of Halton Hills Fees and Service Rates By-law for the installation of new systems and repairs and/or replacements of the malfunctioning systems. The same fees will be applicable for systems in need of repair or replacement as a result of the mandatory maintenance inspections. This fee is over and above the fees associated with the administration of MSSMIP. The process of permit review and site inspections for new systems and system repairs are already set out in the Building Code Act and the Building Code. The same process will be used for the permits and inspections arising from the MSSMIP.

An Order to Remedy an Unsafe Building will be issued if the property owner does bring the on-site sewage disposal system into voluntary compliance based on items identified during the Phase I or II inspections. The penalties for noncompliance with orders issued by building inspectors and for contraventions of the Building Code Act and Building Code are currently set out in the Building Code Act and will be applicable for the enforcement of the Mandatory Sewage Systems Maintenance Inspection Program.

