



*The Corporation of
THE TOWNSHIP of JOHNSON*

By-Law 2023-1063

BEING A BY-LAW to establish fees for building permits and related matters.

WHEREAS pursuant to Sec 391(a) of the Municipal Act, S.O. 2001, c25 as amended provides a municipality may charge fees: *for services or activities provided or done by or on behalf of it;*

NOW THEREFORE the Council of The Corporation of the Township of Johnson enacts as follows:

1. SHORT TITLE

This By-law may be cited as the ‘Building Permit By-Law’

2. DEFINITIONS AND WORD USAGE

A. ‘ACT’

means the Building Code Act, 1992 as amended

B. ‘APPLICANT’

means the owner of a building or property who has applied for a permit and/or any person authorized by the owner to apply for a permit on the owner’s behalf, or any person of a corporation empowered by statute to cause building construction or demolition of a building and anyone acting under the authority of such person or corporation

C. ‘BUILDING CODE’

means the regulation made under Section 324 of the Act

D. ‘CHIEF BUILDING OFFICIAL’

means the Chief Building Official as appointed by Council

E. ‘OWNER’

means the registered owner of the land and includes lessee, mortgagee in possession and the person in charge of the property

F. ‘PERMIT’

means permission or authorization given in writing by the Chief Building Official to perform work regulated by the Act and Building Code, or to occupy a building per part thereof

G. ‘PERMIT HOLDER’

means the person to whom the permit has been issued and who assumes the primary responsibility for complying with the Act and the Building Code

H. TERMS not defined in this By-Law shall have the meaning ascribed to them in the Act or the Building Code

3. CLASSES OF PERMITS

Classes of permits required for construction, demolition or change of use are set forth in “Schedule A” as an appendix to and forming part of this By-law

4. PERMITS

- A. To obtain a permit, an applicant shall file an application in writing on the forms prescribed by and available from the Township Office or the Chief Building Official and shall supply any other information relating to the application as required. The issuance of a permit does not place an obligation to grant any further permits.
- B. Every building permit application shall:
- Identify and describe in detail the work, use and occupancy to be covered by the permit for which the application is made;
 - Identify and describe in detail the existing uses and the proposed uses for which the premises are intended;
 - Describe the land on which the work is to be done, by a description that will readily identify and locate the site of which the building or demolition is to occur;
 - Every application shall provide sufficient plans, specifications, documents and any other information to clarify the intent of the project;
 - Be accompanied by the fees as calculated in accordance with 'Schedule A';
 - State the names, addresses and contact information of the owner, applicant, architect, engineer or designer and the constructor or person hired to carry out the demolition as the case may be;
 - State estimated value of the proposed work including material and labour; and when Section 1.2 of the Building Code applies be accompanied by a signed acknowledgment of the owner on a form prescribed by the Township Office or Chief Building Official that an architect or professional engineer, or both have been retained to carry out the general review of the construction or demolition of the building
 - When section 1.2 of the Building Code applies be accompanied by a signed statement of the architect or professional engineer or both on a form prescribed by the Township Office of Chief Building Official, undertaking to provide general review of the construction or demolition of the building
 - State estimated valuation of the proposed work including material and labour
 - Be signed by the applicant who shall certify as to the truth of the contents of the application
 - Permit applications for part of a building shall include all applications for the entire project (APH, MTO, GLP, etc)
 - Include plans and specifications covering the part of the work for which more expeditious approval is desired, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official

DEMO PERMIT

- Demolition permits shall be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services.
- When Section 2.3 of the Building Code applies be accompanied by structural design characteristics of building and the method and time schedule of the demolition

PERMIT CHANGE

- Describe the building or part thereof in which the occupancy is to be changed
- Include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code

CONDITIONAL PERMIT

- State the reason why the applicant believes that unreasonable delays in the construction would occur

PERMIT PLACED ON HOLD

- A permit may be temporarily placed on hold for an agreed to length of time with valid reasons supplied by applicant, ie. Waiting for other permits, weather, finance, availability of supplies or contractors....
- When a permit is placed on hold in excess of six months an additional administration fee of 20% of the fee will be added

PLANS AND SPECIFICATIONS

- Applicants shall furnish sufficient plans, specifications, documents and other information to enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act and the Building Code
- A site plan reference to a current plan of survey, OR
 - o Lot size and dimensions of property
 - o Setbacks from existing and proposed buildings to property boundaries and to each other
 - o Existing and finished ground levels or grades
 - o Existing rights of way, easements and municipal services
- Documents submitted shall be legible and be drawn to scale
- Multiple copies may be required at the discretion of the CBO
- Upon completion the Chief Building Official may require a ‘as constructed drawings’ including a plan showing location of buildings
- All documents supplied by the applicant become the property of the municipality and may or may not be retained

FEES

- The Chief Building Official shall determine the fees as per Schedule ‘A’ of this By-Law
- Refunds if any shall be determined in accordance with Schedule ‘A’ of this By-Law
- Fees unpaid after 30 days shall be deemed to be taxes and collected in the same manner

REVOCAION, DEFERRAL AND TRANSFER OF PERMIT

- Prior to revoking a permit, the Chief Building Official shall give written notice of the intention to revoke the permit and explain the reasons for this action
- If after 30 days of such notice to revoke and with no change in the circumstances the Chief Building Official may without further notice, revoke and dispose of the permit and dispose of any and all documents relating to the permit
- Upon the receipt of the Intent to Revoke the permit, a permit holder may request a deferral in writing, within 30 days from the date of the letter of Intent
- A request for a deferral of the Intent to Revoke shall set out the reasons why the permit should not be revoked and the date by which work shall commence or resume and any concerns will have been addressed
- It is at the discretion of the Chief Building Official whether or not to grant a deferral and shall notify the permit holder in writing of his decision

NOTIFICATIONS

- The permit holder shall notify the Chief Building Official 3 days in advance of when an inspection is required

This By-law repeals any By-law previously passed for this purpose. Should any section, subsection, clause or provision of this By-Law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof other than the part so declared to be invalid.

READ for the first time and finally passed this 17th day of May 2023

MAYOR: _____
R. McKinnon

Seal

Clerk: _____
J. Maguire

Schedule 'A'
By-Law 2023 - 1063
Building Permits

REFUNDS:

Application received, reviewed, incomplete	90% of fee refunded
Application received, reviewed and permit issued	50% of fee refunded
Permit issued and one or more inspections	0% no fee refunded
Permit value issued of less than \$100.00	0% no fee refunded

NO PERMIT REQUIRED FOR:

- Replacing roof materials (no structural change)
- Replacing siding (no structural change)
- Painting
- Eaves troughs
- Landscaping
- Demolition of a detached accessory building of 15m² (164ft²)
- Closets, cupboards, bathrooms (without changes to plumbing)
- Air conditioning units
- Replacing doors and windows, same size (no structural change)
- Drywall

PERMITS ARE REQUIRED FOR:

- Construction of a structure over 15m² (164ft²)
- Demolition of a structure over 15m² (164ft²)
- Decks and sunrooms
- Accessory buildings
- Additions to buildings
- Installation of prefabricated buildings
- Hunt camps
- Cottages
- Install or remove a bearing wall
- Sea Can/ shipping containers
- Carports
- Garages
- Any structural changes to a building
- Doors and windows (if size of opening is changing)
- Moving a building and relocating
- Change of use of a building
- Installation or alterations to the plumbing and fixtures
- Replacing or increasing insulation / vapor barriers
- Installation of solar panels on a structure

FLAT RATE FEES:

To move a building	\$75.00
To demolish a building	\$75.00
Occupancy permit	\$80.00
Change of use permit	\$80.00
Conditional Permit	50% of the value of the permit
Construction begins before Permit is issued	Double the value of the permit
Permits deferred or placed on hold	20% of the value of the permit

Schedule 'A' continued
By-Law 2023 - 1063
Building Permits

Chief Building Official has some discretion when issuing permits to accommodate the uniqueness of any given site.

Residence (new construction) {basements and second story same price per sq. ft}

- Minimum fee of \$700.00 up to 1200 sq. ft
- Over 1200 sq. ft x's \$0.58 / sq. ft

Addition / renovations to a Residence (carports, sunrooms, additions ...)

- Minimum fee of \$250.00 up to 400 sq. ft
- Over 400 sq. ft x's \$0.63 / sq. ft

Decks –

- Minimum fee of \$150.00

Multi Residential (any construction)

- Minimum of \$600.00 up to 1200 sq. ft
- Over 1200 sq. ft x's \$0.50 / sq. ft

Accessory Building (Garage, Bunkie's, Garden Sheds ... etc.)

- Minimum fee of \$250.00 up to 600 sq. ft
- Over 600 sq. ft x's \$0.42 / sq. ft

Farm and Farming Related Buildings

- Minimum fee of \$250.00 up to 1000 sq. ft
- Over 1000 sq. ft x's \$0.25 / sq. ft

Commercial Building / Additions / Renovations

- Minimum of \$600.00 up to 1200 sq. ft
- Over 1200 sq. ft x's \$0.50 / sq. ft