

THE CORPORATION OF THE CITY OF THOROLD

BY-LAW NO. 83- 2007

A BY-LAW TO AMEND BY-LAW NO. 45-2005, BEING A BY-LAW RESPECTING THE CONSTRUCTION, DEMOLITION, CHANGE OF USE, OCCUPANCY PERMITS AND TRANSFER OF PERMITS, INSPECTIONS AND ASSOCIATED FEES FOR THE CITY OF THOROLD

WHEREAS the Council of the Corporation of the City of Thorold enacted the City of Thorold Building By-law 45-2005 on the 21st day of June 2005;

AND WHEREAS it is required to amend Schedule "A" to By-law No. 45-2005;

AND WHEREAS the amendment to the by-law was presented in the form of Report PBS2007-45, adopted by Council at a meeting held July 3, 2007;

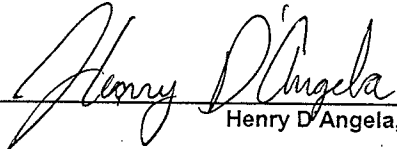
AND WHEREAS the Council of the City of Thorold has authorized this by-law to amend By-law No. 45-2005;


NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF THOROLD ENACTS AS FOLLOWS:

1. Building By-law 45-2005, as amended, be further amended by deleting Schedule "A" thereto in its entirety and substituting therefore Schedule "A" to this by-law.
2. Date By-law Effective

This By-law comes into force on the day after it is passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED BY COUNCIL THIS 3RD DAY OF JULY, 2007.


Henry D'Angela, Mayor


~~XXXXXXXXXXXXXXXXXXXX~~
Susan Daniels, Deputy City Clerk

CLASSES OF PERMITS AND PERMIT APPLICATION FEES

1.0 PERMIT FEE CALCULATION

1.1 Permit Fee Formula

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

$$\text{Permit Fee} = \text{Prescribed fee} \times \text{Area}^{(1)}$$

- ▶ Where the "Prescribed fee" is the fee specified in this Schedule for the classification of the proposed work

1.2 Minimum Permit Fee

A minimum permit fee of \$120.00 shall apply to all works proposed, unless otherwise indicated or a prescribed "Flat Rate" has been assigned.

1.3 Plans Examination Deposit

A plans examination deposit of the amount stipulated in Section 7.1 of this Schedule shall be submitted at the time of permit application in order to satisfy the Ontario Building Code requirements for a complete application and to cover any costs incurred through the plans examination process. As a component of the plans examination process, the actual permit fee will be calculated and the submitted Plans Examination Deposit will be applied to offset the calculated fee. Any outstanding fees are required to be submitted **prior** to permit issuance. Should the Plans Examination Deposit be greater than the calculated permit fee, a refund will be provided with the issuance of the permit.

2.0 BUILDING PERMITS

2.1 New Construction and Additions

| <u>BUILDING CLASSIFICATION</u> | <u>PERMIT FEE</u> |
|----------------------------------------------------------------------------------|-------------------------|
| a) GROUP A - ASSEMBLY OCCUPANCIES | \$ 1.16/ft ² |
| ▶ school, church, restaurant, daycare, hall, transit, recreation facility, other | |
| b) GROUP B - INSTITUTIONAL OCCUPANCIES | \$ 1.30/ft ² |
| ▶ hospital, detention facility, nursing home, long term care facility, other | |
| c) GROUP C - RESIDENTIAL OCCUPANCIES | |
| ▶ single detached, semi-detached, duplex dwelling, townhouse | \$ 1.00/ft ² |
| ▶ multiple unit (<i>apartment</i>) ⁽⁹⁾ , hotel and motel, other | \$ 0.90/ft ² |
| d) GROUP D - BUSINESS/PERSONAL SERVICE OCCUPANCIES | |
| ▶ office, bank, medical office, police station, other | |
| ▶ finished | \$ 1.20/ft ² |
| ▶ architectural shell (as referenced in 2.4(c)) | \$ 0.91/ft ² |
| e) GROUP E - MERCANTILE OCCUPANCIES | |
| ▶ store, shopping mall/plaza, shop, market, retail space, other | |
| ▶ finished | \$ 1.02/ft ² |
| ▶ architectural shell (as referenced in 2.4(c)) | \$ 0.91/ft ² |

2.1 New Construction and Additions continued

| <u>BUILDING CLASSIFICATION</u> | <u>PERMIT FEE</u> |
|---------------------------------------------------------------------------------------|-------------------------|
| f) GROUP F - INDUSTRIAL OCCUPANCIES | |
| ▸ industrial mall/plaza, garage, plant, factory, warehouse, parking structures, other | \$ 0.65/ft ² |
| ▸ industrial building with no partitions, no plumbing and no mechanical | \$ 0.30/ft ² |
| g) SPECIAL CATEGORIES/OCCUPANCIES | |
| ▸ Agricultural building (<i>barn</i>) | \$ 0.16/ft ² |
| ▸ Greenhouse | \$ 0.13/ft ² |
| ▸ Air supported structure | \$ 0.15/ft ² |
| ▸ Trailer | \$ 125.00 |
| ▸ Tent/temporary fabric structure | \$ 125.00 |
| ▸ Portable buildings | \$ 125.00 |
| ▸ Public swimming pool (<i>unenclosed</i>) | \$ 300.00 |
| h) ACCESSORY STRUCTURES TO GROUP C - RESIDENTIAL OCCUPANCIES | |
| ▸ Attached garage/carport | \$ 0.30/ft ² |
| ▸ Other accessory buildings (<i>Detached garage/carport/shed/pole barn</i>) | \$ 0.30/ft ² |
| ▸ Covered deck/porch | \$ 0.30/ft ² |
| ▸ Uncovered deck/porch | \$ 0.25/ft ² |
| ▸ Sunroom/solarium | \$ 0.50/ft ² |

2.2 Alterations and Repairs

| | |
|-----------------------------------------------------|-------------------------|
| a) GROUP A - ASSEMBLY OCCUPANCIES | |
| ▸ including plumbing AND mechanical | \$ 0.75/ft ² |
| ▸ including plumbing OR mechanical | \$ 0.70/ft ² |
| ▸ excluding plumbing AND mechanical | \$ 0.64/ft ² |
| b) GROUP B - INSTITUTIONAL OCCUPANCIES | |
| ▸ including plumbing AND mechanical | \$ 0.85/ft ² |
| ▸ including plumbing OR mechanical | \$ 0.78/ft ² |
| ▸ excluding plumbing AND mechanical | \$ 0.72/ft ² |
| c) GROUP C - RESIDENTIAL OCCUPANCIES | |
| ▸ including plumbing AND mechanical | \$ 0.65/ft ² |
| ▸ including plumbing OR mechanical | \$ 0.60/ft ² |
| ▸ excluding plumbing AND mechanical | \$ 0.55/ft ² |
| ▸ unfinished basement (<i>replace foundation</i>) | \$ 0.25/ft ² |
| ▸ finish basement (<i>dwelling unit</i>) | \$ 0.30/ft ² |
| d) GROUP D - BUSINESS/PERSONAL SERVICES OCCUPANCIES | |
| ▸ including plumbing AND mechanical | \$ 0.78/ft ² |
| ▸ including plumbing OR mechanical | \$ 0.72/ft ² |
| ▸ excluding plumbing AND mechanical | \$ 0.66/ft ² |
| e) GROUP E - MERCANTILE OCCUPANCIES | |
| ▸ including plumbing AND mechanical | \$ 0.66/ft ² |
| ▸ including plumbing OR mechanical | \$ 0.61/ft ² |
| ▸ excluding plumbing AND mechanical | \$ 0.56/ft ² |

2.2 Alterations and Repairs (continued)

f) GROUP F - INDUSTRIAL OCCUPANCIES

- ▶ including plumbing AND mechanical \$ 0.42/ft²
- ▶ including plumbing OR mechanical \$ 0.39/ft²
- ▶ excluding plumbing AND mechanical \$ 0.36/ft²

g) GENERAL ALTERATIONS (ALL CLASSIFICATIONS)

- ▶ Roof structure (*replace/alter structure*) \$ 0.12/ft²
- ▶ Minor alterations (*not requiring plans*) \$ 75.00

2.3 Miscellaneous Works

- a) Demising wall/Party wall installation \$ 0.65/lf
- b) Fireplace/woodstove \$ 100.00
- c) Moving a building \$ 100.00
- d) Underpinning \$ 3.00/lf
- e) Fire Alarm System upgrades \$ 125.00

2.4 Conditional/Partial Permits and Staged Construction

- a) Building Foundation 15%⁽⁶⁾
 - ▶ complete to grade, including all underground services
- b) Completed Structural shell 55%⁽⁶⁾
 - ▶ no interior finishes/fixtures
- c) Completed Architectural shell 80%⁽⁶⁾
 - ▶ including interior finishes on exterior and structural walls
- d) Completed Building 100%⁽⁶⁾
 - ▶ includes all tenant improvements and complete interior finishes
- e) Partial Permit surcharge \$ 200.00
- f) Conditional Permit Fee \$ 2,000.00
 - ▶ in addition to fees listed above and any applicable legal fees incurred by the City of Thorold

3.0 PLUMBING PERMITS ⁽¹⁰⁾

- a) Plumbing in a detached, semi-detached, duplex, triplex dwelling, including building sanitary, storm drain, sewer and water, service pipes (*for all plumbing installations including up to five (5) fixtures, plus \$8.00 for each additional fixture*) \$ 100.00
- b) Plumbing in all buildings or structures not described in 3.0(a) (*for all plumbing installations including up to five (5) fixtures plus \$8.00 for each additional fixture*) \$ 200.00
- c) All buried piping, including drain and sewer, building storm drain and sewer, storm drain piping, and water service pipe
 - ▶ First fifty (50) feet [15 metres] \$ 50.00
 - ▶ Each additional fifty (50) feet [15 metres] \$ 35.00

4.0 DEMOLITION PERMITS

- a) Single Family dwelling and buildings less than 3,000 square feet gross floor area \$ 75.00
- b) All other demolitions not described in 4.0(a) \$ 0.03/ft²

5.0 DESIGNATED STRUCTURE PERMITS

- a) Communication Tower \$ 125.00
- b) Retaining wall, pedestrian bridge, crane runway \$ 1.05/lf
- c) Wind turbine structure/solar collector \$ 125.00
- d) Other designated structure as listed in Division A 1.3.1.1 of the Ontario Building Code \$ 125.00

6.0 OTHER CHARGES

- a) Change of Use permit *(where no construction is required)* \$ 120.00
- b) Permit to allow occupancy of an unfinished building \$ 120.00
- c) Transfer of permit to new owner \$ 120.00
- d) Building/Property Report \$ 75.00
- e) Non-Routine inspection \$ 75.00/hour
- f) Revisions/amendments to permits \$ 50.00/hour
- g) Liquor License Inspection/Report \$ 75.00
- h) Bed and Breakfast Inspection/Report \$ 75.00
- i) Refreshment Vehicle Inspection/Report \$ 75.00
- j) Spatial Separation Agreement Review ⁽¹¹⁾ \$ 1,200.00
- k) Deferral of permit revocation \$ 75.00
- l) Review of "Alternative Solution" ⁽¹²⁾ submission ⁽¹³⁾ \$ 50.00/hour

7.0 DEPOSITS

7.1 Plans Examination Deposit

- a) Detached dwelling, semi-detached dwelling, duplex, triplex, townhouse (per dwelling) \$ 1,000.00
- b) Building regulated by Division B Part 9 of the Ontario Building Code other than those identified in 7.1(a) \$ 1,250.00
- c) Building and/or additions accessory to OR additions to buildings identified in 7.1(a) \$ 120.00
- d) All other buildings not described in 7.1 (a), (b) or (c) that have a construction value less than \$100,000.00 \$ 1,000.00
- e) All other buildings not described in 7.1 (a), (b), (c) or (d) \$ 1,500.00

In addition to the fees applicable above, a Refundable Deposit of the following amounts, where applicable, shall be deposited with the City at the time of application for permit;

7.2 Lot Grading Deposit

- ▶ Detached, semi-detached, duplex, triplex, townhouse dwellings *(except where monies are already deposited specifically for lot grading through a Subdivision Development Agreement, or other similar agreement)* \$ 1,000.00

7.3 Performance/Security Deposit

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| a) Detached dwelling, semi-detached dwelling, duplex, triplex, townhouse (<i>per dwelling</i>) | \$ 1,000.00 |
| b) Addition(s) to buildings described in 7.3 (a) where excavation is required | \$ 750.00 |
| c) Miscellaneous construction accessory to uses described in 7.3 (a) with a construction value greater than \$5,000.00 | \$ 500.00 |
| d) Construction projects other than those described in 7.3 (a) or (b) involving buildings or additions where a Site Plan Agreement IS required | \$ 1,000.00 |
| e) Construction projects other than those described in 7.3 (a) or (b) involving buildings or additions where a Site Plan Agreement is NOT required | \$ 2,000.00 |
| f) Demolition project | \$ 500.00 |
| g) Moving a Building | \$ 1,000.00 |
| h) Conditional Building Permit Deposit | 10% of total Project Construction value |

8.0 FEE REFUNDS

Pursuant to Part 4.0 of Bylaw 45-2005, the fees that may be refunded shall be a percentage of the applicable fees assessed by this Schedule of fees, calculated by the Chief Building Official as follows:

- a) 90%, where only administrative functions have been completed (*application received and cost analysis complete*);
- b) 80%, where only administrative and zoning functions have been completed;
- c) 60%, where administrative, zoning and plans examination functions have been performed;
- d) 50%, where the permit has been issued and no field inspections have been performed subsequent to permit issuance;
- e) If the calculated refund is less than the minimum fee applicable to the work as described in 1.2 of this Schedule, no refund shall be made of the fees paid;
- f) No fees shall be refunded after twelve (12) months from the date of permit issuance.

9.0 EXPLANATORY NOTES

- 1. Area is the gross floor area of the building as defined by the Ontario Building Code. Area shall be calculated in square feet (ft²) for the purpose of this schedule.
- 2. Where there is no floor or exterior walls for the project, area is to be calculated as the greatest horizontal area of the structure.
- 3. No deductions shall be made in the calculation of gross floor area for openings such as stairs, elevators, shafts, ramps.

9.0 EXPLANATORY NOTES (continued)

4. Unfinished basements and crawlspaces are not to be included in the calculation of area in fee calculations for new construction and additions. Attached garages are not to be included in the fee calculation for new dwellings.
5. Major occupancy is based upon the Ontario Building Code.
6. For Partial Permit, the percentage shown must be multiplied by the applicable permit fee shown for new construction. Percentage of previously approved stages may be subtracted where applicable.
7. The permit fee shall be determined by the Chief Building Official or designate, on the basis of this Schedule. If the applicant disagrees with the fee so determined, then the prescribed fee shall be paid as a deposit and after the works are complete, a refund shall be made on the actual work done and inspections performed at the discretion of the Chief Building Official.

For categories of construction not listed above, the permit fee shall be \$11.00 for each \$1,000.00 of valuated cost, or portion thereof. The minimum permit fee identified in Section 1.2 of this Schedule shall apply.

8. The deposit(s) identified under Section 7.0 of this Schedule shall be held as security by the City until the work for which the permit has been issued has been completed in accordance with the stipulated requirements of the permit to the satisfaction of the Chief Building Official. The owner/applicant shall be responsible for any damage to City property or any restriction and associated costs of any such damage or repair may be deducted by the City in addition to any other available remedy or penalty.

Should the cost of repairs exceed the value of the deposit held, the City shall invoice the owner/applicant for the amount in excess of the deposit, and if such invoice is not paid by the stipulated due date, 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 as amended.

Should the deposits not be required to be called upon during the duration of the project, they will be released as follows:

- ▶ Lot Grading: Upon successful approval of the Final Lot Grading Certificate submitted in accordance with 4.2(1)(d)(iii) of the Building Bylaw 45-2005.
- ▶ Performance/Security: Upon successful completion of the project in accordance with the approved permit documents which results in a closure of such permit file.

9. A multiple unit (*apartment*) building is a building which consists of more than three (3) individual residential units in the same building.
10. Plumbing permit fees shall apply only when a permit is taken out solely for plumbing. The minimum permit fee referenced in Section 1.2 of this Schedule does not apply to plumbing permits.
11. The Spatial Separation Agreement fee is for review associated with the submitted Spatial Separation Agreement. This fee does not account for legal fees to draft and/or register the agreement as these fees are the sole responsibility of the property owner. Any legal fees incurred by the City shall be the responsibility of the property owner.
12. An Alternative Solution is as defined in the Ontario Building Code.

9.0 EXPLANATORY NOTES (continued)

13. The fee prescribed for an alternative solution shall be in addition to any other applicable fee prescribed by this schedule. Should any additional fees be incurred by the City in relation to the review of such a submission but not limited to consultant fees, these costs shall be added to the calculated permit fee at 100% of their value.