

## THE CORPORATION OF THE TOWN OF HANOVER

### BY-LAW NO. 3264 - 23

**BEING** a By-law respecting Construction, Demolition and Change of Use Permits and Inspections.

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**WHEREAS** Section 7 of the Building Code Act, S.O. 1992, C.23, as amended, empowers municipal councils to pass by-laws respecting construction, demolition and change of use permits and inspections;

**AND WHEREAS** Section 35 of the Building Code Act, S.O. 1992, C.23, as amended provides that that Act and the Building Code, as amended supersede all municipal by-laws respecting the construction or demolition of buildings;

**AND WHEREAS** Section 3(1) of the Building Code Act, S.O. 1992, C.23, as amended provides that the council of each municipality is responsible for the enforcement of this Act in the municipality;

**AND WHEREAS** Section 3(2) of the Building Code Act, S.O. 1992, C.23, as amended provides that the council of each municipality shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction;

**NOW THEREFORE** the Municipal Council of the Corporation of the Town of Hanover hereby enacts as follows:

1. SHORT TITLE

This by-law may be cited as the "Building By-law".

2. DEFINITIONS

In this By-Law:

- 2.1. "Act" means the Building Code Act, S.O. 1992, C.23, as amended;
- 2.2. "Applicant" means the owner of any building or property who applies for a permit or any person acting as the authorized agent of the owner to apply for a permit on the owner's behalf;
- 2.3. "As constructed plans" means as constructed plans as defined in the Building Code, as amended;
- 2.4. "Architect" means a holder of a license, a certificate of practice, or a temporary license under the Architect's Act as defined in the Building Code, as amended;
- 2.5. "Building" means a building as defined in Section 1(1) of the Act;
- 2.6. "Building Code or OBC" means regulations made under Section 34 of the Act;
- 2.7. "Chief Building Official" means the Chief Building Official or acting chief building official appointed by the by-law of the Corporation of the Town of Hanover for the purposes of enforcement of the Act;
- 2.8. "Construct" means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and "construction" has a corresponding meaning;
- 2.9. "Complete" means a building permit application in accordance with Article 2.4.1.1A. of the Building Code, as amended submitted with all required approvals appended in order to comply with the building permit timelines as noted in Article 2.4.1.1B. of the Building Code, as amended;
- 2.10. "Corporation" means the Corporation of the Town of Hanover;
- 2.11. "Demolish" means to do anything in the removal of a building or and material part thereof, and "demolition" has a corresponding meaning;
- 2.12. "Electronic Submission" means the filing of an application for permit or alternative solution, including all required forms, documents and drawings,

submitted through an electronic means approved by the Chief Building Official;

- 2.13. **“Farm Building”** means a farm building as defined in Div. A, Section 1.4.1.2 of the regulations;
- 2.14. **“Lot Grading Certificate”** means a declaration signed and sealed by a competent designer and included on the Grading and Drainage Plan that stipulates:
- “I have reviewed the plans for the (applicable Construction Activities to be added) at (applicable civic address to be added) and have prepared this Grading and Drainage Plan to indicate the compatibility of the proposal to existing adjacent properties and municipal services. It is my professional opinion that adherence to the proposed grades as shown will produce adequate surface drainage and proper facility of the municipal services without any detrimental effect to the existing drainage patterns, adjacent properties and municipal services”.*
- 2.15. **“Management of Excess Soil”** - any movement of excess soils must comply with Ontario Regulation 406/19: On-Site and Excess Soil Management, under the Environmental Protection Act, R.S.O 1990, C E19 (EPA).
- 2.16. **“Occupancy Permit”** means a permit authorized occupation of a building or part of a building prior to its completion as set out in Div. C, Section 1.3.3 of the regulations;
- 2.17. **“Owner”** means the registered owner of the land and includes a lessee, mortgagee in possession and the person in charge of the property, acting as the authorized agent of the owner;
- 2.18. **“Partial Occupancy”** means a permit issued to allow occupancy of a building prior to its completion in accordance with Article 2.4.3.1 of the Building Code, as amended;
- 2.19. **“Permit”** means written permission or written authorization from the Chief Building Official to perform work regulated by this by-law and the Act, or to change the use of a building or part of a building or parts thereof or, in the case of an occupancy permit, to occupy a building or part of a building or parts thereof;
- 2.20. **“Prescribed Value”** means the Applicant’s estimated value of construction of a proposed building including the total value of all work, services and materials in respect of its construction and of all professional and related services, as reviewed by the Chief Building Official and adjusted if deemed necessary by the Chief Building Official to establish a reasonable value based on the facts before him or her.
- 2.21. **“Plumbing”** means plumbing as defined in Section 1(1) of the Act;
- 2.22. **“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;
- 2.23. **“Residential construction site”** means any construction site in respect of which a building permit has been issued for the construction of a new building consisting of a single dwelling unit where such excavation is within 2 m. of another occupied dwelling unit except where the site is within a registered plan of subdivision which subdivision is being developed for the first time;
- 2.24. **“Re-inspection”** means any inspection of a construction stage made pursuant to a previous inspection of the same construction stage;
- 2.25. **“Sewage System”** means a sewage system as defined in Section 1(1) of the Regulations;

Terms not defined in this by-law shall have the meaning as described in the Act or the Building Code.

### 3. PERMITS

#### 3.1. CLASSES OF PERMITS

Classes of permits required for construction, demolition, change of use, occupancy of a partially complete building and conditional permits are set forth in Schedule “A” appended to and forming part of this by-law.

### 3.2. APPLICATION FOR PERMITS

To obtain a permit, an applicant shall file a complete application electronically on forms prescribed by the Province of Ontario and available from the Chief Building Official or from the Ministry of Municipal Affairs website, [www.mah.gov.on.ca](http://www.mah.gov.on.ca), and supply any other information relating to the application, as required by the Chief Building Official.

Every application for a permit shall be submitted to the Chief Building Official, Fill shall meet the standards set out in Ontario Regulation 406/19: On-Site and Excess Soil Management, under the Environmental Protection Act, R.S.O 1990, C E19 (EPA)".

### 3.3. CONSTRUCTION PERMITS

Where an application is made for a Construction Permit under 8(1) of the Act the applicant shall:

- 3.3.1. Use the provincial application form, "Application for a Permit to Construct or Demolish";
- 3.3.2. Include complete plans and specifications, documents and other information as required by Div. C, Section 1.3.1.3(5) of the Building Code and as prescribed in this By-law for the work to be covered by the permit;
- 3.3.3. Include the proposed or existing occupancy of all parts of the building;
- 3.3.4. Provide a completed Commitment for General Review by Architect and Engineer form where a building is required to be designated by an Architect or a Professional Engineer [Div. C Section 1.2.1 of the Building Code];
- 3.3.5. Provide a completed Energy Efficiency Design Summary in the form authorized by OBOA where an application warrants;
- 3.3.6. Include the required fee as prescribed by the Town of Hanover Rates & Charges Bylaw.

### 3.4. DEMOLITION PERMITS

Where an application is made for a Demolition Permit under 8(1) of the Act the applicant shall:

- 3.4.1. Use the provincial application form, "Application for a Permit to Construct or Demolish";
- 3.4.2. Include complete plans and specifications, documents and other information as required by Div. C, Section 1.3.1.3(5) of the Building Code and as prescribed in this By-law for the work to be covered by the permit;
- 3.4.3. Include the existing occupancy of all parts of the building;
- 3.4.4. Include proof of a minimum of \$2,000,000 liability insurance coverage with the Corporation named as an insured party, except where the building to be demolished exceeds 600 square metres in building area, the applicant shall provide to the Chief Building Official, the required insurance with a minimum of \$4,000,000;
- 3.4.5. Include the required fee as prescribed by the Town of Hanover Rates & Charges Bylaw.

### 3.5. CONDITIONAL PERMITS

Where an application is made for a Conditional Permit under 8(3) of the Act the applicant shall:

- 3.5.1. Use the provincial application form, "Application for a Permit to Construct or Demolish";
- 3.5.2. Include complete plans and specifications, documents and other information as required by Div. C, Section 1.3.1.3(5) of the Building

Code and as prescribed in this By-law for the work to be covered by the permit;

- 3.5.3. Provide a completed Commitment for General Review by Architect and Engineer form where a building is required to be designed by an Architect or a Professional Engineer [Div. C Section 1.2.1. of the Building Code];
- 3.5.4. Include the existing and proposed occupancy of all parts of the building;
- 3.5.5. State the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
- 3.5.6. State the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
- 3.5.7. State the time in which plans and specifications of the complete building will be filed with the Chief Building Official; and
- 3.5.8. Include an agreement in writing by the applicant and such other persons as the Chief Building Official determines with the Corporation dealing with the matters required pursuant to Section 8(3)(c) of the Building Code Act;
- 3.5.9. Include the required fee as prescribed by the Town of Hanover Rates & Charges Bylaw.

The Chief Building Official (CBO) is delegated as being the appointed officer for the Corporation and may exercise Town of Hanover Council's powers of authority under 8(3) of the Act.

### 3.6. CHANGE OF USE PERMITS

Where an application is made for a Change of Use Permit under 10(1) of the Act the applicant shall:

- 3.6.1. Use the provincial application form, "Application for a Permit to Construct or Demolish";
- 3.6.2. Describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;
- 3.6.3. Identify and describe in detail the current and proposed occupancies of the building or part of the building for which the application is made;
- 3.6.4. Include complete plans and specifications showing the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including: floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities;
- 3.6.5. State the name, address and telephone number of the owner;
- 3.6.6. Be signed by the owner or their authorized agent who shall certify the truth of the contents of the application;
- 3.6.7. Include the required fee as prescribed by the Town of Hanover Rates & Charges Bylaw.

### 3.7. PLUMBING PERMITS

Where an application is made for a Plumbing Permit under Subsection (8)(1) of the Act the applicant shall:

- 3.7.1. Use the provincial application form, "Application for a Permit to Construct or Demolish";
- 3.7.2. Include such other information, methods and specifications concerning the complete project as the Chief Building Official may require;

3.7.3. Include the required fee as prescribed by the Town of Hanover Rates & Charges Bylaw.

### 3.8. SEWAGE SYSTEM PERMITS

Where an application is made for a Sewage System Permit under Subsection (8)(1) of the Act the applicant shall:

3.8.1. Use the provincial application form, "Application for a Permit to Construct or Demolish";

3.8.2. Include plans, specifications, forms, documents and other information as may be required by Article 2.4.1.1B. of the Building Code, as amended and as described in this by-law for the work to be covered by the permit;

3.8.3. a site evaluation, which shall include all of the following items, unless otherwise specified by the Chief Building Official:

3.8.3.1. the date the evaluation was done;

3.8.3.2. name, address, telephone number and signature of the person who prepared the evaluation;

3.8.3.3. a scaled map of the site showing:

a) the legal description, lot size, property dimensions, existing rights-of-way, easements or municipal/utility corridors;

b) the location and clearance of items listed in Articles 8.2.1.5. and 8.2.1.6. of the Building Code, as amended;

c) the location of the proposed sewage system;

d) the location of any unsuitable, disturbed or compacted areas;

e) proposed access routes for system maintenance;

f) depth to bedrock;

g) depth to zones of soil saturation;

h) soil properties, including soil permeability; and

i) soil conditions, including the potential for flooding

3.8.4. Include the required fee as prescribed by the Town of Hanover Rates & Charges Bylaw.

### 3.9. OCCUPANCY PERMITS

3.9.1. Buildings described in Div. C, sentence 1.2.2.1.(1) of the OBC:

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

3.9.2. New residential buildings described in Div. C, article 1.3.3.2. of the OBC:

An occupancy permit for new residential buildings described in Div. C, article 1.3.3.4. of the OBC, [including detached, semidetached and most townhomes], shall be issued where the Chief Building Official has determined that the requirements for occupancy in Div. C, sentence 1.3.3.4.(3) of the OBC have been met and has authorized the occupancy of the building or part thereof.

3.9.3. Buildings described in Div. C, article 1.3.3.5. of the OBC:

An occupancy permit for buildings described in Div. C, article 1.3.3.5. of the OBC shall be issued where the Chief Building Official has determined that the requirements for occupancy in Div. C, sentence 1.3.3.5.(3) of the OBC have been met and has authorized the occupancy of the building or part thereof.

#### 4. SUBMISSION REQUIREMENTS

##### 4.1. PLANS AND SPECIFICATIONS

- 4.1.1. Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed construction, demolition, change of use, etc. will conform with the Act, the Building Code and applicable law.
- 4.1.2. Each application shall, unless otherwise specified by the Chief Building Official, be:
  - 4.1.2.1. an electronic submission which includes a complete set of plans, documents and specifications as described by this By-law and Schedule "B" attached to this By-law.
- 4.1.3. An electronic submission is to be made in a Portable Document Format (PDF). Plans, specifications, documents, and other information are to be legible when printed to scale. Drawings to be a minimum size of 11" x 17" and shall be complete, fully dimensioned and to scale.

PDF Submissions shall have layers unlocked to permit mark-ups and additional notes by the Chief Building Official or designate.
- 4.1.4. Plans described in 4.1.2.1 of this By-law shall be drawn to scale and legible, and without limiting the generality of the foregoing, shall include such working drawings as set out in Schedule "C" to this By-law unless otherwise specified by the chief building official. Drawings shall be complete and fully dimensioned.
- 4.1.5. Site plans shall be referenced to an up to date survey, and when required by the Chief Building Official to demonstrate compliance with the Act, the Building Code, or other applicable law, a copy of the survey shall be submitted to the Chief Building Official. Site plans shall show:
  - 4.1.5.1. existing rights-of-way, easements, municipal services and fencing;
  - 4.1.5.2. lot size and the dimension of property lines and setbacks to any existing or proposed buildings; and
  - 4.1.5.3. existing and proposed finished ground levels;
  - 4.1.5.4. proposed fire access routes and existing fire hydrant locations
- 4.1.6. A surveyor's certificate, prepared by a registered Ontario Land Surveyor, when required by the Chief Building Official, shall be submitted and approved prior to commencement of the framing or above grade portion, and shall show the location of the foundation or foundations on the lot. Elevations for the top of foundation(s) may be required.
- 4.1.7. On completion of the construction of a building, part of a building, or lot grading and drainage the Chief Building Official may require a set of as constructed plans including a plan of survey prepared and certified by an Ontario Land Surveyor showing the location of the building.
- 4.1.8. When required, upon completion of the grading for a new dwelling within a plan of subdivision, the developer, contractor, owner, or an agent of the owner shall complete APPENDIX 'A' - LOT GRADING CERTIFICATE, and provide to the Chief Building Official. Final Grading must comply with the engineered elevations shown on the Lot Grading Plans as engineered.
- 4.1.9. Functional Servicing Report, Stormwater Management and other documentation as may be required by the Chief Building Official to demonstrate compliance with the Town of Hanover Municipal Servicing Standard.
- 4.1.10. The granting of a permit, the review of the drawings and specifications or inspections made by the Chief Building Official or an inspector shall not in any way relieve the owner of a building from full responsibility for carrying out the work or having the work carried out in accordance

with the requirements of this by-law, the Act and the Building Code, as amended, including ensuring that the occupancy of the building, or any part thereof, is in accordance with the terms of this by-law and the Building Code, as amended.

- 4.1.11. The Chief Building Official may require, where deemed appropriate, that a Professional Engineer and/or Architect conduct a peer review for all or part of the work with the expense to be borne by the applicant.
- 4.1.12. The Chief Building Official may 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 Ontario Building Code Act, Section 7(g), as amended.
- 4.1.13. The Chief Building Official may deem an application for a permit to have been abandoned and cancelled six months after the date of filing, unless such application is being seriously proceeded with.
- 4.1.14. The Chief Building Official may allow the use of materials, systems and building designs that are not authorized in the Building Code, as amended in accordance with Section 9 (1) of the Ontario Building Code Act.

#### 4.2. ALTERNATIVE SOLUTIONS

- 4.2.1. Where a proposed material, system or building design differs from the "acceptable solution" in Division B of the OBC, then it is treated as an "alternative solution". The following information shall be provided to the Chief Building Official in support of the alternative solution:
  - a) a description of the proposed material, system or building design for which an alternative solution is requested;
  - b) documentation that the alternative solution will achieve the level of performance required by the applicable acceptable solutions in Division B of the OBC in respect to the objectives and the functional statements attributed to the applicable acceptable solutions in MMA Supplementary Standard SA-1, as stipulated in Div. A, 1.2.1.1(1)(b);
  - c) documentation described in Div. C, 2.1.1.1. and such other information or documentation as may be required by the Chief Building Official; and
  - d) each application for consideration of an alternative solution shall be accompanied by a fee as stipulated in the Town of Hanover Rates & Charges Bylaw.

#### 4.3. REVISIONS TO PERMIT

- 4.3.1. Where there is material or system change during construction and/or to the plans, specifications, documents or other information on the basis of which a permit was issued, the owner or authorized agent is required under Section 8(12) of the Act to notify the Chief Building Official and shall submit the following:
  - a) use the prescribed form; and
  - b) revised plans and specifications illustrating the changes, including all supporting documentation as may be requested by the Chief Building Official.

#### 4.4. DISCRETION OF CHIEF BUILDING OFFICIAL

- 4.4.1. The Chief Building Official may waive the requirements of Part 4 of this By-law or Schedule "B" attached to this By-law with respect to any particular applications. Where the Chief Building Official exercises his/her discretion as set out in this section, the requirements of this By-law are deemed to be modified accordingly.

## 5. PAYMENT OF FEES

Fees for a required permit shall be as set out in the Town of Hanover Rates & Charges Bylaw and are due and payable upon submission of an application for a permit.

Where application is made for a conditional permit, fees shall be paid for the complete project.

Where the fees payable in respect of an application for a construction or demolition permit issued under subsection 8(1) of the Act or a conditional permit issued under subsection 8(3) of the Act are based on a floor area, floor area shall mean the total floor space of all storeys above grade (or below grade for an underground home) measured as the horizontal area between the exterior walls of the building.

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, floor area shall mean the total floor space of all storeys subject to the change of use.

The Chief Building Official may, where a proposed building does not adhere to any of the above or where there is dispute, calculate the estimated value at his/her discretion.

## 6. REFUNDS

The holder of a Permit may request the cancellation of the Permit where no construction has commenced and may upon written request to the Chief Building Official; apply for a refund of the fee paid for the Permit. The Chief Building Official may, upon such a request, cancel the Permit and refund an amount except the administrative fees listed in the Fees and Charges By-law.

Where the holder of a permit has commenced construction and for any reason the project is abandoned, no refund shall be made, the existing construction shall be removed or demolished, the construction site shall be returned to a safe and cleared condition and the Permit shall be cancelled.

## 7. NOTICE REQUIREMENTS

The Building Code requires that notification to the Chief Building Official be given at key stages of construction and requires that the municipality undertake inspections at these stages of construction. A person to whom a permit is issued will be required to give notice of the readiness for inspection to the Chief Building Official or registered code agency as the case may be. Municipalities will be required to undertake on-site inspections of construction at each of these stages. Municipalities may pass a by-law under clause 7(1)(e) of the Act prescribing additional notification stages.

### 7.1. Additional Stages of Construction Requiring Notice

- a) Readiness for a field percolation test

## 8. TIME FRAME FOR MANDATORY INSPECTION AFTER NOTICE IS GIVEN

Under Sentence 2.4.5.3.(1) of the Building Code, after a mandatory inspection notice has been given under section 10.2 of the Act, an inspector or a registered code agency as the case may be, shall undertake a site inspection not later than two days after the notice is given to which the notice relates. In the case of site inspections of sewage systems the Building Code (2.4.5.3 2) requires the municipality to undertake an inspection no later than five days to which the notice relates.

The time periods exclude Saturdays, holidays and all other days when the offices of the principal authority are not open for the transactions of business with the public. The time period of the inspection notice shall begin on the day following the day notice was given.

## 9. PERMIT REVOCATION, DEFERRAL OF REVOCATION AND TRANSFER

### 9.1. Revocation of Permit:

Prior to revoking a Permit under Section 8 (10) (b) or (c) of the Act, the Chief Official shall give written notice of intention to revoke to the permit holder at the last known address and, if on the expiration of thirty days from the date of such notice the ground for revocation continues to exist, subject to Subsection (2), the permit shall be revoked without further notice and all submitted plans and other information may be disposed of or, at the request of the permit holder, returned as directed.

- a) Notification under Section 8(10) shall be served either personally or by registered mail. Where notification is by registered mail, it shall be

deemed to have been served on the third business day after the date of mailing.

9.2. **Deferral of revocation:**

- a) On receipt of a notice of intention to revoke a Permit, a permit holder may request in writing within thirty days from the date thereof, the Chief Building Official to defer the revocation of such Permit.
- b) A request for deferral shall set out the reasons why the Permit should not be revoked and the date by which the work will be commenced or resumed.
- c) Having considered the circumstances of the request and having determined that there have been no changes to the Building Code and any other applicable law which would have prevented the issuance of the original Permit, the Chief Building Official may allow a deferral to a prescribed date and shall notify the permit holder.

10. **TRANSFER OF PERMIT**

Permits are transferable only upon the new owner completing a Permit application form pursuant to the requirements of Section 4.

Only an Administration fee as set out in the Town of Hanover Rates & Charges Bylaw shall be payable on a transfer by the new owner who shall thenceforth be the permit holder for the purpose of the Act and the Building Code.

OR

Permits are non-transferable without written consent of the Chief Building Official and a Transfer of Permit being issued. (PER Section 7.(1)(h) of the BCA.???)

11. **AS CONSTRUCTED PLANS**

The Chief Building Official may 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 construction under such conditions as may be prescribed in the Building Code.

12. **PENALTY**

Under Clause 36 (a) (b) (c) of the Act, contravention of a by-law passed under the Act constitutes an offence. Convictions of an offence may be subject to penalties under Sections 36 (3) to (5) of the Act.

13. **CODE OF CONDUCT**

A code of conduct is applicable to the Chief Building Official and Inspectors in accordance with 7.1-(1). BCA.

A complaint shall be in writing, detailing the concerns and addressed to the Chief Administrative Officer of the Town of Hanover in accordance with the Town of Hanover employee guidelines.

14. **REGISTERED CODE AGENCY**

If the municipality directly appoints a registered code agency under Section 4.1 of the Act, an agreement must be completed.

The agreement with the registered code agency authorizes the agency to perform functions specified in the agreement. The agreements shall be in writing and as outlined in the Building Code under Division C Subsection 3.7.1 through 3.7.7.

15. **CONSTRUCTION FENCES**

Clauses 7 (i) and (j) of the Act, authorize by-laws to require the person to whom a permit is issued to erect and maintain fences around construction and demolition sites and to prescribe the height and description of such fences.

A person issued a construction or demolition permit under the Building Code Act, 1992, for any work in the Town of Hanover shall erect and maintain a fence to enclose the construction or demolition site, including any areas where equipment is operated or equipment or material is stored.

The Chief Building Official is authorized to grant an exemption from the requirement in this subsection to erect a fence if the Chief Building Official is satisfied that conditions at a site would not present a particular hazard to the public.

16. VALIDITY

Should any 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 this By-law as a whole or any part thereof, other than the part so declared to be invalid.

17. REPEAL OF BY-LAWS

17.1. That By-law Nos. 2486-05 and 2487-05 are hereby repealed in their entirety.

18. This By-Law shall come into force and effect immediately upon passing thereof.

**READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED** this 15th day of May, 2023.



Susan Paterson, Mayor



Vicki McDonald, Clerk

## **Schedule "A"**

### **CLASSES OF PERMITS**

1. **Building Permit**  
To be for the purpose of allowing the construction of a building as defined in the Building Code Act, 1992.
2. **Demolition Permit**  
Class "A" for the demolition of all or part of a building which building is less than 600 square metres and does not exceed three (3) storeys in building height.  
  
Class "B" for the demolition of a building or part thereof which demolition is required to be designed and reviewed by a Professional Engineer.
3. **Conditional Permit**  
Pertains to construction only and may be issued only in accordance with Section 8. (3) of the Building Code Act, 1992.
4. **Designated Structure Permit**  
To be for the purpose of constructing a designated structure as defined in the Building Code.
5. **Transfer Permit**  
To be issued to a new owner where ownership changes occur during or prior to the closing of any Permit previously issued.
6. **Provisional Occupancy Permit**  
To allow occupancy of an unfinished building in accordance with the Building Code.
7. **Change of Use Permit**  
To comply with the requirements of Part 10 of the Building Code.
8. **Reapplication**  
To allow a Permit to be reinstated, where required.
9. **Temporary Service Structure**  
A permit for a temporary Structure, to be removed within a predetermined time frame.

## **Schedule " B "**

### **SCHEDULE OF DRAWINGS, SPECIFICATIONS AND DOCUMENTS REQUIRED FOR CONSTRUCTION, DEMOLITION AND CHANGE OF USE PERMITS**

Unless otherwise specified by the Chief Building Official, an electronic submission containing drawings, specifications and documents or one set of drawings, specifications and documents is required to be submitted in order for the various types of Building Permit Applications listed to be considered a complete application pursuant to Section 7(1)(b) of the Act. Depending upon the nature, scope and scale of a project other additional supporting drawings, specifications and documents may be required to demonstrate compliance with the Building Code at the discretion of the Chief Building Official.

#### **REQUIRED DOCUMENTATION**

Where applicable the following supporting documentation shall accompany applications for a permit unless otherwise waived by the Chief Building Official:

1. Approval from the Health Unit for the use, design and construction of a private sewage system and plumbing system.
2. Approval by the Ministry of the Environment, Conservation and Parks for the use, design and construction of a private sewage disposal and water supply systems.
3. Driveway access permit approved by the authority having jurisdiction.
4. Approved nutrient management plan and/or strategy.
5. Confirmation of compliance with Minimum Distance Separation 1 or 2.
6. Real property report (survey plan) prepared by an Ontario Land Surveyor.
7. Where a building is required to be reviewed by a Professional Engineer [Div. C, 1.2.2.3. of the Building Code], provide a completed Commitment to General Reviews by Architect and Engineers form.
8. Energy Efficiency Design Summary (EEDS)
9. Heat loss / heat gain calculations and furnace make/model and duct design layout
10. Geotechnical investigation report
11. Such other approvals as may be required to demonstrate compliance with Applicable Law.

#### **REQUIRED DRAWINGS BY TYPICAL PROJECT TYPE**

1. Demolition (Full or Partial)
  - a) Description of the structural design characteristics of the building and method of demolition prepared by a Professional Engineer where deemed necessary by the Chief Building Official, Div. C, 1.3.1.1.
2. Residential Deck or Porch
  - a) Site Plan
  - b) Foundation Plan
  - c) Floor Plan (framing)
  - d) Cross-section and detail of guards
  - e) Lot grading, drainage and servicing plan, where applicable
3. Residential Accessory Building
  - a) Site Plan
  - b) Site Plan
  - c) Foundation Plan
  - d) Floor Plan (one per floor & including framing)
  - e) Roof Framing Plan
  - f) Elevation(s)
  - g) Building section
  - h) Lot grading, drainage and servicing plan, where applicable
4. Residential Addition and Renovation
  - a) Site Plan
  - b) Foundation Plan
  - c) Floor Plan (one per floor & including framing)

- d) Roof Framing Plan
  - e) Elevation(s)
  - f) Building section
  - g) Lot grading, drainage and servicing plan, where applicable
5. New Residential Detached or Semi-Detached House
- a) Site Plan
  - b) Foundation Plan
  - c) Floor Plan (one per floor & including framing)
  - d) Roof Framing Plan
  - e) Elevation(s)
  - f) Building section
  - g) Lot grading, drainage and servicing plan, where applicable
6. New Residential Townhouse, Tri-plex or Four-plex
- a) Approved Site Plan (agreement and drawings)
  - b) Approved lot grading, drainage and servicing plan
  - c) Foundation Plan
  - d) Floor Plan (one per floor & including framing)
  - e) Roof Framing Plan
  - f) Elevation(s)
  - g) Building section(s)
7. New Residential Apartment Building
- a) Approved Site Plan (agreement and drawings)
  - b) Approved lot grading, drainage and servicing plan
  - c) Site Plan
  - d) Foundation Plan
  - e) Floor Plan (one per floor)
  - f) Floor and Roof structural plans
  - g) Elevation(s)
  - h) Building section(s)
  - i) Window & door / hardware schedules, where applicable
  - j) Room finish schedules, where applicable
  - k) Mechanical drawings (plumbing and HVAC)
  - l) Electrical drawings (lighting and fire alarm system)
  - m) Sprinkler drawings, where applicable
  - n) Standpipe drawings, where applicable
8. New Non-Residential Building or Addition (Part 3 or 9)
- a) Approved Site Plan (agreement and drawings), where applicable
  - b) Approved lot grading, drainage and servicing plan, where applicable
  - c) Site Plan
  - d) Foundation Plan
  - e) Floor Plan (one per floor)
  - f) Floor and Roof structural plans
  - g) Elevation(s)
  - h) Building section(s)
  - i) Window & door / hardware schedules, where applicable
  - j) Room finish schedules, where applicable
  - k) Wall sections and/or details, where applicable
  - l) Mechanical drawings (plumbing and HVAC), where applicable
  - m) Electrical drawings (lighting and fire alarm system), where applicable
  - n) Sprinkler drawings, where applicable
  - o) Standpipe drawings, where applicable
9. Non-Residential Renovation (Part 3 or 9)
- a) Site Plan
  - b) Floor Plan (one per floor)
  - c) Floor and Roof structural plans, where applicable
  - d) Elevation(s), if exterior work proposed
  - e) Building section(s), where applicable
  - f) Window & door / hardware schedules, where applicable
  - g) Room finish schedules, where applicable
  - h) Wall sections and/or details, where applicable
  - i) Mechanical drawings (plumbing and HVAC), where applicable
  - j) j. Electrical drawings (lighting and fire alarm system), where applicable

10. Designated Structures

The following plans prepared and stamped by a Professional Engineer or Architect:

- a) Approved lot grading, drainage and servicing plan, where applicable
- b) Site Plan
- c) Foundation Plan, where applicable
- d) Floor Plan (one per floor), where applicable
- e) Floor and Roof structural plans, where applicable
- f) Elevation(s), where applicable
- g) Sections and/or details, where applicable

**DRAWING COMPLETENESS**

Unless otherwise specified by the Chief Building Official, plans or working drawings showing and detailing the following information shall accompany all building permit applications.

Depending upon the nature, scope and scale of a project other additional information may be required to demonstrate Building Code compliance at the discretion of the Chief Building Official.

1. The site plan drawing shall show:

- a) Property boundaries and dimensions;
- b) The location, use, height and dimensions of any existing and proposed building(s) including, but not limited to front, side, and rear yard dimensions and relationships to adjoining property lines, condominium corporation lines and buildings, common element lines, where applicable;
- c) Relation of buildings and finished grade to existing elevations and storm water drainage control plan on site, where applicable, and
- d) All existing and proposed parking layouts, retaining walls, swimming pools, accessory buildings and any other such physical additions necessary to the site.

2. The lot grading, drainage and servicing plan(s) shall show:

- a) The property lines, building location, sidewalks, driveways, curb cuts, swales, all utility services and new/existing service connections;
- b) Existing and proposed spot elevations for this project and adjacent properties, slopes of driveways, sidewalks and swales, direction of drainage flow; and
- c) Location of storm water catchment area, catch basins, below grade and above grade utilities and connections into services at property line.

3. The architectural drawings shall show:

- a) Building Code matrix, where applicable;
- b) Foundation plan and grade details; and
- c) Each floor plan with exact dimensions of the layout of all proposed areas and identify each with room names;
- d) All wall thickness and type of construction, window and door openings and schedules, elevator, sections and details of all walls, stairs and exits, fire walls, fire separations, shaft and duct openings and other related pertinent information;
- e) Building elevations, cross sections and wall sections showing all floor to floor heights, materials and thickness, etc.; and
- f) Specifications where applicable.

4. The structural drawings shall show:

- a) All foundation, floor, roof and wall structural elements indicating sizes, shapes and proper locations, and all dead and live design loads and conditions of loading;
- b) All reinforced concrete work indicating thickness and strength of concrete, size spacing minimum cover and type of reinforcing steel;
- c) All lintel, column and beam locations and their size;
- d) Engineered roof truss and engineered floor/roof truss layout, where applicable, and completion of APPENDIX 'B' - REVIEW FOR ROOF TRUSS & ENGINEERED FLOOR / ROOF LAYOUT;
- e) Specifications, where applicable.

5. The mechanical and electrical drawings shall show:

- a) Mechanical drawings are to show the plumbing, heating, ventilation and air conditioning including legends and schedules for compliance with the

Building Code. For Part 9 buildings, this information can be shown on the same plan as the architectural;

- b) Electrical drawings are to show lighting, emergency lighting, exit signs, fire alarm systems and their legends and schedules for compliance with the Building Code. For Part 9 buildings, this information can be shown on the same plan as the architectural;
- c) The location of all fire protection equipment such as early warning, detection and suppression systems; and
- d) Specifications, where applicable.

## Schedule "C"

### BUILDING DEPARTMENT CODE OF CONDUCT

1. The Building Department Code of Conduct is meant to:
  - a) Promote good behavior and actions by all Building Department staff, including the Chief Building Official and Building Inspectors;
  - b) Prevent an abuse of power, including unethical or illegal practices, by all Building Department staff; and
  - c) Promote honesty in the services provided by all Building Department staff.
  
2. Building Department staff must:
  - a) Always act in support of public well-being;
  - b) Follow all relevant laws, codes and standards;
  - c) Keep their qualifications up to date, and perform work in line with their qualifications;
  - d) Be professional and polite; and
  - e) Act in keeping with the Town's Corporate Values of Progressive, Public Service, Positive Working Environment, Accountability and Responsible.
  
3. Code of Conduct
  - a) In exercising powers and performing duties under the *Building Code Act*, the Chief Building Official and Inspectors shall:
    - i) 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;
    - ii) Act to identify and enforce compliance where significant contraventions of the Act or regulations are known to exist;
    - iii) Apply all relevant building laws, regulations and standards in a consistent and fair manner, independent of any influence by interested parties;
    - iv) Not accept any personal benefit which may create conflict with their duties; or perform duties where a personal interest may create a conflict;
    - v) Act honestly, reasonably, professionally, efficiently and in a timely manner, and with integrity, objectivity and impartiality, in the discharge of their duties; and
    - vi) Obtain the counsel of persons with expertise where the Chief Building Official or Inspector does not possess sufficient knowledge to make an informed judgment.
  - b) This code of conduct shall be brought to the attention of the public in the following manner:
    - i) Posting on the Town web site; and
    - ii) Posting in a conspicuous location at the customer service counter for the Building Department.

# APPENDIX 'A' - LOT GRADING CERTIFICATE

**WHEREAS** Article 9.14.6.1 and Article 3.1.18.1 of Division B of the Ontario Building Code (Ontario Regulation 332/12) requires grading of the site so that water will not accumulate at, or near, the building and will not adversely affect adjacent properties.

A. Project Information				
Street Number	Street Name		Unit Number	
Municipality		Province	Postal Code	Telephone Number
Project Description				

B. Owner Information				
First Name		Last Name		
Street Number	Street Name		Suite/Unit Number	
City/Town		Province	Postal Code	Telephone Number

C. Information and Declaration				
First Name		Last Name		
Company Name (if applicable)				
Street Number	Street Name		Suite/Unit Number	
City/Town		Province	Postal Code	Telephone Number
Email				
I _____ declare that: (print name) I have reviewed the plans for the (applicable Construction Activities to be added) at (applicable civic address to be added) and have prepared this Grading and Drainage Plan to indicate the compatibility of the proposal to existing adjacent properties and municipal services. It is my professional opinion that adherence to the proposed grades as shown will produce adequate surface drainage and proper facility of the municipal services without any detrimental effect to the existing drainage patterns, adjacent properties and municipal services.				<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <b>Affix Seal Below</b> </div>
_____ Date		_____ Signature of Designer		

The information collected on this form is considered to be a public record. The legal authority to make the information public is Town of Hanover By-law \_\_\_\_\_-23.

All personal information this form is collecting pursuant to the Building Code Act, 1992, c. 23 and will be used for the purposes of the administration and enforcement of the Building Code Act, 1992. Questions regarding this collection may be directed to the Chief Building Official, Town of Hanover, 341 10th Street, Hanover, ON N4N 1P5, Telephone; 519.364.2780, Fax; 519.364.6456.



# APPENDIX 'B' - REVIEW FOR ROOF TRUSS & ENGINEERED FLOOR / ROOF LAYOUT

A. Project Information				
Street Number	Street Name		Unit Number	
Municipality		Province	Postal Code	Telephone Number
Project Description			Permit Number:	

B. Owner Information				
First Name		Last Name		
Street Number	Street Name		Suite/Unit Number	
City/Town	Province	Postal Code	Telephone Number	

C. Information	
<p>The <b>roof truss</b> layout and the trusses including truss uplift have been reviewed and coordinated with the building architectural / structural drawings and found to be:</p> <p> <input type="checkbox"/> Acceptable                      <input type="checkbox"/> N/A  <input type="checkbox"/> Acceptable with the changes as noted         </p>	<p>The <b>engineered floor/roof</b> layout and spans have been reviewed and coordinated with the building architectural / structural drawings and found to be:</p> <p> <input type="checkbox"/> Acceptable                      <input type="checkbox"/> N/A  <input type="checkbox"/> Acceptable with the changes as noted         </p>

D. Reviewed By	
Signature of Professional Engineer or Designer <small>(qualified in accordance with Division C – Part 3 Table 3-5-2-1)</small>	Date:
Name (Printed):	Project No:
Firm Name:	
Address:	
Contact Information:	

All personal information this form is collecting pursuant to the Building Code Act, 1992, c. 23 and will be used for the purposes of the administration and enforcement of the Building Code Act, 1992. Questions regarding this collection may be directed to the Chief Building Official, Town of Hanover, 341 10th Street, Hanover, ON N4N 1P5, Telephone; 519.364.2780, Fax; 519.364.6456.

