

**THE TOWNSHIP OF TARBUTT
BY-LAW 2025 - 16**

**A BY-LAW TO REGULATE THE CONSTRUCTION,
DEMOLITION AND CHANGE OF USE OF BUILDINGS AND
DESIGNATED STRUCTURES WITHIN THE TOWNSHIP OF
TARBUTT, TO SET FEES, AND TO REPEAL BY-LAW 10-2017.**

WHEREAS Section 7 of the Building Code Act, 1992 (S.O. 1992, C.23), as amended, authorizes a Municipal Council to pass a By-Law with respect to construction, demolition, change of use, inspections, fees and other matters; and

WHEREAS Subsection 1.1(6) of the Building Code Act, 1992 (S.O. 1992, C.23), as amended, authorizes a Chief Building Official to establish operational policies for the enforcement of this Act and the Building Code; and

WHEREAS Subsection 23.1(1) of the Municipal Act, 2001 (S.O. 2001, C.25), as amended, authorizes a Township to delegate its powers and duties to a person or body; and

WHEREAS section 391 (1) (a) of the *Municipal Act, 2001*, as amended, authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality; and

WHEREAS section 425 of the *Municipal Act, 2001*, as amended, provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the *Municipal Act, 2001* is guilty of an offence;

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

1. SHORT TITLE

1.1. This By-Law may be cited as and referred to as the “Building By-Law”

2. DEFINITIONS

2.1. In this By-Law, words and terms shall be assigned the following definitions listed in this section. Words and terms not defined within this By-Law shall have the meaning defined in the Act and the Code, and where not defined in the Act or the Code, words and terms shall have the meaning defined by the Oxford Dictionary, considering the context in which they are used in this By-Law.

2.1.1. “**Act**” means the Building Code Act, 1992, (S.O. 1992, C.23), as amended.

2.1.2. “**Applicable Law**” means an applicable law listed in Division A, Article 1.4.1.3. of the Code.

2.1.3. “**Applicant**” means the Owner, or the person authorized by the Owner, who submits an application to the Chief Building Official.

- 2.1.4. **“Application”** means an application for a permit made to the Chief Building Official under Sections 8 or 10 of the Act.
- 2.1.5. **“Architect”** means the holder of a license, certificate of practice, or a temporary license issued under the Architects Act.
- 2.1.6. **“As Built Plans”** means plans and drawings and other documents detailing how a building has been constructed.
- 2.1.7. **“Builder”** means any person who undertakes a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer and shall be held to the role of the Builder in the Act.
- 2.1.8. **“Building”** means the definition contained within the Act.
- 2.1.9. **“Building Staff”** means any person employed by the Township and working within the Building Department, including but not limited to a building clerk, a building inspector, a plans examiner, and the Chief Building Official.
- 2.1.10. **“Business Day”** means a day, and hours of the day, when the office of the Township is open for the transaction of business with the public, and shall not include weekends, holidays, or other days as determined by the Township.
- 2.1.11. **“Change of Use Permit”** means a permit issued in accordance with Section 10 of the Act where no construction is proposed.
- 2.1.12. **“Chief Building Official”** means the person appointed by By-law under Subsection 3(2) of the Act, also referred to as the “CBO” and the “Building Inspector”.
- 2.1.13. **“Chief Administrative Officer/Clerk”** means the person appointed by the Township under Sections 228 and/or 229 of the Municipal Act.
- 2.1.14. **“Code”** means the in-effect version of the Ontario Building Code Regulation made under the Act, including all applicable amendments.
- 2.1.15. **“Construction”** means the definition contained within the Act.
- 2.1.16. **“Conditional Permit”** means a permit issued under an agreement in accordance with Subsection 8(3) of the Act.
- 2.1.17. **“Demolition”** means the definition of contained within the Act.
- 2.1.18. **“Development Permit”** means a permit that is issued under the Development Permit By-law in accordance with Section 70.2 of the Planning Act.

- 2.1.19. **“Digital Signature”** means cryptographically protected information in which the veracity of the certificate details is certified by a recognized digital signature certificate authority.
- 2.1.20. **“Engineer”** means a person who holds a license or temporary license under the Professional Engineers Act.
- 2.1.21. **“Fees By-Law”** means the current in effect fees by-law passed by the Council of the Township prescribing the amount of fees under Clauses 7(c), 7(c.1), and 7(d) of the Act.
- 2.1.22. **“Minister”** means the Ontario Minister of Municipal Affairs and Housing.
- 2.1.23. **“Occupancy Permit”** means permission or authorization from the Chief Building Official issued in accordance with Section 11 of the Act and Division C of the Code authorizing occupancy of a building or part of it.
- 2.1.24. **“Owner”** means, the registered owner of the property in which the construction or demolition will take place.
- 2.1.25. **“Permit”** means permission or authorization from the Chief Building Official issued in accordance with Section 8 of the Act to perform any work or action regulated by the Act and the Code, and “Building Permit” shall have the same meaning.
- 2.1.26. **“Property”** means a registered parcel of land within the Township.
- 2.1.27. **“Township”** means the Corporation of the Township of Tarbutt.

3. PERMIT APPLICATIONS

3.1. Classes of Permits

- 3.1.1. Permits shall be classified as either a Construction Permit, Demolition Permit, or combination of them, or a Change of Use Permit.

3.2. Methods for Submitting an Application

- 3.2.1. Permit applications and the associated documents and forms shall be submitted to the Chief Building Official through the Township Office digitally, by e-mail, or by hard copy.
- 3.2.2. The Chief Building Official may refuse a digital submission if, after consultation Township staff, the safety and security of the Township may be compromised by the submission.

- 3.2.3. The Chief Building Official may require that hard copy applications be accompanied by the same submission in digital format that meets the standards for digital submission and digital documents as specified by this By-Law.

3.3. Separate Permit Applications

- 3.3.1. Where parts of the construction or demolition proposed in an application are to take place in separate phases, stages, or time frames, the Chief Building Official may require the Applicant to submit separate applications for each phase, stage, or time frame of the proposed project.
- 3.3.2. Where the construction or demolition proposed in an application contains multiple freehold units or multiple civic addresses for one building, the Chief Building Official may require the Applicant to submit separate applications for each freehold unit or civic address.

3.4. Documents and Forms Required for Permit Applications

- 3.4.1. Prior to commencement of any construction, applications for all classes of permits shall be submitted with the following minimum documents, as it relates to the proposed project:
- 3.4.1.1. An "Application for a Permit to Construct or Demolish" form, as prescribed by the Minister;
 - 3.4.1.2. Where the Applicant is not the Owner, a "Letter of Authorization" signed by the Owner authorizing the Applicant to apply for and obtain a permit with respect to their Property, and the letter shall contain the Owner's name, email address, and phone number, the Applicant's name, the Property civic address, and the description of the proposed project;
 - 3.4.1.3. A "Schedule 1: Designer Information" form, as prescribed by the Minister, for each individual who reviews and takes responsibility for design activities, unless the individual is an Engineer or Architect;
 - 3.4.1.4. Where the project is one which requires general review in accordance with Division C, Article 1.2.2.1. of the Code, a "Commitment to General Review" form, as prescribed by the Ontario Association of Architects and the Professional Engineers of Ontario, for each Architect and Engineer who is to be retained to undertake the general review;
 - 3.4.1.5. Plans, including but not limited to plan views, cross-sections, elevations, enlarged details, and schedules, containing sufficient notes, dimensions, details, and other relevant information as necessary to describe and illustrate the proposed project, and to demonstrate compliance with the Act and the Code, to the satisfaction of the Chief Building Official;

- 3.4.1.6. Where the proposed project will require evaluation of the site plan specific requirements of the Code or an Applicable Law, a site plan drawing containing sufficient information as deemed relevant by the Chief Building Official, including but not limited to the locations of existing buildings and structures, proposed buildings and structures, overhead electrical conductors, registered property lines and easements, property line setbacks, bodies of water, sewage system beds and tanks, wells, driveways, fire access lanes, fire hydrants, water and sewer pipes below grade, and any other significant site features;
- 3.4.1.7. Plans for any proposed construction, alteration, and demolition of a plumbing system, except for Part 9 buildings not requiring general review, the name and license number of a master plumber in lieu of plumbing system plans, or riser drawings for a non-licensed contractor may be accepted;
- 3.4.1.8. Plans for any proposed construction, alteration, and demolition of a Heating Ventilation and Air Conditioning (HVAC) system;
- 3.4.1.9. A “Building Code Matrix”, as prescribed by the Ontario Association of Architects, for any project that is not a house, a building ancillary to a house, or a basic renovation under Division B, Article 11.3.3.1;
- 3.4.1.10. Where the proposed project includes a renovation of a building that has been in existence for at least five years, an evaluation of the requirements of Part 11 of the Code may be submitted;
- 3.4.1.11. Where the design proposes using an alternative solution, any documentation that the Chief Building Official deems relevant in determining whether the proposed alternative solution will achieve the same level of performance that would be required by the applicable acceptable solution in Division B of the Code, including but not limited to the documentation listed in Division C, Section 2.1. of the Code;
- 3.4.1.12. Any document that demonstrates to the Chief Building Official that the proposed project will comply with an Applicable Law;
- 3.4.1.13. Any documents and forms that demonstrate compliance with Part 12 of the Code and the standards referenced in that part; and,
- 3.4.1.14. Notwithstanding, the Chief Building Official may require any other plans, documents, or information, and may prescribe any other form that they deem necessary in determining whether the proposed project will comply with the Act or the Code.

- 3.4.1.15. Where the proposed project is adjacent to a waterbody or watercourse the Chief Building Official may require a survey be provided by a Registered Land Surveyor from the Province of Ontario to locate any high water mark or other water related setback to determine compliance with applicable law.
- 3.4.1.16. Updated drawings including individual plan sheets shall be provided in a new full document set when making changes to the submitted permit drawings, or after making changes pertaining to a plans review note provided by the Building Staff.
- 3.4.1.17. The Chief Building Official may require a preliminary site inspection during application/plans review process if plans are either non-compliant or missing sufficient information to determine compliance with the Code, Act, or Applicable Law.
- 3.4.2. Notwithstanding Section 3.4.1. of this By-Law, a Change of Use permit application shall be accompanied by as-constructed plans of the existing building or the part of the building where Change of Use is proposed, as well as an analysis of the requirements of Part 10 of the Code.
- 3.4.3. Notwithstanding Section 3.4.1. of this By-Law, a Demolition permit application shall be accompanied by a site plan of the property identifying the building or part of the building to be demolished, including the registered property lines, the location of all buildings, including those not being demolished. If rebuilding is planned where a building or portion of a building is being demolished, the applicant must ensure that the new building meets current zoning standards.
- 3.4.4. Where the Applicant is requesting that a Conditional Permit, the Applicant shall provide the reasons why they are requesting the Conditional Permit.
- 3.4.5. Forms prescribed by this By-Law shall be made available to the public by the Township office, or on the Township's website.
- 3.4.6. All documents submitted to the Chief Building Official shall include a date, such as a date of receipt, of issuance or date of revision.
- 3.4.7. A document submitted to the Chief Building Official shall only contain the information that is relevant to the proposed construction or demolition in the application, and any information that is not relevant shall be clearly identified on the document, or removed.
- 3.4.8. Any document submitted to the Chief Building Official that is not required by this By-Law to be submitted with an application, and that has been deemed by the Chief Building Official as not relevant in the review of the application, shall be deemed to not form part of the application.

- 3.4.9. A document or plan that specifies options or optional work shall clearly identify which option is being proposed in the application.
- 3.4.10. A document or plan that forms part of the design of a building submitted to the Chief Building Official shall, in the case of an Architect or Engineer who takes responsibility for the design, be stamped with the seal of the Architect or Engineer and signed by that person, and in the case of any other person required to be a registered designer in accordance with Division C, Section 3.2. of the Code, contain the information prescribed by Division C, Clauses 3.2.4.7.(1)(e) and 3.2.5.6.(1)(d) of the Code and be signed by that person.

3.5. Document Standards and Formats

- 3.5.1. All wording, linework, details, notes, dimensions, and other information contained on or within a document shall be legible and clear.
- 3.5.2. All wording contained on or within a document shall be in English.
- 3.5.3. Digital documents shall be separated into individual files for each document type, such as plans, application form, and Schedule 1, and each file shall be named and labelled accordingly to describe its contents.
- 3.5.4. Individual digital documents shall be provided in any combination of .PDF, .JPG, .DOCX, or .XLSX file format, shall have a document size not less than 8.5"x11" and not exceeding 36"x48", and any individual electronic file size shall not exceed 100 megabytes.
- 3.5.5. Combined files in a .ZIP folder shall be in compliance with the requirements of this By-Law.
- 3.5.6. Where a document is a scanned or photographed copy, the document shall be formatted to be centered, aligned, and cropped to only display relevant information.
- 3.5.7. Hard copy documents shall be provided on paper stock, shall have a document size not less than 8.5"x11" and not exceeding 11"x17". Any hard copy documents exceeding this size may be accepted only where the documents is accompanied by a submission of the same document in digital format that meets the standards for digital documents specified by this By-Law.
- 3.5.8. Where a form, document, or plan is required by this By-Law to be signed by a person, in the case of a digital document, the signature may be a digital signature, and in the case of a hard copy document, the signature shall be the original wet ink signature.

4. APPLICATION COMPLETENESS AND REVIEW

4.1. Payment of Fees and Deposits

- 4.1.1. An application shall be accompanied by the full payment of permit fees prescribed by *Appendix C of this By-law*, calculated on the date the application is made, except where Appendix C prescribes a specific permit review fee for specific permit types, the applicant may opt to pay only the review fee.
- 4.1.2. Where only a deposit fee has been paid for an application, for the purposes of Division C, Clause 1.3.1.3.(5)(e) of the Code, the part of the application related to fees shall be deemed complete.
- 4.1.3. Where only a deposit fee has been paid for an application, the total permit fee shall be calculated in accordance with the *Appendix C* in effect on the date the permit is issued, as if no deposit fee had been paid, and the amount of the deposit fee paid at time of application shall be credited against the total permit fees due at the time of permit issuance. No permit shall be issued until all fees have been paid in full.
- 4.1.4. The Chief Building Official may require an Applicant to provide an itemized breakdown of the estimated cost of construction to support the valuation declared on the application form and the construction that is being proposed, as it relates to the calculation of permit fees. Where the Chief Building Official determines in his or her discretion that additional fees are required the applicant shall be notified and no permit shall be issued until the total fee has been paid.

4.2. Complete Application

- 4.2.1. For an application to be deemed a complete application, the application shall meet the requirements of Division C, Sentence 1.3.1.3.(5) of the Code.
- 4.2.2. For the purposes of Division C, Clause 1.3.1.3.(5)(c) of the Code the minimum required fields on the application form and schedules shall be the highlighted fields in "*Appendix A – Required Application Fields*" and "*Appendix B – Required Schedule 1 Fields*".
- 4.2.3. Where an application has been deemed complete, and the Chief Building Official has provided notice to the Applicant of any reason that a permit cannot be issued, including but not limited to a request for further documents, plans, or other information, or that part of the design does not appear to comply with the Act, the Code, or an Applicable Law, the notice shall be deemed as refusal to issue a permit in accordance with Division C, Clause 1.3.1.3.(1)(b) of the Code.

4.3. Incomplete Application

- 4.3.1. An application that is not deemed a complete application, shall be deemed an incomplete application.

4.3.2. Where an Applicant is notified that an application is incomplete, the notice shall be deemed as a refusal to issue a permit in accordance with Division C, Clause 1.3.1.3.(1)(b) of the Code.

4.4. Time Periods for Applications

4.4.1. Where a notice of refusal to issue a permit in accordance with Subsections 4.2.3. and 4.3.2. of this By-Law has been provided to an Applicant, the time periods prescribed by the Code do not recommence unless the Applicant submits a new application.

4.5. Cancelled Applications

4.5.1. If an incomplete application remains in an incomplete state for longer than the time period prescribed in Table 4.5. in this By-Law, from the date the application is made, the application may be cancelled.

4.5.2. Where a complete application has been submitted, notice of refusal to issue a permit in accordance with Division C, Clause 1.3.1.3.(1)(b) of the Code has been provided to the Applicant, and all reasons for refusal have not been appropriately addressed by the Applicant that would otherwise allow the Chief Building Official to issue a permit, the application may be cancelled if the time period prescribed in Table 4.5 in this By-Law has lapsed from the date the notice of refusal was provided.

4.5.3. Where an application meets all the requirements that allow the Chief Building Official to issue the permit, but where the total amount of fees required for the issuance of the permit have not been paid by the Applicant, the application may be cancelled if the time period prescribed in Table 4.5 in this By-Law has lapsed from the date the Applicant was notified of the amount of unpaid fees.

Table 4.5. – Time Period for Cancellation of Application

Column 1	Column 2
Building Type	Time Period for Cancellation of Application.
Houses, buildings accessory to a house, tents, signs, and designated structures	20 business days
Part 9 buildings other than described above	30 business days
Part 3 buildings other than described above, and retirement homes	40 business days
Post disaster buildings, high buildings, and buildings with an interconnected floor space	60 business days

4.5.4. Where more than one time period is applicable in Table 4.5, the greater time period shall apply.

- 4.5.5. Prior to cancelling an application, the Chief Building Official shall serve notice to the Applicant, either by personal service, or by mail or email service to the address or email declared on the application form, that the Application will be cancelled.
- 4.5.6. Where notice is served by mail or email service, the Applicant shall be conclusively deemed for all purposes to have been served.
- 4.5.7. An Applicant may, within five (5) business days from the date of service of a notice of application cancellation, request in writing that the Chief Building Official defer the cancellation by stating reasons why the application should not be cancelled.
- 4.5.8. The Chief Building Official, having regard to any changes to the Act, the Code, or an Applicable Law, may defer the cancellation for a time period of no longer than ten (10) business days from the date the deferral is granted by the Chief Building Official.
- 4.5.9. An Applicant may, by written notice to the Chief Building Official, request cancellation of the application at any time.
- 4.5.10. An Owner who has authorized an Applicant to apply for a permit for their property may, by written notice to the Chief Building Official, withdraw their authorization of the application at any time prior to the permit being issued, and upon receipt of the notice, the Chief Building Official shall cancel the application in accordance with Subsection 4.5.5 of this By-Law.

4.6. Third Party Review

- 4.6.1. Where an Applicant or designer proposes an alternative solution, or the use of innovative materials, systems or building designs that are not approved through a ruling by the Minister, or where the proposed design cannot reasonably be determined by the Chief Building Official as compliant with the Act or the Code, the Chief Building Official may utilize a third party review by a person possessing special or expert with respect to the proposed design or part of the design that is in question.
- 4.6.2. Fees and costs associated with a third-party review shall be paid by the Applicant in accordance with the Fees as noted in Appendix C of this By-law.

4.7. Refunds

- 4.7.1. Refunds of application and permit fees, where applicable, shall be made in accordance with the Fees as noted in *Appendix C of this By-law*.

5. PERMIT ISSUANCE, TRANSFER, AND DOCUMENT RETENTION

5.1. Permit Issuance

- 5.1.1. All permits shall be issued to the Applicant, the Owner, and the Building Official.

- 5.1.2. Every person to whom a permit has been issued shall be responsible to ensure that a copy of the certified site documents shall be present on the site where the construction is commencing, at all times.
- 5.1.3. Only the documents that have been certified by the Chief Building Official or designated staff shall be deemed as the documents that form the permit.

5.2. Transfer of Permit

- 5.2.1. A permit may be transferred to another person after the permit has been issued by submitting the following information and documents to the Chief Building Official:
 - 5.2.1.1. A letter signed by the original Applicant requesting that the permit be transferred to a new Applicant, and the letter shall indicate the name of the new Applicant;
 - 5.2.1.2. A new “Application for a Permit to Construct or Demolish” form, as prescribed by the Minister of Municipal Affairs and Housing, completed by the proposed new permit Applicant;
 - 5.2.1.3. Proof of ownership, such as land transfer documents, where the property has changed ownership. Where the property has not changed ownership and the Owner is not the applicant, an authorization from the Property Owner permitting the new applicant to continue with the application;
 - 5.2.1.4. Payment of the permit transfer fee prescribed by the Fees By-Law.
- 5.2.2. A transfer of a permit does not constitute a reason for refunding fees previously paid by the original permit Applicant.

5.3. Document Retention

- 5.3.1. Except as required in this By-Law, documents related to applications and permits shall be retained in accordance with the records management and document retention by-laws and policies enacted by the Township.
- 5.3.2. All hard copy documents shall be scanned and converted to digital documents to be retained by the Township, and the digital version of the documents shall be deemed to be the original for all purposes.
- 5.3.3. All permits that have been issued by the Chief Building Official, and all documents that form the permit, shall be retained by the Township permanently in digital format.
- 5.3.4. Where an application has been cancelled, and where no permit has been issued, documents and forms submitted with the application shall be deleted, destroyed, or returned to the Applicant.

6. INSPECTIONS

6.1. Prescribed and Additional Inspection Notices

- 6.1.1. All prescribed inspection notices listed in Division C, Article 1.3.5.1. of the Code shall be required, with respect to the type of construction proposed in the permit.
- 6.1.2. The Chief Building Official may require any of the additional inspection notices listed in Division C, Article 1.3.5.2. of the Code where the Chief Building Official has communicated to a person to whom a permit has been issued that the additional inspection notice is required.
- 6.1.3. The required prescribed and additional inspection notices that relate to the type of construction proposed in the permit shall be noted on the permit.
- 6.1.4. Notwithstanding Subsection 6.1.3. of this By-Law, prescribed inspection notices noted on the permit shall be deemed for convenience only, and it shall be the responsibility of the person to whom the permit has been issued to ensure that all inspection notices that relate to the construction are provided as required by the Act and the Code.

6.2. Request for Inspection

- 6.2.1. The person to whom the permit has been issued shall provide notice to the Chief Building Official for each required prescribed and additional inspection notice by one of the following methods providing a minimum of 48 hours advance notice:
 - 6.2.1.1. Phone the Chief Building Official at 705-989-2006; or
 - 6.2.1.2. Email the Building Official at tarbutt.buildingservices@gmail.com
- 6.2.2. Every inspection notice shall contain the following information:
 - 6.2.2.1. The name of the prescribed or additional inspection notice and the stage of construction to which the inspection relates;
 - 6.2.2.2. The permit number that relates to the project; and
 - 6.2.2.3. The civic address that relates to the project.
- 6.2.3. A notice or request for inspection that does not meet the criteria of Subsections 6.2.1. and 6.2.2. of this By-Law shall be deemed invalid.
- 6.2.4. Where an inspector has deemed that a stage of construction does not meet the criteria for the prescribed or additional inspection notice, as it is described in Division C, Articles 1.3.5.1. and 1.3.5.2. of the Code, the permit holder shall provide a new notice

for inspection when the criteria for that stage of construction has been met, and shall not cover any part of the construction that will require inspection for that stage.

6.3. Inspection Requirements

- 6.3.1. Matters related to inspections, including but not limited to requirements for notice, readiness, condition of the construction site, access for inspector, and results of the inspection, shall comply with the Inspection requirements set out hereto.

7. DELEGATION OF AUTHORITY

7.1. Conditional Permit Agreements

- 7.1.1. The Chief Building Official shall obtain permission from Council prior to entering into any agreements described in Clause 8(3)(c) of the Act.

7.2. Emergency Appointment Provisions

- 7.2.1. Upon receiving notice of a declared state of emergency, the CAO/Clerk may authorize the Chief Building Official to appoint inspectors under Section 3 of the Act, including the function of revoking such appointments, subject to the following conditions:

- 7.2.1.1. The CAO/Clerk has determined the state of emergency has overwhelmed the Building Department's resources;
- 7.2.1.2. Prior to appointment, each inspector shall have the qualifications set out in the Code, as it relates to the position and the duties they will perform; and
- 7.2.1.3. Any appointments made may be revoked at any time by the CAO/ Clerk or the Chief Building Official, and all appointments shall be revoked when the state of emergency is no longer in effect.

7.3. Delegation to Serve Notice

- 7.3.1. Where notice is required by this By-Law by the Chief Building Official, with respect only to Applications, Permits, and Fees, the Chief Building Official may delegate the ability to provide or serve the notice to any Township Staff as they see fit.

8. OFFICIAL COMPLAINTS

- 8.1. Complaints related to Building Code matters and enforcement, except for matters related to the Building Official Code of Conduct, shall be submitted to the Township by email or written submission, and shall contain the civic address of the alleged contravention, and sufficient information to describe the alleged contravention. The complainant's name, phone number and email address may be included.

8.2. The Chief Building Official shall investigate any complaints received relating to Building Code matters without requiring the identification of the complainant.

9. SEVERABILITY

9.1. If a court of competent jurisdiction should declare any section or part of a section this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of this By-law shall be valid and shall remain in force.

10. REPEAL

10.1. The Township of Tarbutt By-law No. 10-2017 as amended, and any previously adopted building fee schedule, are hereby repealed in their entirety upon the passing of this By-law.

11. EFFECTIVE DATE

11.1. This By-law shall, in its entirety, come into force and take effect on the day of passing.

BY-LAW READ A FIRST TIME this Twenty First day of May, 2025.

READ A SECOND AND THIRD TIME AND FINALLY PASSED this Twenty First day of May, 2025.



Lennox Smith, Mayor



Carol O. Trainor, Clerk

APPENDIX A – REQUIRED APPLICATION FIELDS

Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the *Building Code Act, 1992*

For use by Principal Authority			
Application number:		Permit number (if different):	
Date received:		Roll number:	
Application submitted to: _____ (Name of municipality, upper-tier municipality, board of health or conservation authority)			
A. Project information			
Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/other description	
Project value est. \$		Area of work (m ²)	
B. Purpose of application			
<input type="checkbox"/> New construction <input type="checkbox"/> Addition to an existing building <input type="checkbox"/> Alteration/repair <input type="checkbox"/> Demolition <input type="checkbox"/> Conditional Permit			
Proposed use of building		Current use of building	
Description of proposed work			
C. Applicant			
Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner			
Last name		First name	Corporation or partnership
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax	Cell number	
D. Owner (if different from applicant)			
Last name		First name	Corporation or partnership
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax	Cell number	

E. Builder (optional)				
Last name		First name	Corporation or partnership (if applicable)	
Street address			Unit number	Lot/con.
Municipality	Postal code	Province	E-mail	
Telephone number	Fax	Cell number		
F. Tarion Warranty Corporation (Ontario New Home Warranty Program) <small>New Construction ONLY - Developers fill out</small>				
i. Is proposed construction for a new home as defined in the <i>Ontario New Home Warranties Plan Act</i> ? If no, go to section G.		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
ii. Is registration required under the <i>Ontario New Home Warranties Plan Act</i> ?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
iii. If yes to (ii) provide registration number(s): _____				
G. Required Schedules				
i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.				
ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.				
H. Completeness and compliance with applicable law				
i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the <i>Building Code</i> (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted). Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the <i>Building Code Act, 1992</i> , to be paid when the application is made.		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<small>Select the correct option for each</small>
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> .		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
iv) The proposed building, construction or demolition will not contravene any applicable law.		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
I. Declaration of applicant				
I _____ declare that:				
<small>(print name)</small>				
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.				
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.				
_____		_____		
<small>Date</small>		<small>Signature of applicant</small>		

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor, Toronto, M5G 2E5 (416) 585-6666.

APPENDIX B – REQUIRED SCHEDULE 1 FIELDS

Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information			
Building number, street name		Unit no.	Lot/con.
Municipality	Postal code	Plan number/ other description	
B. Individual who reviews and takes responsibility for design activities			
Name		Firm	
Street address		Unit no.	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax number	Cell number	
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]			
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> House <input type="checkbox"/> Small Buildings <input type="checkbox"/> Large Buildings <input type="checkbox"/> Complex Buildings </div> <div style="width: 30%;"> <input type="checkbox"/> HVAC – House <input type="checkbox"/> Building Services <input type="checkbox"/> Detection, Lighting and Power <input type="checkbox"/> Fire Protection </div> <div style="width: 30%;"> <input type="checkbox"/> Building Structural <input type="checkbox"/> Plumbing – House <input type="checkbox"/> Plumbing – All Buildings <input type="checkbox"/> On-site Sewage Systems </div> </div>			
Description of designer's work <p style="text-align: center; color: red; font-size: small;">Include a description of the proposed work</p>			
D. Declaration of Designer			
I _____ declare that (choose one as appropriate): <p style="text-align: center; color: yellow;">(print name)</p> <p>I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.</p> <p>Individual BCIN: _____</p> <p>Firm BCIN: _____</p> <p>OR</p> <p>I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code.</p> <p>Individual BCIN: _____</p> <p>Basis for exemption from registration: _____</p> <p>OR</p> <p>The design work is exempt from the registration and qualification requirements of the Building Code.</p> <p>Basis for exemption from registration and qualification: if you are the homeowner - list homeowner here</p> <p>I certify that:</p> <ol style="list-style-type: none"> The information contained in this schedule is true to the best of my knowledge. I have submitted this application with the knowledge and consent of the firm. <p>_____ ➔ _____ Date Signature of Designer</p>			

Select those that are applicable

NOTE:

- For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) (c) of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
- Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practice, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

APPENDIX C – PERMIT FEES

2025 TOWNSHIP OF TARBUTT BUILDING PERMIT FEES	
MINIMUM PERMIT FEE REQUIREMENTS FOR ALL PERMITS UNLESS OTHERWISE STATED	
Minimum Permit Fee (unless otherwise noted)	\$ 110.00
Where work has commenced prior to any permit being issued, the permit fee will be doubled.	2 x regular fee
NON-HOUSING PERMIT FEES (COMMERCIAL, INDUSTRIAL, INSTITUTIONAL AND LARGE RESIDENTIAL NON HOUSE BUILDINGS)	
New Building Construction and Additions (Group A, Assembly)	\$25.00 / m2 Gross Floor Area (finished)
Alterations, Renovations & Interior Fit Ups (Group A & B)	\$9.00 / m2 of floor area being renovated
Alterations, Renovations, Repairs & Interior Fit Ups (Group C,D,E,F)	\$7.50 / m2 of floor area being renovated
Accessory Structures	\$6.50 / m2 of proposed Gross Floor Area
Demolition Permit for Non-Housing	Minimum Permit Fee of \$110.00
New Construction Permit Review Fee (Deposit required to accompany application and will be deducted from final permit Fee)	\$ 250.00
NEW HOUSE PERMIT FEES	
New House - Includes New Townhouses, Single Detached Homes, Semi Detached Homes, Triplex and Duplex, New Detached Garage with a purpose built dwelling or suite built at time of original construction.	\$22.00 / m2 (\$2.04/sf) for finished area above grade
Additional Dwelling Unit (in a new house or existing house, or in an existing residential accessory building) - Charged in addition to the finished area charge for the new house.	\$ 500.00 + above calculated fee
New Construction Permit Review Fee (Deposit required to accompany each application and will be deducted from final permit fee)	\$ 250.00
FARM BUILDING PERMIT FEES	
New Farm Buildings - (Group G) Includes barns, farm use sheds, coverall buildings, farm storage bins and any other farm building as determined by the CBO.	\$6.00 / m2 of proposed Gross Floor Area
Renovation of Existing Farm Buildings	1.5% of value of construction OR \$6.00/m2 of the proposed floor area being renovated (whichever is greater)
New Construction Permit Review Fee (Deposit required to accompany application) Will be deducted from final permit Fee.	\$ 250.00

ACCESSORY STRUCTURES, RENOVATION AND DEMOLITION FEES FOR HOUSING PROJECTS	
Additions, Renovations and Repairs where not noted below	\$6.75 / m2 of the proposed floor area being renovated
Finished Basement (not serving as an additional dwelling unit above)	\$ 150.00
Small Deck Landings (max 2.32m2 in floor area with no roof)	Minimum Permit Fee
Accessory Structures (decks, shed, detached garage, carports etc.) with no foundation below grade (floating/detached)	\$ 150.00
Accessory Structures (decks, shed, garage without dwelling, carports etc.) with foundation below grade not floating and/or attached	\$5.00 / m2 of proposed Gross Floor or Deck Area
Foundation Repairs	Minimum Permit Fee
Solid wood burning appliance installation (replacement or new)	Minimum permit Fee
Heating appliance (non wood burning) installation (replacement or new)	Minimum Permit Fee
Plumbing outside of a building (water line installations, sewer repairs, etc. (does not include septic installs or repairs)	Minimum Permit Fee
Sea Container Permits (>15m2 in area) only permitted in rural/agricultural/commercial zones	\$ 110.00
Solar Installations on Buildings	\$ 150.00
Shingle / Re-roofing Permit	\$ 1 10.00 (one free load shingles to landfill)
Demolition Permits for Residential Buildings and Accessory Structures	\$ 110.00
Siding and Replacement of same size windows and doors	\$ 110.00
ADMINISTRATIVE FEES - APPLICABLE TO ALL PERMIT TYPES	
Conditional Permit Agreement	\$150.00
Partial Permit (foundation only)	Minimum Permit Fee
Change of Use Permit (no construction required and or proposed)	Minimum Permit Fee
Revision to Permit (at the discretion of the CBO additional charges of \$70/hr may apply depending on complexity)	Minimum Permit Fee
Construction Without a Permit (at the discretion of the CBO) - No Order Issued in relation to the contravention	Permit fee + up to 50% surcharge
Construction Without a Permit (at the discretion of the CBO) - Order Issued in relation to the contravention	Permit fee + up to 100% surcharge
Additional Inspection Fee (for 3 or more inspections for one stage of construction and at the discretion of the CBO)	Minimum Permit Fee (payment required before inspection will be done)
Alternative Solution Proposal (only accepted from Engineers, Architects or BCIN Registered Designers)	\$250.00 + any third party costs as below
Third Party Review Costs associated with third party review	Applicant to pay all Township costs, with receipts provided to justify costs.
Orders Issued, eg) Order to Comply, Unsafe Order, Emergency Order, etc. Fee can be avoided by heeding CBO warnings and complying before order is issued.	\$150.00

Orders registered on title and removed from title after being resolved	Owner responsible to pay all registration and removal costs + 10% administrative fee, with receipts to justify costs.
Building Compliance Reports (limited to unresolved orders, open permits, and outstanding inspections only)	Minimum Permit Fee
Requests for scans of a permit file contents (not required to be FOI)	Minimum Permit Fee
Permit Transfers	Minimum Permit Fee
Limiting Distance Agreement	\$ 150.00
NOTES AND EXPLANATIONS	
1. All floor areas are measured for floor area to the outside plane of walls of the platform.	
2. No permit fee shall be less than the minimum fee unless noted above as a lesser charge.	
3. There are no refunds for amounts less than the minimum permit fee.	
4. The building permit rates may be adjusted annually by Council by the CPI index amount. If CPI is negative, rates hold until the next year.	
5. Purpose built Residential accessory buildings with a new dwelling unit are considered as a House for the purpose of this fee chart.	
6. Any valuation where the Chief Building Official feels there is significant undervaluation shall require a detailed breakdown of costs provided prior to permit issue.	
7. Finished Area for houses includes all floors above grade measured between the outside surfaces of exterior walls and the centre line of party walls, whether finished or unfinished, but does not include garages or below grade. Openings between storeys below are not deducted from the floor area.	
8. All accessory structure fees, and administrative fees are due in full at time of application for permit	
REFUNDS MAY BE PROVIDED:	
If Application is submitted and no review functions, zoning functions or other reviews have been performed	75% Refund
If Permit is filed, and administrative and planning/engineering functions have been performed & plans examination completed	50% Refund
If Permit has been issued, a 25% refund of permit fees, minus 5% for each inspection that has been conducted.	