



The Corporation of the City of Stratford
Infrastructure, Transportation and Safety Committee
Open Session
AGENDA

Date: Monday, November 23, 2020

Time: 3:05 P.M.

Location: Electronically

Committee Present: Councillor Vassilakos - Chair Presiding, Councillor Burbach - Vice Chair, Mayor Daniel Mathieson, Councillor Beatty, Councillor Bunting, Councillor Clifford, Councillor Gaffney, Councillor Henderson, Councillor Ingram, Councillor Ritsma, Councillor Sebben

Staff Present: Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Ed Dujlovic - Director of Infrastructure and Development Services, David St. Louis - Director of Community Services, John Paradis - Fire Chief, Kim McElroy - Director of Social Services, Janice Beirness - Director of Corporate Services, Chris Bantock - Deputy Clerk, Jonathan DeWeerd - Chief Building Official

To watch the Committee meeting live, please click the following link: <https://stratford-ca.zoom.us/j/83641446051?pwd=YWZabGQ4TnN4ZXlZZEtobmJVcit6Zz09>

A video recording of the meeting will also be available on the [City's website](#) following the meeting.
Pages

1. Call to Order

The Chair to call the Meeting to Order.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

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3. Delegations

None scheduled.

4. Report of the Chief Building Official

4.1. Proposed Amendment to Building By-law #112-2005 including fee Schedule 'A' (ITS20-024)

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*this item is also listed for consideration on the November 23, 2020 Council reconvene agenda.

Motion by _____

Staff Recommendation: THAT Council approve an amendment to the Building By-law #112-2005 and increase permit fees for all types of building permits as of January 1, 2021.

5. Adjournment

Meeting Start Time:

Meeting End Time:

Motion by _____

Committee Decision: THAT the Infrastructure, Transportation and Safety Committee meeting adjourn.



MANAGEMENT REPORT

Date:	November 23, 2020
To:	Mayor and Council
From:	Jonathan DeWeerd, Chief Building Official
Report#:	ITS20-024
Attachments:	Proposed Amendments to Building By-law #112-2005 Building Permit Fee Analysis

Title: Proposed Amendment to Building By-law #112-2005 including fee Schedule 'A'

Objective: To approve amendments to the Building By-law #112-2005 and building permit fee increase for all types of permits with an effective date for new fees of January 1, 2021.

Background: The Building Code ACT allows municipalities to recoup costs associated with managing building permits through permit fees. Both direct and indirect costs are eligible. In order to manage fluctuations in building activity, the ACT also allows for reserve funds.

On November 16, 2020 a public meeting was held in accordance with the requirements of the Ontario Building Code Act S.O. 1992, c23 as amended. The purpose of this meeting was to receive public input on the proposed fee increase. No members of the public spoke at the meeting. Prior to the public meeting, staff had advised the Stratford and Area Builders Association of the proposed fee increase.

Analysis: The Building Code Act requires that Municipalities recover the reasonable costs of enforcing and administering the Ontario Building Code through the charging of fees. Both the direct and indirect costs are eligible. In order to manage fluctuations in building activity, the Act allows for reserve funds. The fees are contained within Schedule 'A' of the City of Stratford Building By-law #112-2005.

The last Building permit fee review and increase within the City of Stratford took place in 2015.

Since 2018 there have been significant increases to the direct and indirect costs of operating Building Services within the City of Stratford. In 2018 Corporate Services introduced a transfer of indirect operating costs in the amount of \$95,350.00 for items such as; building rent, IT services, and Corporate Services costs. In 2019 Corporate Services transferred the direct costs of Software Maintenance contracts and Telephones to

Building Services in the amount of \$37,841.00 this was in addition to other indirect costs. In addition to these increased costs in the past year we have seen a decline in the number of large industrial, commercial, and residential projects because of the COVID-19 pandemic.

Due to the reduced income and increased costs seen by Building Services in the past few years and the need to remain revenue neutral, shortfalls in funds were pulled from the Building Reserve Fund. Council has previously targeted a Building Reserve fund of 100% of the total operating costs of the department for a single year. In 2019, building permit revenue was \$434,081.00, down from the same period in 2018. The Building Reserve Fund as of December 31, 2019 had a balance of \$247,366.00. There was a capital project for new Building permit software approved in the 2020 budget in the amount of \$100,000.00 which will be funded from the reserve fund. The approved 2020 budget is projecting that \$151,240.00 will be required to be transferred from the Building Permit reserve to fund a potential shortfall in funds for the 2020 fiscal year. Based on the current trends and actual building permit applications we are anticipating the shortfall will be closer to \$250,000.00 which is greater than the amount of funds remaining in the reserve fund. We are anticipating a negative balance by the end of 2020 in the Building Permit reserve fund.

Staff are recommending a fee structure designed to recoup the increasing operational costs and start to rebuild the depleted reserve fund to a point which will meet the target of 100% of the annual operating costs. According to the Bank of Canada inflation has risen by 7.62% from 2015 to 2020; over the same period, according to RS Means Historical Cost Index, construction inflation has risen by 16.07%. As previously noted there have been no increases to permit fees since 2015. The increase in permit fees for a Single Detached dwelling would go from \$1.12 per square foot to \$1.30 per square foot or approximately a 16% increase in the fees, which is in line with the increased cost of construction inflation over the five year period since the last fee review. The increase in a building permit for a 1500 square foot bungalow with an unfinished basement and an attached garage would be an additional \$270.00 in permit fees (from \$1,680 to \$1,950).

Staff are also recommending that Section 3.2 of the Building By-law #112-2005 be deleted and that City projects be required to pay fees for Building Permits and inspection services. Section 3.2 is listed below for reference.

3.2 City projects – free of charge-provisions applicable

All permits issued under the authority of the by-law shall be given free of charge for any City building or demolition project under the jurisdiction of Council or of a local board of the City, which is not a local board of any other municipality. All other requirements of the by-law shall apply to any permit so issued.

Financial Impact: Approval of the recommendation as outlined in this report will have no impact on the current approved budget. Building Permit fees pay for all direct and indirect costs related to the delivery of building permit services.

Alignment with Strategic Priorities:**Strengthening our Plans, Strategies and Partnerships**

Partnering with the community to make plans for our collective priorities in arts, culture, heritage and more. Communicating clearly with the public around our plans and activities.

Widening our Economic Opportunities

Strengthening Stratford's economy by developing, attracting and retaining a diversity of businesses and talent.

Staff Recommendation: THAT Council approve an amendment to the Building By-law #112-2005 and increase permit fees for all types of building permits as of January 1, 2021.



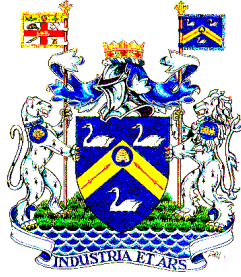
Jonathan DeWeerd, Chief Building Official



Ed Dujlovic, Director of Infrastructure and Development Services



Joan Thomson, Chief Administrative Officer



**BY-LAW NUMBER 112-2005
OF
THE CORPORATION OF THE CITY OF STRATFORD**

Being a by-law of The Corporation of the City of Stratford respecting permits for construction, demolition and change of use and respecting inspections and the charging of permit fees and to repeal By-law 67-2001 and all amendments thereto.

WHEREAS the *Municipal Act, 2001, S.O. 2001, c.25, S.130*, as amended, provides that a municipality may regulate matters not specifically provided for by the Municipal Act or any other Act for purposes related to health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS, Section 7 of the *Building Code Act 1992, S.O. 1992, c.23*, as amended, empowers council to pass by-laws respecting permits for construction, demolition, occupancy, change of use, mechanical, plumbing, sewage systems and conditional permits and respecting inspections and the charging of permit fees;

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

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

AND WHEREAS Section 3(2) of the *Building Code Act 1992, 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 the *Building Code Act* in the areas in which the municipality has jurisdiction;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF STRATFORD enacts as follows:

1. CITATION AND DEFINITIONS

1.1 Short Title

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

1.2 Definitions

In this by-law,

- (a) "Act" means the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended.
- (b) "applicable law" means applicable law as defined in the Building Code.
- (c) "as constructed plans" means as constructed plans as defined in the Building Code.
- (d) "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*.

- (e) "building" means a building as defined in Section 1 of the Act.
- (f) "Building Code" means regulations made under Section 34 of the Act.
- (g) "chief building official" means the Chief Building Official appointed by the by-law of The Corporation of the City of Stratford for the purposes of enforcement of the Act.
- (h) "construct" means construct as defined in Section 1 of the Act.
- (i) "Corporation" means The Corporation of the City of Stratford.
- (j) "demolish" means demolish as defined in Section 1 of the Act.
- (k) "designer" means the person responsible for the design.
- (l) "engineer" means a professional engineer who is a holder of a license, a certificate of practice, or a temporary license under the *Engineer's Act* as defined in the Building Code.
- (m) "farm building" means a farm building as defined in Section 1.3.1.2. of Div. A of the Building Code.
- (n) "floor area" means the space on any storey of a building between exterior walls and required firewalls including the space occupied by interior walls and partitions, unless otherwise defined herein.
- (o) "inspector" means an inspector appointed by by-law of The Corporation of the City of Stratford for the purposes of enforcing this Act;
- (p) "owner" means the registered owner of the property and includes a lessee, mortgagee in possession.
- (q) "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.
- (r) "plumbing" means plumbing as defined in Section 1 of the Act.
- (s) "infill construction site" means any construction site in respect of which a building permit has been issued for the construction of a building or part thereof where such construction is adjacent to another occupied dwelling unit except where the site is within a registered plan of subdivision which subdivision is being developed for the first time.
- (t) "sewage system" means a sewage system as defined in Section 1.1. of *the Building Code*.

2. PERMITS

2.1 Classes of Permits (Subsection 7(a) of the Building Code Act)

The classes of permits with respect to the construction, demolition, occupancy, transfer, mechanical, plumbing, sewage systems and change of use and permit fees shall be as set out in Schedule A to this by-law.

1. Building Permit (Section 8(1) of the Act) is required for all types of construction governed by the Building Code and may include plumbing, farm buildings, change of use, sewage systems and heating, ventilating and air conditioning systems.
2. Partial Building Permit (Section 8(1) of the Act) (Partial permits are appropriate where the construction authorized by the permit complies with the Act, Building Code and other applicable laws.) may be issued, when, in order to expedite work, approval of a portion of the building or project is desired prior to the issuance of a

permit for the complete building or project, application shall be made and fees paid for that portion of the building or project. Complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed with the chief building official.

Where a permit is issued for part of a building or project, such permit shall not be construed to authorize construction beyond the plans for which approval was given nor that approval will necessarily be granted for the entire building or project.

3. Conditional Permit: A conditional permit may be issued by the chief building official in accordance with Subsection 2.2.2(c) of this by-law.
4. Change of Use Permit: A change of use permit is required where a change in use of a building or part of a building would result in an increase in hazard as determined under Div.C 1.3.1.4. of the Building Code even though no construction is proposed.
5. Sewage System Permit: A sewage system permit is required for all Classes of Systems as defined in Article 8.1.2.1 of the Building Code.
6. Structural Sign Permit: A structural sign permit is required in respect of the structural requirements for signs contained in Section 3.15 of the Building Code.
7. Special Building Permit: A special building permit is required for all types of construction governed by the Building Code and includes plumbing, farm buildings, sewage systems, signs, change of use and heating, ventilating and air conditioning systems where construction or change of use has commenced prior to the issuance of the permit.

2.2 Application for Permit (Subsection 7(b) of the Act)

1. To obtain a permit, the owner or an agent authorized in writing by the owner, shall file an application in writing by completing a prescribed form available from the chief building official or from the Building Code website <http://www.mah.gov.on.ca/Asset12410.aspx> Forms prescribed by the municipality under Subsection 7(f) of the Act shall be set out in Schedule D to this By-law.
2. Every application for a permit shall be submitted to the chief building official and shall contain the following information:
 - (a) Where application is made for a construction permit under Section 8(1) of the Act, the application shall:
 - (i) use the provincial application form, Application for a Permit to Construct or Demolish ,
 - (ii) include two complete sets of plans, schedules, specifications, forms, documents and other information required by Article 2.4.1.1B of the Building Code and as described in this by-law, Schedule C and Schedule D for the work to be covered by the permit,
 - (iii) include the proposed or existing occupancy of all parts of the building, and,
 - (iv) include the required fee as set out in Schedule A to this By-law.
 - (b) Where application is made for a demolition permit under Section 8(1) of the Act, the application shall:
 - (i) use the provincial application form, Application for a Permit to Construct or Demolish ,
 - (ii) include two complete sets of plans, schedules, specifications, forms, documents and other information required by Article 2.4.1.1B of the Building Code and as described in this By-law, Schedule C and Schedule D for the work to be covered by the permit,

- (iii) include the existing occupancy of all parts of the building, and,
 - (iv) include the required fee as set out in Schedule A to this By-law.
- (c) Where application is made for a conditional permit under Section 8(3) of the Act, the application shall:
- (i) use the provincial application form, Application for a Permit to Construct or Demolish,
 - (ii) include two complete sets of plans, schedules, specifications, forms, documents and other information required by Article 2.4.1.1B of the Building Code and as described in this By-law, Schedule C and Schedule D for the work to be covered by the permit,
 - (iii) include the proposed or existing occupancy of all parts of the building,
 - (iv) include the required fee as set out in Schedule A to this By-law,
 - (v) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted,
 - (vi) state the necessary approvals, which must be obtained in respect of the proposed building and the time in which such approvals will be obtained,
 - (vii) 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 Subsection 8(3)(c) of the Act, and
 - (viii) state the time in which plans and specifications of the complete building will be filed with the chief building official.
- (d) Where application is made for a change of use permit issued under Section 10(1) of the Act, the application shall be submitted to the chief building official and shall:
- (i) use the change of use application form as described in this by-law listed in Schedule D, with all applicable fields completed,
 - (ii) describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building,
 - (iii) identify and describe, as required by the chief building official, the current and proposed occupancies of the building or part of a building for which the application is made,
 - (iv) include, as required by the chief building official, plans and specifications which show the current and proposed occupancy of all parts of the building and which contain sufficient information to establish compliance with the requirements of the Building Code, including floor plans, details of walls, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities and details of the existing sewage system, if any, and,
 - (v) include the required fee as set out in Schedule A to this By-law.
- (e) Where application is made for a plumbing permit under Section (8)(1) of the Act, the application shall:
- (i) use the provincial application form, Application for a Permit to Construct or Demolish,
 - (ii) include the required fee as set out in Schedule A to this By-law, and,
 - (iii) include two complete sets of plans, schedules, specifications, forms, documents and other information required by Article 2.4.1.1B of the

Building Code and as described in this By-law, Schedule C and Schedule D for the work to be covered by the permit.

- (f) Every application for a sewage system permit shall be submitted to the chief building official and contain the following information:
 - (i) use the provincial application form, Application for a Permit to Construct or Demolish,
 - (ii) include two complete sets of plans, schedules, specifications, forms, documents and other information required by Article 2.4.1.1B of the Building Code and as described in this by-law, Schedule C and Schedule D for the work to be covered by the permit,
 - (iii) include the required fee as set out in Schedule A to this By-law,
 - (iv) a site evaluation, which shall include all of the following items, unless otherwise specified by the chief building official:
 - (a) the date the evaluation was done,
 - (b) name, address, telephone number and signature of the person who prepared the evaluation,
 - (c) a scaled map of the site showing:
 - (aa) the legal description, lot size, property dimensions, existing rights-of-way, easements or municipal/utility corridors,
 - (bb) the location of items listed in Column 1 of Tables 8.2.1.6.A, 8.2.1.6.B and 8.2.1.6.C of the Building Code,
 - (cc) the location of the proposed sewage system,
 - (dd) the location of any unsuitable, disturbed or compacted areas,
 - (ee) proposed access routes for system maintenance,
 - (ff) depth to bedrock,
 - (gg) depth to zones of soil saturation,
 - (hh) soil properties, including soil permeability, and
 - (ii) soil conditions, including the potential for flooding.

2.3 Revision to Permit in accordance with section 8(12) of the Building Code ACT:

No person shall make a material change or cause a material change to be made to a plan, specification, document or other information on the basis of which a permit was issued without notifying, filing details with and obtaining the authorization of the chief building official.

2.4 Plans, Schedules, Specifications, Documents and Other Information (Subsection 7(b) of the Act)

1. Plans, Schedules, Specifications, Documents and Other Information submitted with each application for a permit shall have sufficient information to enable the chief building official to determine whether or not the proposed construction, demolition or change of use will conform with the Act, the Building Code and any other applicable law (see Section 9 of this By-law for requirements for forms).
2. Each application shall, unless otherwise specified by the chief building official, be accompanied by two complete sets of the plans and specifications required under this By-law.

3. Plans shall be drawn to scale on paper or other durable material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings, specifications, schedules, documents and other information as set out in Schedule C and Schedule D to this By-law unless otherwise specified by the chief building official.
4. Site plans shall be referenced to an up-to-date survey and, when required 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:
 - (a) Lot size and the dimensions of property lines and setbacks to any existing or proposed buildings,
 - (b) existing and finished ground levels or grades,
 - (c) existing rights-of-way, easements, municipal services and fencing, and
 - (d) proposed fire access routes and existing fire hydrant locations.
5. 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, 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.
6. The chief building official may require a set of as constructed plans of a building or any class of buildings be filed with the chief building official on completion of the construction under such conditions as may be prescribed in the *Building Code* (Subsection 7(g) of the Act).
7. Plans, schedules, specifications, documents, forms and other information required to be submitted shall be completed by an engineer and or architect as required by the Building Code and be completed by a designer as required by the *Building Code*. The chief building official may in addition to the requirements listed in the previous sentence require information from any person regarding a building or part thereof as per Section 18(1) of the Act.

3. **FEES (Section 7(c) of the Act)**

1. Fees for a required permit shall be as set out in Schedule A to this by-law and are due and payable upon submission of an application for permit.
2. Where application is made for a conditional permit, the conditional permit fee set out in Schedule A shall be payable at application for permit and in addition to the applicable construction permit fee as set out in Schedule A.
3. Where the fees payable in respect of an application for a construction or demolition permit issued under Section 8(1) of the Act or a conditional permit issued under Section 8(3) of the Act are based on a floor area, floor area shall mean the total floor space of all storeys including storeys below the first storey (except the unfinished floor area below the first storey in single family dwellings) measured as the horizontal area between the exterior walls of the building (see Schedule A for further information).
4. With respect to an application for a change of use permit issued under Section 10(1) of the Act the change of use permit fee listed in Schedule A shall be utilized when no construction is proposed or required. When construction is proposed or required and will result in a change of use the appropriate construction permit fee as set out in Schedule A shall be utilized.
5. The chief building official shall determine permit fees not described or included in Schedule A.

3.1 Refund of Fees (Subsection 7(d) of the Act)

1. In the case of withdrawal of an application or the abandonment of all or a portion of the work or the non-commencement of any project, the chief building official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule B attached to and forming part of this by-law.
2. If the building permit has not been issued within six months of the permit application date, the Chief Building Official may return the application, refund permit fees paid, if any, in accordance with Schedule B attached to and forming part of this by-law, and terminate the application process.

4. **NOTICE REQUIREMENTS FOR INSPECTIONS (Subsection 7(e) of the Act)**

With respect to "additional notices" under Div.C 1.3.5.2. of the *Building Code*, the owner or an authorized agent shall notify the chief building official or an inspector at least two business days prior to the following stages of construction listed in Clauses 1.3.5.2. (1) (a), (b), (c), (e), (g) and (h) of the Building Code

5. **TRANSFER OF PERMIT (Subsection 7(h) of the Act)**

Where application is made for a transfer of permit under the Act, the applicant shall:

1. use the transfer of permit application form as described in this by-law listed in Schedule D,
2. include plans, schedules, specifications, forms, documents and other information required as described in this by-law, Schedule C and Schedule D, and,
3. include the required fee as set out in Schedule A to this By-law.

6. **DELEGATION OF CONDITIONAL PERMITS (Section (3.1) of the Act)**

The chief building official is authorized to take the following actions with respect to the processing of conditional permit agreements under section 8 of the Act enter into agreements described in Section (3)(c) of the Act:

1. To approve the entering into a standard form conditional permit agreement and to execute the agreement on behalf of the City;
2. To approve an assignment of a conditional permit agreement and to execute the consent to the assignment of the agreement on behalf of the City, and
3. To approve the release of a registered conditional permit agreement where the agreement is no longer necessary and to execute the release of the agreement on behalf of the City.

7. **PRESCRIBED FORMS (Subsection 7(f) of the Act)**

The forms prescribed for use as applications for permit, for orders and for inspection reports/certificates shall be as set out in Schedule D to this By-law.

8. **FENCING OF EXCAVATIONS (Subsection 7(i) and (j) of the Act)**

- 8.1 Upon receipt of a complaint in writing to the chief building official regarding fencing or lack of fencing at an infill construction site, the person to whom a building permit is issued in respect of construction which will take place at an infill construction site, shall erect or cause to be erected and maintained a fence enclosing the infill construction site in accordance with the provisions of this By-law.

- 8.2 Where there is fencing on or adjoining a residential construction site erected prior to the application for a building permit in respect of that site, such fencing shall be deemed to be in compliance with this by-law provided it is extended along the entire perimeter of the residential construction site as determined by the chief building official and the extended fencing is erected in accordance with this By-law.
- 8.3 The height of every fence shall be a minimum of 1.2 metres 4 ft. and a maximum of 6-ft. (1.8 m) to be measured from the highest adjacent grade.
- 8.4 Every fence required under this by-law shall be located on the perimeter of the residential construction site as determined by the chief building official and constructed as follows:
1. if of chain link construction, the chain link shall be fastened to a 1 in. diameter metal bar which is securely fastened to metal posts at not over 3 metres (10 ft.) on centre and embedded into the ground to provide a rigid support,
 2. if of wood construction, the exterior face shall be 1-in. exterior grade plywood, particle board or equivalent material that will not provide footholds for climbing. The facing shall be supported by 2 in. x 4 in. nominal size posts spaced at not more than 2.4 metres (8 ft.) on centre and embedded into the ground to provide a rigid support,
 3. if the fence is of the snow fence or plastic mesh type, the fencing should be securely fastened to T-bar posts at not over 2.4 metres (8 ft.) on centre and embedded into the ground to provide a rigid support.
- 8.5 The fence may provide for openings sufficient to accommodate construction vehicles, machines and any other equipment providing services to the infill construction site provided that these openings are closed off when the site is shut down.
- 8.6 The fence shall remain in place until all construction related hazards have been removed from the infill construction site to the satisfaction of the chief building official.

9. **SEVERABILITY**

In the event that any provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of the by-law.

10. **PENALTY CLAUSE**

Section 36 of the *Building Code Act* provides that a person is guilty of an offence under the Act if a person contravenes the Act, the Building Code or this by-law.

11. **REPEAL CLAUSE**

By-law 67-2001 of the Corporation is hereby repealed as of June 30, 2005.

12. **EFFECTIVE DATE**

The City of Stratford Building By-law shall come into effect July 1, 2005.

READ A FIRST, SECOND AND THIRD TIME, and

FINALLY PASSED THIS 27th DAY OF June, 2005.

"Daniel B. Mathieson"

MAYOR – Daniel B. Mathieson

"Joan L. Thomson"

CLERK – Joan L. Thomson

SCHEDULE "A" TO BY-LAW 112-2005

OF
THE CORPORATION OF THE CITY OF STRATFORD

Effective January 1, 2021

CLASSES OF PERMITS AND BUILDING PERMIT FEES

Type of Permit	Permit Fee	
	Fee per Area (Sq. Ft.)	Fee per Unit
Group 'A' - Assembly		
Finished	\$ 2.00	
Shell Only	\$ 1.80	
Outdoor Patio		\$ 250.00
Outdoor Pool - Public		\$ 850.00
Portable Classroom		\$ 450.00
Group 'B' - Institutional		
All Institutional classifications	\$ 2.45	
Group 'C' - Residential		
Dwelling (Single, Semi, Duplex, Rowhouse, Stacked Rowhouse)	\$ 1.30	
Garage / Carport (per bay)		\$ 180.00
Shed, Deck, Porch		\$ 180.00
Apartment Building	\$ 1.50	
Hotels / Motels	\$ 1.90	
Residential Care Facility	\$ 1.30	
Group 'D' - Business & Personal Services		
Finished	\$ 1.70	
Shell Only	\$ 1.40	
Finishing of Existing Shell	\$ 0.40	
Group 'E' - Mercantile		
Finished	\$ 1.70	
Shell Only	\$ 1.40	
Finishing of Existing Shell	\$ 0.40	
Group 'F' - Industrial		
Finished	\$ 1.00	
Shell Only	\$ 0.75	
Finishing of Existing Shell	\$ 0.45	
Parking Garage	\$ 0.75	
Agricultural		
All Agricultural classifications	\$ 0.65	
Stand Alone & Miscellaneous Work		
Air supported structures	\$ 0.75	
Alternative Solution	Part 9 (each)	\$ 500.00
	All other Building/system (each)	\$ 1,000.00
Balcony guard (replace per linear foot) - excluding low rise Residential	\$ 0.65	
Balcony repair (per balcony)		\$ 25.00
Ceiling (new or replace per square foot)	\$ 0.25	
Change of Use (with no renovations)		
- All Classifications (min. fee \$250.00)	\$ 0.20	
Demolition (If P.Eng. review required min. fee of \$500.00)	\$ 0.15	
Designated Structures - Including Solar Panels, but excluding retaining walls, public pools, & signs)		\$ 450.00
Elevator, escalator, lift		\$ 450.00
Engineering review – <i>Where, at the discretion of the CBO, third-party review is required for Part 4 designs submitted by a designer as part of an application. Fee is in addition to applicable fees for building permit application.</i>		\$ 2,000.00
Exterior ramps (excluding low rise Residential)		\$ 250.00
Fireplace / Woodstove (each)		\$ 120.00
Foundation or Conditional Permit. - In addition to		

Building Permit Fee (Min. \$500.00)	\$	0.20	
Interior Finishes - All Classifications (not specified elsewhere)	\$	0.45	
Alterations/Renovations to previously finished areas			
- All Classifications not specified elsewhere	\$	0.40	
Rack storage systems (per lin. Ft.)	\$	0.45	
Reclad exterior wall (per linear foot)	\$	0.15	
Retaining Wall (per linear foot)	\$	3.10	
Shoring & Underpinning (per lin. Ft.)	\$	3.40	
Signs			\$ 120.00
Storefront replacement			\$ 250.00
Temporary Buildings (each)			\$ 250.00
Temporary Tents (each)			\$ 180.00
Mechanical Work (independent of Building Permit)			
HVAC Permit (non-residential)	\$	0.15	
Fire Sprinkler System, Standpipe, etc. (Min. \$250.00)	\$	0.10	
Commercial Kitchen, Spray Booth, Dust Collector (each)			\$ 250.00
Electrical Work (independent of Building Permit)			
Fire Alarm System & Electrical Work (Min. \$250.00)	\$	0.10	
Electromagnetic locks & Hold open devices (each)			\$ 120.00
Emergency Lighting (per storey)			\$ 120.00
Plumbing Work (independent of Building Permit)			
Plumbing Permit (per fixture, min. fee \$120.00)			\$ 16.50
Catchbasin, maintenance holes, roofdrains (each)			\$ 25.00
Building / Site Services (per linear foot)	\$	0.75	
Backflow Prevention Device (per device)			\$ 120.00
On-Site Sewage System			
New or Replacement system			\$ 600.00
Alterations / Repair			\$ 450.00
Other Fees			
Minimum Permit Fee			
Low rise residential (SDD, Semi-detached, Triplex)			\$ 120.00
All Classifications (Unless noted otherwise)			\$ 250.00
Revision to Permit Fee - Applicable to square footage of area where plan examination required due to submission of revisions after permit issued. (Min. \$120.00)	\$	0.10	
Permit to Occupy unfinished building			\$ 250.00
Transfer Permit (change of permit ownership)			\$ 250.00
Special Inspection Fee after hours (per hour)			\$ 250.00
Special research requests of Building Division (per hour or part thereof and includes requests for written information)			\$ 60.00
Property Surveys - Records FOI			\$ 25.00
Staff Time / 15 min.			\$ 7.50
Photocopies (Black & White) - per copy	Letter, Legal, Tabloid		\$ 0.20
Photocopies (Colour) - per copy	Letter, Legal, Tabloid		\$ 0.75
Plotter copies (Large format) - per sheet			\$ 20.00

Classes of Permits

Class of Permit shall include:

1. Building permit BCA 8(1) (includes a farm building)
2. Partial Permit BCA 8(1)
3. Special Building Permit BCA 7(1)(a)
4. Demolition Permit BCA 8(1)
5. Conditional Permit BCA 8(3)
6. Occupancy Permit BCA 11
7. Change Of Use Permit BCA 10(1)
8. Plumbing Permit BCA 8(1) (specific types noted)
9. Mechanical Permit (H.V.A.C.) BCA 8(1) (specific types noted)
10. Structural Sign Permit OBC DIV. B 3.15
11. Transfer Permit BCA 7(h)
12. Sewage System Permit BCA 8(1)

Notes: BCA refers to the Ontario Building Code Act S.O. 1992, Chapter 23 as amended,
OBC refers to the Ontario Building Code O.Reg. 332/12 as amended.

SPECIAL BUILDING PERMIT FEE:

A special permit fee with respect to construction, change of use, demolition, heating, ventilation, air conditioning, electrical, plumbing or drainage work shall be paid by the owner where any work was commenced prior to the issuance of a permit.

The special permit fee shall be the regular permit fee plus an additional fee equal to 100% of the amount calculated as the regular permit fee, but in no case shall the additional fee exceed \$7000.00 in order to compensate the City for the additional work performed as a result of commencing work prior to permit issuance.

Payment of the special permit fee does not allow construction, change of use, demolition, heating, ventilation, air conditioning, electrical, plumbing or drainage work to continue without a permit.

INFILL SECURITY DEPOSIT FEE:

An Infill Security Deposit Fee in the amount of \$1,000.00 for each building permit application for a new single family dwelling, semi-detached dwelling or a building containing duplex or triplex dwellings except when said permit application is subject to a Construction Deposit as required in a Subdivision Agreement under the Planning Act.

Return of Infill Security Deposit Fee:

Upon the completion of a final inspection including final inspection of the individual lot grading by the inspector, the construction deposit without interest (or such portion as remains unused) for that lot shall be returned by the CITY to the party that paid the construction deposit.

FEES UNDEFINED IN TABLE:

Fee for classes of permits/type of work not described or included in the calculation of permit fee table shall be determined by the Chief Building Official.

INTERPRETATION:**The following guidelines are to be applied in the calculation of permit fees:**

- Floor area of the proposed work is to be measured to the outer face of exterior walls and to the center line of party walls or demising walls.
- In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work, e.g. tenant suite.
- Mechanical penthouses and floors, mezzanines, lofts, habitable attics and interior balconies are to be included in all floor area calculations.
- Except for interconnected floor spaces, no deduction is made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, etc).
- Unfinished basements for single detached dwellings, semi-detached dwellings, duplexes and townhouses are not included in the floor area.
- Finished basements for single detached dwellings (including semis, duplexes and townhouses, etc.) may at the discretion of the Chief Building Official be charged the interior finishing fee in Schedule 'A'.
- Fireplaces, HVAC, electrical, woodstoves, plumbing, site services are included in the permit fee for single family dwellings if included in original application. Square footage for garage is charged at the residential rates per square foot.
- Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable.
- Where demolition of partitions or alterations to existing ceilings and walls is a part of an alteration or renovation permit, no additional charge is applicable.
- Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major classification for the floor area on which they are located.
- The occupancy categories in the Schedule correspond with the major occupancy classifications in the Ontario Building Code. For multiple occupancy floor area, the Permit fees for each of the applicable occupancy categories may be used, except where an occupancy category is less than 10% of the floor area.
- Temporary building is a building that will be erected for not more than one year.
- When conditional/partial permits are issued, fees shall be charged according to the type of work proposed for each partial permit and shall have a cumulative effect.
- When a conditional/partial permit is issued to construct a building shell a partial permit to construct an interior finish must also be issued.

- Site Service works when applied for with a building permit for a Structure, will be charged as per fees set out in Schedule 'A' except for Single detached dwellings.
- For classes of Permits not described in this Schedule, the Chief Building Official shall determine a reasonable permit fee.

SCHEDULE "B"
TO BY-LAW 112-2005 as amended
OF
THE CORPORATION OF THE CITY OF STRATFORD

REFUND OF PERMIT FEES

1. The fees that shall, upon request be refunded shall be reduced by a cumulative percentage of the fees paid under this by-law as follows:
 - (a) 20% if administrative functions only have been performed;
 - (b) 10% if zoning functions only have been performed;
 - (c) 20% if plans examination functions only have been performed;
 - (d) 35% if the permit has been issued; and
 - (e) 5% shall additionally be deducted for each field inspection that has been performed after the permit has been issued.
2. Notwithstanding paragraph 1 above, no refund shall be made of an amount less than or equal to the minimum permit fee set out in Schedule A.
3. Notwithstanding paragraph 1 above, no refund shall be made where the chief building official has revoked a permit under Section 8(10) of the Act.

SCHEDULE "C"
TO BY-LAW 112-2005 as amended
OF
THE CORPORATION OF THE CITY OF STRATFORD

LIST OF PLANS, DRAWINGS AND OTHER INFORMATION TO ACCOMPANY APPLICATIONS FOR PERMITS

1. Site Plan;
2. Floor Plans;
3. Foundation Plans;
4. Framing Plans;
5. Truss System Layout Drawings;
6. Engineered Truss Drawings;
7. Engineered Floor/Roof System Layout Drawings;
8. Roof Plans;
9. Reflected Ceiling Plans;
10. Sections and Details;
11. Building Elevations;
12. Electrical Drawings;
13. Heating, Ventilation and Air Conditioning Drawings and calculations;
14. Sprinkler System Drawings;
15. Plumbing Drawings;
16. Mechanical Drawings;
17. Site Service Drawings;
18. Architectural Drawings;
19. Food Premise Layout Drawings;
20. Structural Drawings;
21. Specifications;
22. Structural Design Load Summary
23. All Related Engineering and Architectural Reports/Documents/Schedules/Tests.
24. Building Code Matrix/Summary

NOTE:

The Chief Building Official may specify that not all the above-mentioned plans or information are required to accompany an application for a permit.

SCHEDULE "D"
TO BY-LAW 112-2005 as amended
OF
THE CORPORATION OF THE CITY OF STRATFORD

RESPECTING FORMS AND ORDERS

Application Forms:

1. Change of Use (no construction required)**
2. Conditional Permit*
3. Transfer of Permit**
4. Construct or Demolish*
5. Alternative Solution**
6. Schedule 1**
7. Schedule 2**
8. SB10 Energy Designs**
9. SB12 Energy Designs**

Form Submission Prior to Permit Issuance:

1. Fill Removal Commitment Form**
2. Information for Installation of Solid Fuel Appliance**
3. Owner Authorization Form**
4. Commitment to General Review Form**
5. Demolition Commitment Form**
6. Demolition Environmental Consideration Form**
7. Demolition Utility Confirmation Form**
8. Demolition Control Forms**

Form Submission Prior to Occupancy/Final Inspection:

1. Backflow Prevention Device Testing & Inspection Report**
2. Interim Lot Grading Certificate**
3. Final Lot Grading Certificate**

Forms For Permission To Occupy:

1. Occupancy Certificate**
2. Occupancy Inspection Report**

Orders:

1. Order to Comply*
2. Stop Work Order*
3. Order Not To Cover*
4. Order To Uncover*
5. Unsafe Order**
6. Emergency Order**
7. Order To Take Tests and Samples*
8. Order to Prohibit Occupancy**

Agreement Forms:

1. Conditional Permit Agreement Form**

* These forms are as prescribed by the Ministry of Housing

**These forms are as prescribed by the Chief Building Official

The Chief Building Official shall determine which forms are required to be completed and shall determine when the required forms are to be submitted.

Building Permit Fee Analysis

The following is information in accordance with the requirements of Division C, Part 1, Clause 1.9.1.2.(1)(d) of the Building Code regarding the proposed amendment to Building By-law No. 112-2005 to establish new increased permit fees for all types of building permits.

2019 Operational Costs:

ANNUAL BUDGET		
<u>Budget Item</u>	<u>2019 Budget</u>	<u>2020 Budget</u>
Salaries (Note: 1)	\$ 411,480.00	\$ 415,056.00
Benefits	\$ 132,660.00	\$ 130,950.00
Salaries - Part-time	\$ 22,700.00	\$ 17,470.00
Benefits - Part-time	\$ 3,240.00	\$ 1,460.00
Operating Equipment, Materials, & Supplies	\$ 9,750.00	\$ 9,700.00
Telephone	\$ 6,310.00	\$ 10,280.00
Fuel & Oil	\$ 1,800.00	\$ 1,800.00
Maintenance & Repairs of Vehicles	\$ 5,600.00	\$ 2,800.00
Memberships	\$ 4,150.00	\$ 4,600.00
Advertising & Notices	\$ 1,300.00	\$ 1,600.00
Training / Education	\$ 21,750.00	\$ 22,000.00
Misc. Expenses (Credit)	\$ 1,500.00	\$ 1,500.00
Professional Services - Legal	\$ 45,000.00	\$ 45,000.00
Subscriptions - Permitting Software	\$ 42,000.00	\$ 45,000.00
Contracted Services	\$ 41,500.00	\$ 41,500.00
Payroll Burden		
Transfer to Reserves		\$ 0.00
Sub-total (Direct Costs)	\$ 750,740.00	\$ 750,716.00
Transfer to General Revenue (Note: 2)	\$ 98,450.00	\$ 95,250.00
Sub-total (Indirect Costs)	\$ 98,450.00	\$ 95,250.00
Total (All Recoverable Costs)	\$ 849,190.00	\$ 845,966.00

Notes to Table:

Note: 1 - Salaries noted above do not include the co-op contract position.

Note: 2 - Transfers include Indirect costs such as Rent, It support, & Corporate Services.

Current fees in other Jurisdictions:

Centre Wellington:	2020 fee for housing \$1.22 per sq. ft.
Cambridge:	2020 fee for housing \$1.46 per sq. ft.
Orillia:	2020 fee for housing \$1.15 per sq. ft.
Guelph:	2020 fee for housing \$1.42 per sq. ft.
Wilmot Township:	2020 fee for housing \$1.40 per sq. ft.
Guelph Eramosa:	2020 fee for housing \$1.28 per sq. ft.

Below is a comparison of permit fees in Perth County for a 1,500 sq. ft. bungalow with 12 plumbing fixtures, an unfinished basement and a 600 sq. ft. attached garage in 2020. Since several Perth County municipalities use a combination of flat fee, fee per sq. ft., and fixture fee, comparing based on sq. ft. alone will not give a true comparison of permit fees.

Perth East: \$1528.00
 North Perth: \$1507.00
 West Perth: \$1556.00
 South Perth: \$1590.00

Stratford: \$1680.00 (2020)

Stratford: \$1950.00 (Proposed increase for 2021)

St Mary's: \$1760.00

Proposed 2021 Fee Increase:

The fee increase as of January 1, 2021 will result in a fee of \$1.30 per sq. ft., up from \$1.12 per sq. ft. For a 1,500 sq. ft. bungalow with 12 plumbing fixtures, an unfinished basement and a 600 sq. ft. attached garage the fee increase will be an additional \$270.00 in permit fees (from \$1,680 to \$1,950).

Historical Permit Fee Increases:

- 1975 fees: \$4.00/\$1000 of construction value
- 1981 fees: \$5.00/\$1000 of construction value
- 1995 fees: \$6.00/\$1000 of construction value
- 2001 fees: 3% increase from 1995 fees and also switched to a cost per square foot basis for housing the amount was \$.54per sq. ft.
- 2002 fees: 3% increase in the spring and 2% in the fall for housing the total amount was \$.57/sq. ft.
- 2004 fees: 3.5% increase in the spring for housing the total amount was \$.59 per sq. ft. and 2% increase October 1, 2004 for housing the total amount was \$.60 per sq. ft.
- 2005 fees: 20% increase June 27th 2005. This resulted in a fee of \$.72 per sq. ft. for housing.
- 2006 fees: 10% increase June 1st 2006. This resulted in a fee of \$.79 per sq. ft. for housing. Fee cap of \$25,000.00 for industrial permits was instituted for 2006. This cap resulted in an overall reduction in permit fee revenue for 2006 of \$60,595.00.
- 2007 fees: 10% increase January 1st 2007. This resulted in a fee of \$.87 per sq. ft. for housing. Industrial fee cap has resulted in an overall reduction in permit fee revenue in the amount of \$130,408.00 as of October 1, 2007.
- 2008 fees: Graduated industrial fee instituted June 9, 2008. 5% increase July 7, 2008. This resulted in a fee of \$.91 per sq. ft. for housing.
- 2009 fees: 5% increase January 1, 2009 resulted in a fee of \$.96 per sq. ft. for housing and 5% increase July 7, 2009 resulted in a fee of \$1.01 per sq. ft. for housing.
- 2010 fees: 5% increase January 1, 2010 resulted in a fee of \$1.06 per sq. ft. for housing.
- 2012 fees: 2% fee increase January 1, 2012 resulted in a fee of \$1.08 per sq. ft. for housing.
- 2013 fees: 2% fee increase January 1, 2013 resulted in a fee of \$1.10 per sq. ft. for housing.
- 2015 fees: 2% fee increase January 1, 2015 resulted in a fee of \$1.12 per sq. ft. for housing.