



THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 62-2024: Building By-Law

BEING A BY-LAW to regulate the erection, alteration, construction, and demolition of various types of structures within the Township of Ashfield-Colborne-Wawanosh.

WHEREAS Section 7 of the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, empowers a council to pass certain by-laws respecting construction, demolition, change of use permits and inspections.

AND WHEREAS section 35 of the *Building Code Act, 1992*, S.O. 1992 c. 23, as amended, provides that the *Building Code Act, 1992* and the Building Code, O. Reg 332/12, as amended, supersede all municipal by-laws respecting the construction or demolition of buildings.

AND WHEREAS subsection 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, 1992* in the municipality, except as otherwise provided in the Act.

AND WHEREAS subsection 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, 1992* in the areas in which the municipality has authority.

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh ENACTS as follows.

SHORT TITLE

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

Part 1
DEFINITIONS

1.1 Words or terms not defined in this By-law shall have the meaning ascribed to them in the Act or the Building Code.

1.2 In this By-law.

"Act" means the *Building Code Act, 1992*, S.O. 1992, c.23, as may be amended from time to time.

"Applicant" means the owner of a building or property who applies for a permit, or any person authorized by the owner to apply for a permit on the owner's behalf, including but not limited to the Architect, Professional Engineer, contractor, and/or builder, as may be defined in the Building Code.

“As Constructed Plans” means as constructed plans as defined in Div. A, Section 1.4.1.2. of the Building Code, O. Reg 332/12, as amended.

“Building” means a structure as defined in Section 1(1) of the Act.

“Building Code” or **“OBC”** means the regulations made under Section 34 of the Act, being O. Reg 332/12, as amended.

“Chief Building Official” means a chief building official or acting chief building official appointed by by-law of the Corporation of the Township of Ashfield-Colborne-Wawanosh for the purpose of enforcement of the Act.

“Construct” means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and “construction” has a corresponding meaning.

“Corporation” means the Corporation of the Township of Ashfield-Colborne-Wawanosh.

“Demolish” means to do anything in the removal of a building or and material part thereof, and “demolition” has a corresponding meaning.

“Electronic Submission” means the filing of an application for permit or alternative solution, including all required forms, documents, and drawings, submitted through an electronic means approved by the Chief Building Official.

“Farm Building” means a farm building as defined in Div. A, Section 1.4.1.2 of the Building Code.

“Inspectors” means an inspector appointed by by-law of the Corporation of the Township of Ashfield-Colborne-Wawanosh for the purpose of enforcement of the Act.

“Occupancy Permit” means a permit authorizing occupation of a building or part of a building prior to its completion as set out in Div. C, Section 1.3.3. of the Building Code.

“Owner” means the registered owner of a property and includes a lessee, a mortgagee in possession, and any person who proves to the satisfaction of the Chief Building Official that they are the authorized agent of the owner of the property.

“Partial Permit” means a permit issued by the Chief Building Official to construct part of a building:

“Permit” means written permission or written authorization from the Chief Building Official to perform work regulated by this By-law and Act, or 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.

“Permit Holder” means the owner to whom a permit has been issued or where a permit has been transferred, the new owner to whom the permit has been transferred.

“Plumbing” means plumbing as defined in Section 1(1) of the Act.

“Regulations” means the regulations made under the Act being O. Reg 332/12, as amended.

“Sewage System” means a sewage system as defined in Div. A, Section 1.4.1.2 of the Building Code.

“Township” means the Township of Ashfield-Colborne-Wawanosh.

“Zoning” shall mean the zoning regulations established by the Township of Ashfield-Colborne-Wawanosh.

Part 3 PERMITS

3.1 Classes of Permits

Classes of permits required for any stage of construction, demolition, change of use, or occupancy of a building, or part of it shall be set out in Schedule “A” of this By-Law.

3.2 Application for Permit

To obtain a permit, an applicant shall file an application electronically or in writing on forms prescribed by the Province of Ontario and available from the Chief Building Official or from the Ministry of Municipal Affairs and Housing website, <https://www.ontario.ca/page/ministry-municipal-affairs-housing>, and supply any other information relating to the application, as required by the Chief Building Official.

Every application for a permit shall be submitted to the Chief Building Official.

3.3 Construction Permits

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

- 1) use the provincial application form, “Application for a Permit to Construct or Demolish.”
- 2) include complete plans and specifications, documents, and other information as required by Div. C, Section 1.3.1.3.(5) of the Building Code and as prescribed in this By-law for the work to be covered by the permit; and,
- 3) provide a completed Commitment for General Review by Architect and Engineer form where a building is required to be designed by an Architect or a Professional Engineer under Div. C Section 1.2.1. of the Building Code.

3.4 Demolition Permits

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

- 1) use the provincial application form, “Application for a Permit to Construct or Demolish;” and
- 2) include complete plans and specifications, documents, and other information as required by Div. C, Section 1.3.1.1.(3) and Div. C, Section 1.3.1.3.(5) of the Building Code and as prescribed in this By-law for the work to be covered by the permit.

3.5 Conditional Permits

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

- 1) use the provincial application form, “Application for a Permit to Construct or Demolish”

- 2) include complete plans and specifications, documents, and other information as required by Div. C, Section 1.3.1.3.(5) of the Building Code and as prescribed in this By-law for the work to be covered by the permit.
- 3) provide a completed Commitment for General Review by Architect and Engineer form where a building is required to be designed by an Architect or a Professional Engineer under Div. C Section 1.2.1. of the Building Code.
- 4) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit was not granted.
- 5) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained.
- 6) state the time in which plans, and specifications of the complete building will be filed with the Chief Building Official; and
- 7) be subject to the applicant entering into an agreement as provided for in Section 8(3) of the Act.

3.6 Change of Use Permits

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

- 1) use the provincial application form, "Application for a Permit to Construct or Demolish."
- 2) describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building.
- 3) identify and describe in detail the current and proposed occupancies of the building or part of the building for which the application is made.
- 4) include complete plans and specifications showing the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities.
- 5) state the name, address, and telephone number of the Owner; and
- 6) be signed by the Owner or their authorized agent who shall certify the truth of the contents of the application.

3.7 Partial Permits

3.7.1 A Partial Building Permit may be issued under section 8(1) of the Act where:

- 1) 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 and where the construction authorized by the permit complies with the Act, Building Code, and other applicable law.
- 2) the required information to issue the permit will be determined by and to the satisfaction of the Chief Building Official.
- 3) a Partial Permit is requested the full building or project application is deemed to be incomplete; and
- 4) 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.

3.8 Occupancy Permits

3.8.1 Buildings described in Div. C, section 1.3.3.1. (1) of the OBC:

An occupancy permit for buildings described in Div. C, section 1.3.3.1.(1) of the OBC, other than dwelling units, including additions and renovations to those buildings, shall be issued where the Chief Building Official has determined that the

requirements for occupancy in Div. C, section 1.3.3.1.(2) of the OBC have been met and has authorized the occupancy of the building or part thereof.

3.8.2 New residential buildings described in Div. C, article 1.3.3.4 of the OBC:

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

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

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

3.8.4 Non-refundable fee:

Each occupancy permit shall be accompanied by a non-refundable fee as stipulated in Schedule "A" of this By-law.

3.9 Sewage System Permits

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

- 1) Use the provincial application form, "Application for a Permit to Construct or Demolish."
- 2) Include plans, specifications, forms, documents, and other information as may be required by Div. C section 1.3.1.3(5), of the Building Code, as amended and as prescribed in this By-law for the work to be covered by the permit.
- 3) A site evaluation, which shall include all 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:
 - a. The legal description, lot size, property dimensions existing rights-of-way, easements, or municipal corridors.
 - b. The location and clearance of items listed in Article 8.2.1.5 and 8.2.1.6. of Building Code, as amended.
 - c. The location of the proposed sewage system.
 - d. The location of any unsuitable, disturbed, or compacted areas.
 - e. Proposed access routes for system maintenance.
 - f. Depth of bedrock.
 - g. Depth to zones of soil saturation
 - h. Soil properties, including soil permeability; and
 - i. Soil conditions, including potential of flooding.

Part 4 SUBMISSION REQUIREMENTS

4.1 Plans and Specifications

4.1.1 Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether the proposed construction,

demolition, change of use, etc. will conform with the Act, the Building Code and applicable law.

- 4.1.2 Each application shall, unless otherwise specified by the Chief Building Official, be:
- 1) an electronic submission which includes a complete set of plans, documents and specifications as described by this By-law and Schedule "B" attached to this By-law; or
 - 2) accompanied by one complete set of plans, documents and specifications as described by this By-law and Schedule "B" attached to this By-law.
- 4.1.3 An electronic submission shall be made in a Portable Document Format (PDF). Plans, specifications, documents, and other information are to be legible when printed to scale. Drawings shall be a minimum size of 8.5" x 11" and shall be complete, fully dimensioned and to scale.
- 4.1.4 Plans described in section 4.1.2(2) of this By-law shall be drawn to scale on paper or other durable material and legible. Drawings shall be a maximum size of 11" x 17" and shall be complete and fully dimensioned.
- 4.1.5 Site plans shall be referenced to an up-to-date survey, and when required by the Chief Building Official to demonstrate compliance with the Act, the Building Code, or other applicable law, a copy of the survey shall be submitted to the Chief Building Official. Site plans shall show:
- 1) rights-of-way, easements, and municipal services.
 - 2) lot size and the dimension of property lines and setbacks to any existing or proposed buildings; and
 - 3) existing and proposed finished ground levels.
- 4.1.6 A surveyor's certificate, prepared by a registered Ontario Land Surveyor, when required by the Chief Building Official, shall be submitted, and approved prior to commencement of the framing or above grade portion, and shall show the location of the foundation or foundations on the lot. Elevations for the top of foundation(s) may be required.
- 4.1.7 On completion of the construction of a building, part of a building, or lot grading and drainage the Chief Building Official may require a set of as constructed plans including a plan of survey prepared and certified by an Ontario Land Surveyor showing the location of the building.

4.2 Alternative Solutions

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

4.3 Revisions to Permit

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

4.4 Discretion of Chief Building Official

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

Part 5

PERMIT ABANDONMENT, TRANSFER, CANCELLATION, AND REVOCATION

5.1 Inactive Permit Application

- 5.1.1 Where an application for permit remains incomplete or inactive for six months after it is made, the application may be deemed by the Chief Building Official to have been abandoned. Once the Chief Building Official deems an application to be abandoned, it may be cancelled, and a new application will be required for the proposed work.

5.2 Transfer of Permit Application and Permit

- 5.2.1 Where the ownership of land changes after a permit application has been submitted and the fees paid or where a permit has been issued, the applicant for the permit or the person to whom the permit was issued, may submit a request to the Chief Building Official requesting a transfer of the permit application and fees or the permit as identified in Section 7(1)(h) of the Act by submitting the following:
- 1) the name and address of the person to whom the permit application and fees or the permit are to be transferred.
 - 2) the name and address of any contractors that have changed from those listed on the permit application or permit.
 - 3) the name and address of Architect(s) and Professional Engineer(s) responsible for the design and field review of construction that have changed from those listed on the permit application or permit.
 - 4) the names and addresses of the previous and new Owner and the date the change in ownership took place; and
 - 5) shall be accompanied by a fee as stipulated in Schedule "A" of this By-law.
- 5.2.2 The new Owner shall, upon transfer of a permit, be the permit holder for the purpose of the Act and the Building Code.

5.3 Cancellation of Permit

- 5.3.1 A permit holder of an issued permit can submit a request in writing to the Chief Building Official to cancel a permit where no substantial work has been performed. The Chief Building Official, after considering the implication of cancelling a permit, may agree to cancel the permit as requested. The Chief Building Official may

impose conditions for the cancelling of a permit. Fees shall be refunded in accordance with this By-law.

5.4 Revocation of Permit

- 5.4.1 Prior to revoking a permit under Section 8(10) of the Act, the Chief Building Official may serve a notice by personal service, electronic service, or registered mail at the last known address of the permit holder.
- 5.4.2 A permit holder may, within 10 business days from the date of service of a notice under this part, request in writing that the Chief Building Official defer the revocation by stating reasons why the permit should not be revoked. The Chief Building Official having regard to any changes to the Act, Building Code, or other applicable law may allow the deferral in writing.

Part 6 FEES AND REFUNDS

6.1 Fees

- 6.1.1 Fees for a required permit shall be set out in Schedule "A" of this By-law.
- 6.1.2 No permit shall be issued until the fees are paid in full.
- 6.1.3 Where the Applicant for a building permit requests a conditional permit, the fees shall be paid for the complete project.
- 6.1.4 The Chief Building Official shall determine permit fees not described or included in Schedule "A" of this By-law.
- 6.1.5 Where the Applicant for a building permit or other permit makes material changes to plans, specifications, or calculations after submission for approval, the Chief Building Official may increase the required permit fee or fees and require payment of such increased fee before the applications for permit, permits, or approvals are issued.

6.2 Refunds

- 6.2.1 Where there is a written request for a refund of permit fees paid, the Chief Building Official shall determine the amount of fees to be refunded in accordance with Schedule "C" attached to this By-law.
- 6.2.2 Notwithstanding 6.2 of this By-law, no refund shall be given where the amount is less than \$100.00.

Part 7 NOTICE REQUIREMENTS FOR INSPECTION

7.1 General Requirements

- 7.1.1 The permit holder shall notify the Chief Building Official of each stage of construction for which a mandatory notice is required under Div. C, article 1.3.5.1. of the Building Code. The permit holder shall provide the notice of completion as prescribed by Section 11 of the Act, or where occupancy is required prior to completion, notice of inspection to ensure that the requirements of Section 11 of the Act and Div. C, article 1.3.3. of the Building Code are complied with.

7.1.2 A notice pursuant to this part of the By-law is not effective until received by the Chief Building Official.

7.1.3 Upon receipt of proper notice, the inspector shall undertake a site inspection of the building to which the notice relates in accordance with the time periods stated in Div. C, article 1.3.5.3. of the OBC and Section 11 of the Act.

Part 8 REGISTERED CODE AGENCIES

8.1 General Requirements

8.1.1 The Chief Building Official is authorized to enter into and sign contracts and service agreements with Registered Code Agencies, as defined in the Act, and appoint them to perform one or more of the specified functions described in Section 15.15 of the Act

8.1.2 Registered Code Agencies shall be used only during work overloads and for specialized projects.

Part 9 FENCING

9.1 General Requirements

9.1.1 Construction fencing shall be provided around a demolition or construction site that presents a hazard to the public.

9.1.2 Construction fencing shall.

- 1) create a continuous barrier to deter unauthorized entry.
- 2) have a height not less than 1.2m.
- 3) be maintained in a vertical plane in good repair; and
- 4) have all openings closed when the site is unattended.

Part 10 ENFORCEMENT – OFFENCES

10.1. Offences – No person shall:

10.1.1. Construct a building or sewage system without a permit contrary to Section 8(1) of the Act.

10.1.2. Cause construction of a building or sewage system without a permit contrary to Section 8(1) of the Act.

10.1.3. Demolish a building without a permit contrary to Section 8(1) of the Act.

10.1.4. Cause demolition of a building without a permit contrary to Section 8(1) of the Act.

10.1.5. Change plans without authorization contrary to Section 8(12) of the Act.

- 10.1.6. Construct a building not in accordance with plans contrary to Section 8(13) of the Building Code Act.
- 10.1.7. Change the use of a building without a permit contrary to Section 10(1) of the Building Code Act.
- 10.1.8. Occupy a building newly erected without notice or inspection contrary to Section 11(1) of the Building Code Act.
- 10.1.9. Obstruct or remove a posted order without authorization contrary to Section 20 of the Building Code Act.
- 10.1.10. Furnish false information on an application for a permit contrary to clause 36(1)(a) of the Building Code Act.
- 10.1.11. Commence demolition before a building has been vacated contrary to Division C sentence 1.3.1.1 (4) of the Building Code.
- 10.1.12. Fail to post a permit on the construction site contrary to Division C article 1.3.2.1 of the Building Code.
- 10.1.13. Fail to post a permit on the demolition site contrary to Division C article 1.3.2.1 of the Building Code.
- 10.1.14. Occupy an unfinished building without a permit contrary to Division C sentence 1.3.3.1 (1) of the Building Code.
- 10.1.15. Fail to provide notification of construction phase contrary to Division C sentence 1.3.5.1 (2) of the Building Code.
- 10.1.16. Hinder or obstruct or attempt to hinder or obstruct a Chief Building Official or an Inspector contrary to Section 19(1) of the Building Code Act.
- 10.2.** No person shall fail to comply with:
 - 10.2.1. An order to comply made by an Inspector under Section 12(2) of the Building Code Act.
 - 10.2.2. An order not to cover made by an Inspector under Section 13(1) of the Building Code Act.
 - 10.2.3. An order to uncover made by an Inspector under Section 13(6) of the Building Code Act.
 - 10.2.4. A stop work order made by the Chief Building Official under Section 14(4) of the Building Code Act.
 - 10.2.5. An order to remedy an unsafe building made by an Inspector under Section 15.9(4) of the Act.
 - 10.2.6. An order prohibiting use or occupancy of an unsafe building made by the Chief Building Official under Section 15.9(6) of the Act; and
 - 10.2.7. An order to repair a dangerous building made by the Chief Building Official under Section 15.10(1) of the Act.

Part 11

PENALTIES

- 11.1 Every person who contravenes any provision of this By-Law or the Building Code Act or is party to such contravention is guilty of an offence and upon conviction is liable to a fine, in accordance with section 36 of the Building Code Act with respect to offences arising from section 14 of this By-Law, or otherwise as provided for in the Provincial Offences Act R.S.O. 1990, c. P.33.
- 11.2 Every person who is guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, R.S.O. c 1990, c. P33 as amended, pay a set fine, and the Chief Judge of the Ontario Court of Justice shall be requested to establish set fines as set out in Schedule 'D'.
- 11.3 In addition to the penalties prescribed in this By-law, the Chief Building Official may apply under subsection 36(1) and or 38(1) of the Building Code Act for additional penalties and/or fine up to Five Thousand Dollars (\$5,000.00) or the maximum fine applicable pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P33.

Part 12 SEVERABILITY

- 12.1 Should a court of competent jurisdiction, declare any section, subsection, clause, or provision of this By-law to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

Part 13 SCHEDULES

- 13.1 The Schedules attached to this By-law are a part of this By-law.

Part 14 PREVIOUS BY-LAWS

- 14.1 This By-Law supersedes By-law 96-2019, as amended for the Township of Ashfield-Colborne-Wawanosh, and By-law 96-2019 is hereby repealed.

Part 15 EFFECTIVE DATE

- 15.1 This By-law shall take effect on the day of passing.

Read a first and second time this 15th day of October 2024.

Read a third time and finally passed this 15th day of October 2024.



Mayor, Glen McNeil



Clerk, Florence Witherspoon

SCHEDULE 'A'
CLASSES OF PERMITS AND PERMIT FEES

Fees for a required permit shall be as set out in the Township's "Consolidated Fee" By-law, as amended.

CLASS OF PERMIT

New Residential, Residential additions & Mobile Homes

New Accessory Buildings over 108 square feet and additions thereto (includes Decks, Detached Garage, Storage Shed, Etc.)

New farm buildings and additions thereto - dry manure

New farm buildings and additions thereto - liquid manure

New Non-Livestock Farm Buildings and Additions thereto

New Commercial, Industrial or Institutional and additions thereto

Liquid Manure tanks – Free Standing and Under Barn

Separate installations of silos

Separate installations of steel grain bins

Change of use

Any construction project that is started without first obtaining necessary permit

Demolition Permit

Swimming Pools

Occupancy Permit

Renovations and repairs to existing buildings

Miscellaneous Inspections & Re-Inspections

Transfer of Building Permit

Review by Consultant / Engineer / Solicitor Deposit

Wind Turbines

Any building construction, renovation or repair not listed above

Class 2, 3, 4 or 5 New or Replacement Sewage System

Class 4 or 5 Sewage Tank Replacement or Leaching Bed

Building Alterations / Change of Use (Sewage)

Plumbing Permit

INTERPRETATIONS

The following explanatory notes are to be observed in the calculation of permit fees:

- The floor area of the proposed work is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls (including residential garages, crawl spaces, slabs on grade, finished basements and unfinished basements).
- In the case of interior alterations or renovations or where a fee is based on the construction value of the proposed work, the construction value of the proposed work shall mean the total cost of all work regulated by the permit including the cost of all material, labour, equipment, overhead and professional and related services.
- 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 deductions are made for openings within the floor area (i.e., stairs, elevators, escalators, shafts, ducts, etc.).
- Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable.
- Where demolition of partitions or alteration to existing ceilings is a part of an alteration or renovations 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.
- Where the building permit fee is based on actual construction costs the Chief Building Official may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee and where disputed by the applicant, the applicant shall pay the required fee under protest and, within six months of completion of the project, shall submit an audited statement of the actual costs, and where the audited costs are determined to be less than the valuation, the Chief Building Official shall issue a refund.

SCHEDULE 'B'
SCHEDULE OF DRAWINGS, SPECIFICATIONS AND DOCUMENTS REQUIRED FOR
CONSTRUCTION, DEMOLITION AND CHANGE OF USE PERMITS

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

REQUIRED DOCUMENTATION

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

- a) Approval by the Ministry of the Environment, Conservation and Parks for the use, design and construction of a private sewage disposal and water supply systems.
- b) Driveway access permit approved by the authority having jurisdiction.
- c) Approved nutrient management plan and/or strategy.
- d) Confirmation of compliance with Minimum Distance Separation 1 or 2.
- e) Real property report (survey plan) prepared by an Ontario Land Surveyor.
- f) Provide a completed Commitment to General Reviews by Architect and Engineers form where a building is required to be reviewed by a Professional Engineer pursuant to Div. C, article 1.2.2.3. of the Building Code.
- g) Energy Efficiency Design Summary (EEDS)
- h) Heat loss/heat gain calculations and furnace make/model and duct design layout.
- i) Geotechnical investigation report
- j) Such other approvals may be required to demonstrate compliance with applicable law.

REQUIRED DRAWINGS BY TYPICAL PROJECT TYPE

1) Demolition (Full or Partial)

- a) Description of the structural design characteristics of the building and method of demolition prepared by a Professional Engineer were deemed necessary by the Chief Building Official, pursuant to OBC Div. C, article 1.3.1.1.

2) Residential Deck or Porch

- a) Site Plan
- b) Foundation Plan
- c) Floor Plan (framing)
- d) Cross-section and detail of guards
- e) Lot grading, drainage, and servicing plan, where applicable

3) Residential Accessory Building

- a) Site Plan
- b) Foundation Plan
- c) Floor Plan (one per floor & including framing)
- d) Roof Framing Plan
- e) Elevation(s)
- f) Building section

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

- h) Building section(s)
 - i) Window & door / hardware schedules, where applicable
 - j) Room finish schedules, where applicable
 - k) Wall sections and/or details, where applicable
 - l) Mechanical drawings (plumbing and HVAC), where applicable
 - m) Electrical drawings (lighting and fire alarm system), where applicable
 - n) Sprinkler drawings, where applicable
 - o) Standpipe drawings, where applicable
- 9) Non-Residential Renovation (Part 3 or 9)
- a) Site Plan
 - b) Floor Plan (one per floor)
 - c) Floor and Roof structural plans, where applicable
 - d) Elevation(s) if exterior work proposed
 - e) Building section(s), where applicable
 - f) Window & door / hardware schedules, where applicable
 - g) Room finish schedules, where applicable
 - h) Wall sections and/or details, where applicable
 - i) Mechanical drawings (plumbing and HVAC), where applicable
 - j) Electrical drawings (lighting and fire alarm system), where applicable
- 10) Designated Structures
- The following plans prepared and stamped by a Professional Engineer or Architect:
- a) Approved lot grading, drainage, and servicing plan, where applicable
 - b) Site Plan
 - c) Foundation Plan, where applicable
 - d) Floor Plan (one per floor), where applicable
 - e) Floor and Roof structural plans, where applicable
 - f) Elevation(s), where applicable
 - g) Sections and/or details, where applicable
- 11) Sewage System
- a) Site Evaluation Report prepared by a Professional Engineer including soil permeability, and soil conditions, including the potential for flooding.
 - b) Plot / Site Plan and or Approved Lot Grading and Drainage Plan
 - c) Septic system design and drawings
 - d) In the case of Class 4 sewage systems, a copy of the required annual service and maintenance agreement

DRAWING COMPLETENESS

Unless otherwise specified by the Chief Building Official, plans or working drawings showing and detailing the following information shall accompany all building permit applications. Depending upon the nature, scope and scale of a project other additional information may be required to demonstrate Building Code compliance at the discretion of the Chief Building Official.

- 1) The site plan drawing shall show:
- a) Property boundaries and dimensions.
 - b) The location, use, height, and dimensions of any existing and proposed building(s) including, but not limited to front, side, and rear yard dimensions and relationships to adjoining property lines, condominium corporation lines and buildings, common element lines, where applicable.

- c) Relation of buildings and finished grade to existing elevations and storm water drainage control plan on site, where applicable, and
 - d) All existing and proposed parking layouts, retaining walls, swimming pools, accessory buildings and any other such physical additions necessary to the site.
- 2) The lot grading, drainage and servicing plan(s) shall show:
- a) The property lines, building location, sidewalks, driveways, curb cuts, swales, all utility services, and new/existing service connections.
 - b) Existing and proposed spot elevations for this project and adjacent properties, slopes of driveways, sidewalks and swales, direction of drainage flow; and
 - c) Location of storm water catchment area, catch basins, below grade and above grade utilities and connections into services at property line.
- 3) The architectural drawings shall show:
- a) Building Code matrix, where applicable.
 - b) Foundation plan and grade details; and
 - c) Each floor plan with exact dimensions of the layout of all proposed areas and identify each with room names.
 - d) All wall thickness and type of construction, window and door openings and schedules, elevator, sections and details of all walls, stairs and exits, fire walls, fire separations, shaft and duct openings and other related pertinent information.
 - e) Building elevations, cross sections and wall sections showing all floor-to-floor heights, materials, and thickness, etc.; and
 - f) Specifications where applicable.
- 4) The structural drawings shall show:
- a) All foundation, floor, roof, and wall structural elements indicating sizes, shapes and proper locations, and all dead and live design loads and conditions of loading.
 - b) All reinforced concrete work indicating thickness and strength of concrete, size spacing minimum cover and type of reinforcing steel.
 - c) All lintel, column and beam locations and their size.
 - d) Engineered roof and floor truss designs, where applicable; and
 - e) Specifications, where applicable.
- 5) The mechanical and electrical drawings shall show:
- a) Mechanical drawings are to show the plumbing, heating, ventilation, and air conditioning including legends and schedules for compliance with the Building Code. For Part 9 buildings, this information can be shown on the same plan as the architectural.
 - b) Electrical drawings are to show lighting, emergency lighting, exit signs, fire alarm systems and their legends and schedules for compliance with the Building Code. For Part 9 buildings, this information can be shown on the same plan as the architectural.
 - c) The location of all fire protection equipment such as early warning, detection, and suppression systems; and
 - d) Specifications, where applicable.
- 6) The Private Sewage system plans shall show:
- a) A site evaluation identifying the soil percolation time and anticipated high ground water level elevation,
 - b) The private sewage system design and construction drawing includes all components and a calculation of the total daily design sanitary sewage flow of the system.

- c) The location, use, height, and dimensions of any existing and proposed buildings including front, side, and rear yard dimensions and relationships to adjoining property lines, condominium corporation lines and buildings,
- d) Existing and proposed elevation contours of the building site and adjacent properties,
- e) Relation of buildings and finished grade to existing elevations and storm water drainage control plan on site where applicable,
- f) All existing and proposed site services, parking layout, retaining walls, swimming pools accessory buildings and any other such physical additions necessary to the site,

SCHEDULE 'C'
REFUND OF FEES

The permit fees that may be refunded under section 6.2 of this By-law will be a percentage of the permit fees payable under this By-law.

STATUS OF APPLICATION	PERCENTAGE OF FEE ELIGIBLE FOR REFUND
Application filed. No processing or Review of Plans submitted	90%
Application filed. Plans reviewed	45%
Permit issued. No field inspections have been performed	35%
Permit issued and field inspections have been performed after the permit issuance	35% reduced by 5% for each field inspection performed

No refund shall be given where the amount is less than \$100.00.

No refund shall be given unless a written request has been made by the owner or authorized agent and unless the permit is returned to the Chief Building Official or the Municipal Clerk for cancellation.

No refund shall be made where the Chief Building Official has revoked a permit under Subsection 8(10) of the Act.

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 62-2024: Building By-Law
SCHEDULE "D"
SHORT FORM WORDING AND SET FINES

Set Fine Application
Part 1 Provincial Offences Act

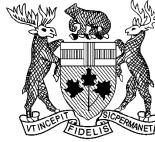
Item	Column 1 Short Form Wording	Column 2 Offence Creating Provision or Defining Offence	Column 3 Set Fine
1	Construct a building without a permit.	10.1.1	\$750.00
2	Construct a sewage system without a permit.	10.1.1	\$750.00
3	Cause construction of a building without permit.	10.1.2	\$750.00
4	Cause construction of sewage system without a permit	10.1.2	\$750.00
5	Demolish a building without a permit.	10.1.3	\$750.00
6	Cause demolition of a building without a permit.	10.1.4	\$750.00
7	Change plans without authorization.	10.1.5	\$300.00
8	Construct a building not In accordance with plans.	10.1.6	\$300.00
9	Change the use of a building without a permit.	10.1.7	\$400.00
10	Occupy a building newly erected without notice or inspection.	10.1.8	\$500.00
11	Remove posted order without authorization.	10.1.9	\$750.00
12	Furnish false information on an application for a permit.	10.1.10	\$750.00
13	Commence demolition before a building has been vacated.	10.1.11	\$750.00
14	Fail to post permit on construction site.	10.1.12	\$300.00
15	Fail to posit permit on demolition site.	10.1.13	\$300.00
16	Occupy an unfinished building without a permit.	10.1.14	\$500.00
17	Fail to provide required notification of construction phase.	10.1.15	\$500.00
18	Obstruction.	10.1.16	\$1000.00
19	Fail to comply with an order made by Inspector.	10.2.1	\$750.00

20	Fail to comply with an order not to cover.	10.2.2	\$750.00
21	Fail to comply with an order to uncover.	10.2.3	\$750.00
22	Fail to comply with an order to stop construction.	10.2.4	\$750.00
23	Fail to comply with an order to render a building safe.	10.2.5	\$750.00
24	Fail to comply with an order prohibiting occupancy of an unsafe building.	10.2.6	\$1000.00
25	Fail to comply with an order to repair a dangerous building.	10.2.7	\$1000.00

Note: The penalty provision for the offences indicated above is section 11.2 of By-Law 62-2024, a certified copy of which has been filed.

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION

80 DUNDAS STREET, 10th FLOOR, UNIT L
LONDON, ONTARIO N6A 6A8



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'OUEST

80, RUE DUNDAS, 10^e ÉTAGE, UNITÉ L
LONDON (ONTARIO) N6A 6A8

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

December 13, 2024

Florence Witherspoon
Township of Ashfield-Colborne-Wawanosh

Greetings,

Re: Set Fines - Provincial Offences Act – Part 1 By-law 62-2024, Building By-Law

Enclosed herewith is the Part 1 original Order and original schedule of set fines for the above referenced Bylaw, the Bylaw indicated in the schedules.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

Please ensure that a copy of the said documents is forwarded to the Provincial Offences Court in Goderich, together with a certified copy of the Bylaw.

Yours truly,

A handwritten signature in cursive script that reads "Ted Graham".

M. Edward Graham
Regional Senior Justice
Ontario Court of Justice
Encl.

/tz

ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and **By-law 62-2024 of the Township of Ashfield-Colborne-Wawanosh** attached hereto are the set fines for those offences. This Order is to take effect December 13, 2024.

Dated at London this 13th day of December 2024.

A handwritten signature in black ink that reads "Ted Graham". The signature is written in a cursive, flowing style.

M. Edward Graham
Regional Senior Justice
Ontario Court of Justice

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 62-2024: Building By-Law
SCHEDULE “D”

SHORT FORM WORDING AND SET FINES

Set Fine Application
Part 1 Provincial Offences Act

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