

# The Corporation of the City of Guelph

## By-law Number (2015) – 19985

### [office consolidation]

A by-law respecting Building, Demolition, Conditional, Change of Use and Occupancy Permits, Payment of Fees, Inspections, Appointment of Chief Building Official and Inspectors and a Code of Conduct and to repeal previous By-laws. [as amended by by-laws (2016)-20060, (2016)-20089, (2017)-20158, (2017)-20174, (2019)-20371, (2019)-20385, (2019)-20411, (2019)-20450, (2020)-20520, (2020)-20549, (2021)-20597, (2021)-20654, (2022)-20738 and (2022-20750)]

### Whereas

Subsection 7.(1) of the Building Code Act, S.O. 1992, Chapter 23, as amended, authorizes Council to pass certain by-laws respecting Building, Demolition and Change of Use Permits and Inspections;

### And whereas

Subsection 3.(2) of the Building Code Act, S.O. 1992, Chapter 23, as amended, requires Council to appoint a Chief Building Official and Inspectors for the enforcement of the Building Code Act;

### And whereas

Subsection 7.1(1) of the Building Code Act, S.O. 1992, Chapter 23, as amended, requires Council to establish and enforce a Code of Conduct for the Chief Building Official and Inspectors;

### Now therefore the Council of the Corporation of the City of Guelph enacts as follows:

#### 1. Short Title

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

#### 2. Definitions [amended by By-laws (2016)-20060 and (2017)-20174]

In this By-law,

"Act" means the Building Code Act, S.O. 1992, Chapter 23, as amended.

"Applicant" means the Owner of a property or Building who applies for a Permit or any person authorized by the Owner to apply for a Permit on the Owner's behalf, as defined in Division C, Article 1.3.1.2. of the Building Code.

"Architect" means an Architect as defined in Division A, Article 1.4.1.2. of the Building Code.

"As Constructed Plans" means As Constructed Plans as defined in Division A, Article 1.4.1.2. of the Building Code.

"Building" means a Building as defined in Subsection 1.(1) of the Act.

"Building Code" means the regulations made under Subsection 34.(1) of the Act.

"Change of Use" means a Change of Use as referenced in Subsection 10.(1) of the Act.

“Chief Building Official” means the Chief Building Official appointed by this by-law, as described in Schedule “C”, for the purposes of enforcement of the Act.

“Construct” means Construct as defined in Subsection 1.(1) of the Act and Construction shall have the same meaning.

“City” means the Corporation of the City of Guelph.

“Demolish” means Demolish as defined in Subsection 1.(1) of the Act and Demolition shall have the same meaning.

“Designated Structure” means structures designated for the purposes of clause (d) of the definition of Building in Subsection 1.(1) of the Act.

“Farm Building” means a Farm Building as defined in Division A, Article 1.4.1.2. of the Building Code.

“Inspector” means an Inspector appointed by this by-law, or as described in Schedule “C”, for the purposes of enforcement of the Act.

“Owner” means an Owner as referenced in Division C, Sentence 1.3.1.2.(3) of the Building Code.

“Permit” means written permission 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 it, as regulated by the Act.

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

“Professional Engineer” means a Professional Engineer as defined in Division A, Article 1.4.1.2. of the Building Code.

“Sewage System” means a Sewage System as defined in Division A, Article 1.4.1.2. of the Building Code.

Any word or term not defined in this by-law, which is defined in the Act or Building Code, shall have the meaning ascribed to it in the Act or the Building Code. Any word or term not defined in this by-law, the Act or the Building Code, shall have the meaning commonly assigned to it in the context in which it is used.

### **3. Classes of Permits**

Classes of Permits with respect to the Construction, Demolition, Change of Use and Occupancy of a Building, or part of it, and the associated Permit fees shall be as set out in Schedule “A” of this by-law and include the following:

#### **3.1 Building Permit**

This Permit is required under Subsection 8.(1) of the Act and may include Plumbing, heating, ventilation and air conditioning systems, Sewage Systems, Farm Buildings and Designated Structures as set out in Division A, Sentence 1.3.1.1.(1) of the Building Code and signs as set out in Division B, Section 3.15. of the Building Code.

#### **3.2 Demolition Permit**

This Permit is required under Subsection 8.(1) of the Act.

#### **3.3 Conditional Permit**

This Permit may be issued by the Chief Building Official in accordance with Subsection 8.(3) of the Act to authorize any stage of Construction, even though all of the requirements under Subsection 8.(2) of the Act have not been met.

### 3.4 Change of Use Permit

This Permit is required under Subsection 10.(1) of the Act when a change in use of a Building or part of it will result in an increase in hazard as determined under the Building Code even though no Construction is proposed.

### 3.5 Occupancy Permit

This Permit is required under Division C, Subsection 1.3.3. of the Building Code where all or part of a building will be occupied.

## 4. **Administrative Procedures Relating to Permits**

### 4.1 Revisions to Permits

After the issuance of a Permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the Permit was issued, must be provided by the Applicant in writing to the Chief Building Official together with the details of such change. The change shall not be made without obtaining written authorization of the Chief Building Official as required under Subsection 8.(12) of the Act.

### 4.2 Transfer of Permit Applications and Permits [amended by By-law (2021)-20597]

- (a) On Initiative of the Applicant, a Person to Whom a Permit has been Issued, or a New Owner

Where the ownership of land changes after a Permit application has been submitted and fees paid, or where a Permit has been issued, the Applicant for the Permit, the person to whom the Permit was issued or the new owner of the land, as the case may be, may submit a request to the Chief Building Official requesting a transfer of the Permit application and fees or the Permit as identified in Clause 7.(1)(h) of the Act by submitting the following information:

- i) the name and address of the person to whom the Permit application and fees or the Permit are to be transferred;
- ii) the name and address of any contractors that have changed from those listed on the Permit application or the Permit;
- iii) the name and address of Architect(s) and Professional Engineer(s) responsible for the design and field review of the Construction that have changed from those listed on the Permit application or the Permit;
- iv) the name and address of the person who paid the Permit fees; and
- v) where the transfer is being initiated on the initiative of the transferor, proof to the satisfaction of the City Building Official that the transferee has been provided with advance notice of same.

- (b) On the Initiative of the Chief Building Official

Where the Chief Building Official becomes aware that the ownership of land has changed after a Permit has been issued, and where the voluntary transfer of the Permit in accordance with the provisions of section 4.2(a) has not occurred, the Chief Building Official at their discretion for the orderly administration of their duties, may initiate the transfer of the Permit by:

- i) providing notice to the registered owner(s) of the land by mail;
  - a. to the subject property; and
  - b. if different, to the address listed with the Municipal Property

Assessment Corporation and/or any successor thereto for purposes of municipal property tax notices respecting the subject property,

of the intention of the Chief Building Official to transfer the permit into the name of the current registered owner(s);

- ii) requesting in writing, together with the notice that the registered owner(s) of the land described in subparagraph 4.2(b)(i) that the registered owners contact the Building Department within 15 days of service of the notice to provide an update as to:
  - a. the state of completeness of the construction and as to whether any inspections are required in accordance with the City's Building By-Law and the Ontario Building Code;
  - b. the name and address of any contractors that have changed from those listed on the Permit application or the Permit; and
  - c. the name and address of Architect(s) and Professional Engineer(s) responsible for the design and field review of the Construction that have changed from those listed on the Permit application or the Permit;
- iii) providing within the same notice the option to the registered owners of the subject property, to schedule an inspection within 15 days of receipt to confirm that no construction has commenced, and to request on that basis the cancellation of the Permit rather than its transfer;
- iv) unless the Chief Building Official receives a request as described in subparagraph 4.2(b)(iii), together with evidence to the satisfaction of the Chief Building Official establishing that no construction has commenced, then on the expiry of 30 days after mailing the notice prescribed by subsection 4.2(b)(i), the Chief Building Official shall transfer the Permit to the registered owners, who shall thereafter be "prescribed persons" for purposes of section 10.2 of the Building Code Act, and shall mail a copy of the revised permit to each address referred to in subsection 4.2(b)(i) and to any other address for service provided by the registered owners;

Nothing in this subsection 4.2 of the City's Building By-Law shall be construed as relieving prior or current owners from their obligations under the Building Code Act, Ontario Building Code and/or the Building By-Law and/or as stopping the Chief Building Official from bringing charges and/or initiating proceedings and/or bringing any enforcement actions prescribed by law against any person who caused construction or demolition to take place in a manner contrary to the Building Code Act, Ontario Building Code and/or the Building By-Law.

#### 4.3 Revocation of Permits

The Chief Building Official, subject to provisions outlined in Subsection 8.(10) of the Act, has the authority to revoke a Permit issued under the Act.

### 5. Requirements for Applications

#### 5.1 Building, Demolition, Conditional and Change of Use Permits

Where an application is made for a Building or Demolition Permit under Subsection 8.(1) of the Act, a Conditional Permit under Subsection

8.(3) of the Act, or a Change of Use Permit under Subsection 10.(1) of the Act, the application shall comply with Division C, Sentence 1.3.1.3.(5) of the Building Code and be complete with documents and other information as required in this by-law.

#### 5.2 Prescribing Forms

The forms required for an application for a Permit, unless otherwise specified by the Chief Building Official, shall be those forms as set out in Schedule "B" of this by-law.

#### 5.3 Plans and Specifications

Sufficient information shall be submitted with each application for a Permit to enable the Chief Building Official to determine whether or not the proposed Construction, Demolition or Change of Use will conform with the Act, the Building Code and any other applicable law.

Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two complete sets of working drawings and information as set out in Schedule "B" of this by-law.

#### 5.4 Alternative Solutions

Where a person proposes the use of an Alternative Solution as defined in Division A, Article 1.4.1.2. of the Building Code, the proposal shall:

- a. Include all documentation requirements as set out in Division C, Subsection 2.1.1. of the Building Code, and
- b. Be submitted on the application form as set out in Schedule "B" of this by-law.

#### 5.5 Inactive Permit Applications

Where an application for a Permit remains inactive for six months after it is submitted, the application may be deemed by the Chief Building Official to have been abandoned and notice thereof shall be given to the Applicant. Once an application is deemed to be abandoned, it may be cancelled and a new application will be required for the proposed work.

### 6. **Payment of Fees** [amended by By-law (2017)-20174]

#### 6.1

Fees for a required Permit shall be as set out in Schedule "A" of this by-law and are due and payable upon submission of an application for a Permit.

#### 6.2

Administration fees for an Application for an Alternative Solution shall be as set out in Schedule "A" of this by-law and are due and payable upon submission of an Application for an Alternative Solution.

#### 6.3

An administration fee, where occupancy of a Building, or part of it, has occurred without an occupancy permit being issued as required by Division C, Articles 1.3.3.1., 1.3.3.4. and 1.3.3.5. of the Building Code, shall be as set out in Schedule "A" of this by-law and is due and payable by the Permit Applicant upon issuance of the occupancy permit. This administration fee is in addition to any other penalty under the Act, Building Code or this by-law, and is to compensate the City for the additional work incurred due to the unauthorized occupancy of the Building.

#### 6.4

An administration fee, where more than one occupancy inspection is required for a Building, or part of it, shall be as set out in Schedule "A" this by-law and is due and payable upon issuance of each additional occupancy permit. This administration fee is intended to compensate the City for additional work incurred due to additional occupancy inspections.

#### 6.5

An administration fee, where any person has commenced Construction or Demolition, or has caused the Change of Use of a Building prior to receiving a Permit, shall be as set out in Schedule "A" of this by-law and is due and payable by the Permit Applicant prior to the issuance of the Permit. This administration fee will be charged if an order has been issued under Subsections 12.(2) or 14.(1) of the Act. This administration fee is in addition to any other penalty under the Act, Building Code or this by-law and is to compensate the City for the additional work incurred due to the premature commencement of the Construction or Demolition, or the Change of Use of a Building.

#### 6.6

An administration fee, where a building or part of it was originally applied for as shell only and occupancy is being sought for the shell only portion of the building or of a suite within the building or part of the building or suite and for which an interior finish permit has not been obtained for that portion, shall be as set out in Schedule "A" of this by-law and is due and payable by the person seeking the occupancy permit.

### 7. **Refund of Permit Fees**

In the case of withdrawal or abandonment of an application for a Permit or abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall, upon written request of the Owner or Applicant, determine the amount of paid Permit fees that may be refunded to the Owner or Applicant, if any, in accordance with Schedule "A" of this by-law.

### 8. **As Constructed Plans**

#### 8.1

The Chief Building Official may require that a set of As Constructed Plans of a Building be filed with the Chief Building Official on completion of Construction under such conditions as may be prescribed in the Building Code.

#### 8.2

Upon completion of Construction of the foundation for single detached dwellings, semi-detached dwellings, duplexes or townhouses, a certificate from an Ontario Land Surveyor, Professional Engineer or Architect shall be submitted to the Chief Building Official confirming that the elevation of the foundation conforms to the Ontario Building Code and to the subdivision grading plan or lot grading plan approved by the City.

#### 8.3

Upon completion of Construction of all new buildings, a survey from an Ontario Land Surveyor shall be submitted to the Chief Building Official confirming that the location of the building conforms to the Guelph Zoning By-law.

**9. Notice Requirement for Inspections**

The Applicant or an authorized agent shall notify the Chief Building Official of the prescribed notices under Division C, Article 1.3.5.1. of the Building Code and every additional notice under Division C, Article 1.3.5.2. of the Building Code, at least one business day prior to each stage of Construction.

**10. Sewage System Maintenance Inspection Program**

**10.1**

In respect of the mandatory maintenance inspection program described in Division C, Subsection 1.10.2 of the Building Code:

- a. Pursuant to paragraph 7(1)(b.2) of the Building Code Act, 1992, Council shall administer the said mandatory maintenance inspection program; and
- b. Council may, as an alternative to conducting an inspection, accept an inspection certificate from a property owner under Division C, Article 1.10.2.5 of the Building Code.

**10.2**

In respect of the discretionary maintenance inspection programs described in Division C, Subsection 1.10.1 of the Building Code:

- a. Pursuant to paragraph 7(1)(b.1) of the Building Code Act, 1992, Council hereby establishes a discretionary maintenance inspection program for all sewage systems in the City not included in the mandatory maintenance inspection program;
- b. Subject to Division C, Subsection 1.10.1 of the Building Code, Council shall administer its discretionary maintenance inspection program; and
- c. Inspectors shall inspect all sewage systems affected by the discretionary maintenance inspection program for compliance with the applicable standards prescribed under paragraph 34(2)(b) of the Building Code Act, 1992, provided that Council may, as an alternative to conducting an inspection, accept an inspection certificate from a property owner under Division C, Article 1.10.1.3 of the Building Code.

**11. Fencing of Construction and Demolition Sites** [added by By-law (2017)-20174]

**11.1**

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

**11.2**

Construction fencing shall;

- (a) Create a continuous barrier to deter unauthorized entry;
- (b) Have a height of not less than 1.2 metres above grade;
- (c) Be maintained in a vertical plane in good repair; and
- (d) Have all openings closed when the site is unattended.

**12. Appointment of Chief Building Official and Inspectors**

[amended by By-laws (2016)-20060 and (2017)-20174]

12.1

Any person employed or contracted by the City whose responsibilities include the enforcement of the Act is hereby appointed as an Inspector under the Act.

12.2

The appointment of a person as an Inspector under the Act shall cease immediately upon such person no longer being employed by or contracted with the City.

12.3

The individuals listed in Schedule "C" of this By-law are appointed to enforce the Act and carry out additional duties as described in the schedule.

13. **Code of Conduct** [revised by By-law (2017)-20174)]

The Code of Conduct for the Chief Building Official and Inspectors, as required under Subsection 7.1(1) of the Act, is set out in Schedule "D" of this by-law.

14. **Severability** [revised by By-law (2017)-20174)]

Where a court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, or to be of no force and effect, it is the intention of City Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

15. **Repeal and Replacement of Previous By-laws**

[amended by By-law (2016)-20060, revised by By-law (2017)-20174)]

By-law number (2012)-19356 and all its amending by-laws are hereby repealed and replaced by this by-law as of the date and time of this by-law coming into effect.

By-law number (1987)-12602 and all its amending by-laws are hereby repealed and replaced by this by-law as of the date and time of this by-law coming into effect.

By-law number (1995)-14803 is hereby repealed and replaced by this by-law as of the date and time of this amending by-law coming into effect.

**Passed this Twenty-Third day of November, 2015.**

**Original signed by:**

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**Cam Guthrie, Mayor**

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**Stephen O'Brien, City Clerk**



**Schedule "A" of Bylaw number (2015)-19985**

**Building Permit fees effective January 1, 2022**

[as amended by bylaws (2019)-20411, (2019)-20450, (2020)-20549, (2021)-20654 and (2022)-20738]

Fees for a required Permit are set out in this schedule and are due and payable upon submission of an application for a Permit.

Table 1 (Table 80) - **Group A: Assembly Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft<sup>2</sup>)</b>	<b>Flat fee (\$)</b>
Shell	2.45	NA
Finished	2.81	NA
Outdoor patio/picnic shelter	NA	230.00
Outdoor public pool	NA	920.00

Table 2 (Table 81) - **Group B: Detention, care & treatment and care Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft<sup>2</sup>)</b>	<b>Flat fee (\$)</b>
Shell	2.65	NA
Finished	3.04	NA

Table 3 (Table 82) - **Group C: Residential**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft<sup>2</sup>)</b>	<b>Flat fee (\$)</b>
Low-rise residential (houses and row townhouses)	1.50	NA
Garage/carport (per bay), shed, deck, porch, exterior stairs, exterior ramps	NA	115.00
Hot tubs	NA	115.00
Solar collectors – low-rise residential (per application)	NA	115.00
Swimming pools	NA	230.00
Apartment Building, multiple attached dwelling (stacked townhouses)	1.95	NA
Hotels/motels	1.95	NA
Residential retirement home	1.95	NA

Table 4 (Table 83) - **Group D: Business and Personal Services Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Shell	1.66	NA
Finished	1.95	NA

Table 5 (Table 84) - **Group E: Mercantile Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Shell	1.66	NA
Finished	1.95	NA

Table 6 (Table 85) - **Group F: Industrial Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Warehouse, factories	1.05	NA
Parking garage	0.89	NA

Table 7 (Table 86)- **Farm Building**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Farm Building	0.50	NA

Table 8 (Table 87) - **Foundation, conditional Permit**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Foundation, conditional Permit	0.16	NA

Table 9 (Table 88) - **Interior Finishes and Alterations: All classifications**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
New interior finishes to previously unfinished areas (including finishing of residential basements and major renovations)	0.47	NA
Alterations and renovations to previously finished areas	0.43	NA

Table 10 (Table 89) - **Special Categories and Miscellaneous: All classifications**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Accessory apartments, lodging houses	0.47/345.00 minimum	NA
Air supported structures	0.52	NA
Balcony guard (replace per linear foot) – excluding low-rise residential	0.87/345.00 minimum	NA
Balcony repair (per building)	NA	345.00
Ceiling (new or replace per square foot)	0.08	NA
Change of use Permit (with no renovations)	NA	230.00
Demising wall, firewall	NA	230.00
Demolitions – minor (500 square feet or less)	NA	115.00
Demolitions – major (more than 500 square feet)	0.04/345.00 minimum	NA
Designated Structures – ALL including solar collectors (per application) except retaining walls, public pools, signs and low-rise residential solar collectors	NA	460.00
Elevator, escalator, lift	NA	460.00
Exterior ramps (excluding low-rise residential)	NA	230.00
Fireplace, woodstove (each)	NA	115.00
Portables – per application (excludes port-a-pak)	NA	230.00
Rack storage	0.43/345.00 minimum	NA
Reclad exterior wall (per square foot)	0.08	NA
Retaining wall (per linear foot)	4.32	NA
Roof structures	0.43	NA
Signs – 107 square feet or less (each)	NA	230.00
Signs – more than 107 square feet (each)	NA	460.00
Storefront replacement	NA	230.00
Temporary Buildings	NA	460.00
Temporary tents – per application	NA	230.00
Window – new, replacement or enlargement (each)	NA	15.00

Table 11 (Table 90) - **Mechanical Work (independent of Building Permit)**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
HVAC Permit (residential per suite)	NA	115.00
HVAC Permit (non-residential)	0.16	NA
New sprinkler system or new standpipe system	0.08/345.00 minimum	NA
Alterations to existing sprinkler system or existing standpipe system	0.04/345.00 minimum	NA
Commercial kitchen exhaust systems, spray booths, dust collectors	NA	345.00

Table 12 (Table 91)- **Electrical work (Independent of Building Permit)**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
New fire alarm system	0.08/345.00 minimum	NA
Alterations to existing fire alarm system or existing electrical work	NA	345.00
Electromagnetic locks (each) and hold open devices (each)	NA	55.00

Table 13 (Table 92) - **Plumbing work (Independent of Building Permit)**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Plumbing Permit, including hot water heaters (per fixture)	NA	15.00
Testable backflow prevention devices (each)	NA	115.00
Catchbasins, manholes, roof drains (each)	NA	15.00
Building services (per group) – single detached dwellings (SDD), semi-detached dwellings, duplex dwellings	NA	115.00
Building/site services (per linear foot), excluding SDD, semi-detached dwellings, duplex dwellings	0.90/345.00 minimum	

Table 14 (Table 93) - **Sewage Systems**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
New installations	NA	690.00
Replacement or alteration	NA	345.00

## Administration Fees

Table 15 (Table 94) - **Alternative Solutions (as per Subsection 6.2 of this by-law)**

Administration fee	Flat fee (\$)
All Buildings/systems within the scope of Division B, Part 9 of the Building Code	500.00
All other Buildings/systems	1,000.00

Table 16 (Table 94) - **Occupancy without a Permit (as per Subsection 6.3 of this by-law)**

Administration fee	Flat fee (\$)
Occupancy of a Building, or a part of it, without the required occupancy permit	500.00
Additional occupancy inspections (as per Subsection 6.4 of this by-law)	300.00

Table 17 (Table 94) - **Work without a Permit (as per Subsection 6.5 of this By-law)**

Administration fee	Flat fee (\$)
Building, Demolition or Change of Use without the required Permit	50% of the required Permit fee, maximum of \$5,000.00
Occupancy Permit without Construction (as per Subsection 6.6 of this by-law)	300.00
Registering Orders on Title (as per the Building Code Act)	175.00

### Rules for determining Permit fees

A minimum Permit fee of \$115.00 shall be charged for all work for low-rise residential projects where the calculated Permit fee is less than these amounts. Fees identified as low-rise residential apply where there is not more than one dwelling unit above another dwelling unit in a single detached, semi-detached, duplex or row townhouse dwelling.

A minimum Permit fee of \$230.00 shall be charged for all other projects where the calculated Permit fee is less than these amounts.

The occupancy categories in this Schedule correspond with the major occupancy classifications in the Ontario Building Code. For multiple occupancy floor areas, 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.

For classes of Permits not described in this Schedule, the Chief Building Official shall determine a reasonable Permit fee.

The floor area of the proposed work is to be measured to the outer face of exterior walls (excluding low-rise residential attached garages) and to the centre line of party walls, firewalls or demising walls.

In the case of interior finishes, alterations or renovations, the area of proposed work is the actual space receiving the work. (e.g.: tenant suite)

Attached garages, fireplaces, decks, balconies, porches, exterior basement stairwells and exterior ramps are included in the Permit fee for single detached

dwellings, semi-detached dwellings, duplex dwellings and townhouses.

Unfinished basements for single detached dwellings, semi-detached dwellings, duplex dwellings and townhouses are not included in the floor area.

Basement finishes are not included in the Permit fee and will be charged the additional rate for single detached dwellings, semi-detached dwellings, duplex dwellings and townhouses.

Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major occupancy for the floor area on which they are located.

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 (e.g. stairs, elevators, escalators, shafts, ducts, etc.).

Where interior alterations and renovations require relocation of sprinkler heads, standpipe components or fire alarm components, no additional charge is applicable.

Ceilings are included in both new shell and finished (partitioned) Buildings. The Permit fees for ceilings only apply when alterations occur in existing Buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.

Where Demolition of partitions or alterations to existing ceilings are part of an alteration or renovation Permit, no additional charge is applicable.

Additional Permit fees are not required when the Sewage System is included with the original Building Permit.

A temporary Building is considered to be a Building that will be erected for not more than three years.

#### **Refund of Permit fees:**

In the case of withdrawal or abandonment of an application for a Permit or abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall, upon written request of the Owner or Applicant, determine the amount of paid Permit fees that may be refunded to the Owner or Applicant, if any, as follows:

- a. 80 percent (80%) if administrative functions only have been performed;
- b. 70 percent (70%) if administrative and zoning functions only have been performed;
- c. 50 percent (50%) if administrative, zoning and plans examination functions have been performed;
- d. 35 percent (35%) if the Permit has been issued and no field inspections have been performed subsequent to Permit issuance;
- e. 5 percent (5%) shall additionally be deducted for each field inspection that has been performed after the Permit has been issued;
- f. A refund will not be made on a Permit where the amount paid was the minimum permit fee;
- g. No refund shall be made of an amount that is less than the minimum Permit fee applicable to the work;
- h. No refund shall be made after two years following the date of Permit application where the Permit has not been issued or one year following the date of Permit issuance.

**Note:** In most cases, a building and/or zoning inspection will be required prior to issuance of a refund.

**Schedule "A" of Bylaw number (2015)-19985**

**Building Permit fees effective January 1, 2023**

[as amended by bylaws (2019)-20411, (2019)-20450, (2020)-20549, (2021)-20654 and (2022)-20738]

Fees for a required Permit are set out in this schedule and are due and payable upon submission of an application for a Permit.

Table 18 (Table 80) - **Group A: Assembly Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft<sup>2</sup>)</b>	<b>Flat fee (\$)</b>
Shell	2.50	NA
Finished	2.87	NA
Outdoor patio/picnic shelter	NA	240.00
Outdoor public pool	NA	960.00

Table 19 (Table 81) - **Group B: Detention, care & treatment and care Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft<sup>2</sup>)</b>	<b>Flat fee (\$)</b>
Shell	2.71	NA
Finished	3.11	NA

Table 20 (Table 82) - **Group C: Residential**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft<sup>2</sup>)</b>	<b>Flat fee (\$)</b>
Low-rise residential (houses and row townhouses)	1.54	NA
Garage/carport (per bay), shed, deck, porch, exterior stairs, exterior ramps	NA	120.00
Hot tubs	NA	120.00
Solar collectors – low-rise residential (per application)	NA	120.00
Swimming pools	NA	240.00
Apartment Building, multiple attached dwelling (stacked townhouses)	1.99	NA
Hotels/motels	1.99	NA
Residential retirement home	1.99	NA

Table 21 (Table 83) - **Group D: Business and Personal Services Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Shell	1.70	NA
Finished	1.99	NA

Table 22 (Table 84) - **Group E: Mercantile Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Shell	1.70	NA
Finished	1.99	NA

Table 23 (Table 85) - **Group F: Industrial Buildings**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Warehouse, factories	1.07	NA
Parking garage	0.91	NA

Table 24 (Table 86) - **Farm Building**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Farm Building	0.51	NA

Table 25 (Table 87) - **Foundation, conditional Permit**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Foundation, conditional Permit	0.16	NA

Table 26 (Table 88) - **Interior Finishes and Alterations: All classifications**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
New interior finishes to previously unfinished areas (including finishing of residential basements and major renovations)	0.48	NA
Alterations and renovations to previously finished areas	0.43	NA



Table 27 (Table 89) - **Special Categories and Miscellaneous: All classifications**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Accessory apartments, lodging houses	0.48/360.00 minimum	NA
Air supported structures	0.53	NA
Balcony guard (replace per linear foot) – excluding low-rise residential	0.89/360.00 minimum	NA
Balcony repair (per building)	NA	360.00
Ceiling (new or replace per square foot)	0.08	NA
Change of use Permit (with no renovations)	NA	240.00
Demising wall, firewall	NA	240.00
Demolitions – minor (500 square feet or less)	NA	120.00
Demolitions – major (more than 500 square feet)	0.04/360.00 minimum	NA
Designated Structures – ALL including solar collectors (per application) except retaining walls, public pools, signs and low-rise residential solar collectors	NA	480.00
Elevator, escalator, lift	NA	480.00
Exterior ramps (excluding low-rise residential)	NA	240.00
Fireplace, woodstove (each)	NA	120.00
Portables – per application (excludes port-a-pak)	NA	240.00
Rack storage	0.44/360.00 minimum	NA
Reclad exterior wall (per square foot)	0.08	NA
Retaining wall (per linear foot)	4.42	NA
Roof structures	0.43	NA
Signs – 107 square feet or less (each)	NA	240.00
Signs – more than 107 square feet (each)	NA	480.00
Storefront replacement	NA	240.00
Temporary Buildings	NA	480.00
Temporary tents – per application	NA	240.00
Window – new, replacement or enlargement (each)	NA	20.00

Table 28 (Table 90) - **Mechanical Work (independent of Building Permit)**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
HVAC Permit (residential per suite)	NA	120.00
HVAC Permit (non-residential)	0.16	NA
New sprinkler system or new standpipe system	0.08/360.00 minimum	NA
Alterations to existing sprinkler system or existing standpipe system	0.04/360.00 minimum	NA
Commercial kitchen exhaust systems, spray booths, dust collectors	NA	360.00

Table 29 (Table 91) - **Electrical work (Independent of Building Permit)**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
New fire alarm system	0.08/360.00 minimum	NA
Alterations to existing fire alarm system or existing electrical work	NA	360.00
Electromagnetic locks (each) and hold open devices (each)	NA	60.00

Table 30 (Table 92) - **Plumbing work (Independent of Building Permit)**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
Plumbing Permit, including hot water heaters (per fixture)	NA	20.00
Testable backflow prevention devices (each)	NA	120.00
Catchbasins, manholes, roof drains (each)	NA	20.00
Building services (per group) – single detached dwellings (SDD), semi-detached dwellings, duplex dwellings	NA	120.00
Building/site services (per linear foot), excluding SDD, semi-detached dwellings, duplex dwellings	0.92/360.00 minimum	

Table 31 (Table 93) - **Sewage Systems**

<b>Classes of Permits</b>	<b>Permit fee (\$ per ft2)</b>	<b>Flat fee (\$)</b>
New installations	NA	720.00
Replacement or alteration	NA	360.00

## Administration Fees

Table 32 (Table 94) - **Alternative Solutions (as per Subsection 6.2 of this by-law)**

Administration fee	Flat fee (\$)
All Buildings/systems within the scope of Division B, Part 9 of the Building Code	500.00
All other Buildings/systems	1,000.00

Table 33 (Table 94) - **Occupancy without a Permit (as per Subsection 6.3 of this by-law)**

Administration fee	Flat fee (\$)
Occupancy of a Building, or a part of it, without the required occupancy permit	500.00
Additional occupancy inspections (as per Subsection 6.4 of this by-law)	300.00

Table 34 (Table 94) - **Work without a Permit (as per Subsection 6.5 of this By-law)**

Administration fee	Flat fee (\$)
Building, Demolition or Change of Use without the required Permit	50% of the required Permit fee, maximum of \$5,000.00
Occupancy Permit without Construction (as per Subsection 6.6 of this by-law)	300.00
Registering Orders on Title (as per the Building Code Act)	175.00

### Rules for determining Permit fees

A minimum Permit fee of \$120.00 shall be charged for all work for low-rise residential projects where the calculated Permit fee is less than these amounts. Fees identified as low-rise residential apply where there is not more than one dwelling unit above another dwelling unit in a single detached, semi-detached, duplex or row townhouse dwelling.

A minimum Permit fee of \$240.00 shall be charged for all other projects where the calculated Permit fee is less than these amounts.

The occupancy categories in this Schedule correspond with the major occupancy classifications in the Ontario Building Code. For multiple occupancy floor areas, 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.

For classes of Permits not described in this Schedule, the Chief Building Official shall determine a reasonable Permit fee.

The floor area of the proposed work is to be measured to the outer face of exterior walls (excluding low-rise residential attached garages) and to the centre line of party walls, firewalls or demising walls.

In the case of interior finishes, alterations or renovations, the area of proposed work is the actual space receiving the work. (e.g.: tenant suite)

Attached garages, fireplaces, decks, balconies, porches, exterior basement stairwells and exterior ramps are included in the Permit fee for single detached

dwellings, semi-detached dwellings, duplex dwellings and townhouses.

Unfinished basements for single detached dwellings, semi-detached dwellings, duplex dwellings and townhouses are not included in the floor area.

Basement finishes are not included in the Permit fee and will be charged the additional rate for single detached dwellings, semi-detached dwellings, duplex dwellings and townhouses.

Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major occupancy for the floor area on which they are located.

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 (e.g. stairs, elevators, escalators, shafts, ducts, etc.).

Where interior alterations and renovations require relocation of sprinkler heads, standpipe components or fire alarm components, no additional charge is applicable.

Ceilings are included in both new shell and finished (partitioned) Buildings. The Permit fees for ceilings only apply when alterations occur in existing Buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.

Where Demolition of partitions or alterations to existing ceilings are part of an alteration or renovation Permit, no additional charge is applicable.

Additional Permit fees are not required when the Sewage System is included with the original Building Permit.

A temporary Building is considered to be a Building that will be erected for not more than three years.

#### **Refund of Permit fees:**

In the case of withdrawal or abandonment of an application for a Permit or abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall, upon written request of the Owner or Applicant, determine the amount of paid Permit fees that may be refunded to the Owner or Applicant, if any, as follows:

- a. 80 percent (80%) if administrative functions only have been performed;
- b. 70 percent (70%) if administrative and zoning functions only have been performed;
- c. 50 percent (50%) if administrative, zoning and plans examination functions have been performed;
- d. 35 percent (35%) if the Permit has been issued and no field inspections have been performed subsequent to Permit issuance;
- e. 5 percent (5%) shall additionally be deducted for each field inspection that has been performed after the Permit has been issued;
- f. A refund will not be made on a Permit where the amount paid was the minimum permit fee;
- g. No refund shall be made of an amount that is less than the minimum Permit fee applicable to the work.
- h. No refund shall be made after two years following the date of Permit application where the Permit has not been issued or one year following the date of Permit issuance.

**Note:** In most cases, a building and/or zoning inspection will be required prior to issuance of a refund.

**Schedule "B"**  
**of By-law Number (2015) – 19985**

The following are list of plans, working drawings, information and forms that may be required to accompany applications for Permits according to the scope of work;

**1. Plans and Working Drawings**

- |                            |                             |
|----------------------------|-----------------------------|
| a) Site plan/Survey        | l) Soil gas control details |
| b) Key plan                | m) Building elevations      |
| c) Lot grading plan        | n) Structural drawings      |
| d) Floor plans             | o) Architectural drawings   |
| e) Foundation plan         | p) Electrical drawings      |
| f) Framing plans           | q) HVAC drawings            |
| g) Roof truss layout plan  | r) Plumbing drawings        |
| h) Roof plan               | s) Fire alarm drawings      |
| i) Reflected ceiling plans | t) Sprinkler drawings       |
| j) Sections and details    | u) Travel distance plans    |
| k) Air barrier details     | v) Exit capacity plans      |

Two sets of drawings shall be submitted on paper or other durable material. One full-sized set of drawings to a legible, recognized scale and one 11"x17" reduced set of drawings are required. Two sets of 11"x17" drawings may be submitted if to a legible, recognized scale. Electronic drawings may be submitted, or may be required to be submitted, at the discretion of the Chief Building Official.

If applicable, drawings must be sealed by an Architect and/or Professional Engineer and/or stamped by a qualified/registered designer.

All drawings shall be fully dimensioned, noting all sizes and types of construction materials to be used and their respective locations, all finishes to all walls, ceilings and floors and all existing and proposed fire separations. Alterations, renovations and additions must differentiate between the existing Building and new Construction being proposed.

**2. Information**

- a) Spatial separation calculations
- b) Fire protection reports
- c) Building Code related reports

**3. Forms**

- a) Application For An Alternative Solution
- b) City of Guelph Ontario Building Code Analysis
- c) Commitment To General Reviews By Architects And Engineers
- d) Demolition Permits Utility Sign-Off Sheet
- e) Energy Efficiency Form(s)
- f) Radon Mitigation Certification Form
- g) Information Sheet For Group Homes
- h) Information Sheet For A Sewage System

**Schedule "C"**  
**of By law Number (2015) – 19985**

[amended by By-laws (2016)-20060, (2016)-20089, (2017)-20174, (2019)-20371, (2019)-20385, (2020)-20520 and (2022)-20738]

The individuals listed in this Schedule are hereby appointed to the positions identified herein and these individuals shall be responsible for the enforcement of the Act.

An appointment made under this by-law shall be deemed to be revoked if the individual ceases to be employed by or contracted with the City of Guelph in any of the positions listed below.

Each of the Program Manager of Permit Services and the Program Manager of Inspection Services is hereby appointed as an Acting Chief Building Official and shall have the authority to carry out any duties of the Chief Building Official in his or her absence or as directed by him or her, including the authority to issue Permits, stop work orders, orders respecting occupancy of an unsafe Building and emergency orders where there is an immediate danger.

The Mechanical Inspector III and Technical Lead of Resource Conservation & Mechanical Systems shall have the authority to issue Permits on behalf of the Chief Building Official for the:

- a. Installation of site services,
- b. Construction of heating, ventilating and air conditioning systems,
- c. Construction of plumbing and sewage systems, and
- d. Building energy retrofits.

The Mechanical Inspector II / Backflow Prevention Officer, Mechanical Inspector III and Technical Lead of Resource Conservation & Mechanical Systems shall have the authority to issue Permits for the installation of backflow prevention devices on behalf of the Chief Building Official.

The Technical Lead, Plans Examination shall have the authority to issue Permits on behalf of the Chief Building Official, as directed by him or her.

<b>Title of Position</b>	<b>Appointed Person</b>
Chief Building Official	Jeremy Laur
Program Manager of Permit Services	Nicholas Rosenberg
Program Manager of Inspection Services	Tom Czerlau
Technical Lead of Resource Conservation & Mechanical Systems	Patrick Andres
Mechanical Inspector III	Josh Wagner and Thomas Barwell
Mechanical Inspector II / Backflow Prevention Officer	Jeff Crossman and Jordan Ashley
Technical Lead, Plans Examination	Daewon Lee

**Schedule "D"**  
**of By-law Number (2015) – 19985**

**Code of Conduct for the Chief Building Official and Inspectors**

1. **Purpose**

- a. To promote appropriate standards of behavior and enforcement actions by all Building Services staff in the exercise of a power or the performance of a duty.
- b. To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by all Building Services staff in the exercise of a power or the performance of a duty.
- c. To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty by all Building Services staff.

2. **Scope**

This policy applies to all Building Services staff.

The Code of Conduct must provide for its enforcement and include policies or guidelines to be used when responding to allegations that the Code of Conduct has been breached and disciplinary actions that may be taken if the Code of Conduct is breached.

3. **Contents**

**Conduct**

- a. Always act in the public interest.
- b. Apply all relevant laws, codes and standards in an impartial, consistent, fair and professional manner, independent of any external influence and without regard to any personal interests.
- c. Maintain required legislated qualifications, discharging all duties in accordance with recognized areas of competency.
- d. Extend professional courtesy to all.
- e. Ensure interactions are in keeping with the City's Corporate Values and associated behaviours, particularly related to integrity and excellence

4. **Breaches of the Code of Conduct**

**Lodging a Complaint**

A complaint must be in writing and must be signed by the person making the complaint. The complaint may be a letter, e-mail, facsimile or submitted via the form that is in Section 4.

**Withdrawal of a Complaint**

A complainant may withdraw his/her complaint at any time; although the City may continue to investigate the complaint if deemed appropriate to do so.

**Confidentiality**

The entire investigation process will be handled in as confidential a manner as possible by all parties involved. All records are subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act and may be subject to disclosure under the Act or by a court of law.

**Review of Allegations**

The Chief Building Official will review any allegations of breaches of this Code of Conduct made against a Building Services staff member. Where the allegations are against the Chief Building Official, senior management of the City will review the allegations.

Disciplinary action arising from violations of this Code of Conduct is the responsibility of the City and will be based on the severity and frequency of the violation in accordance with relevant employment standards and the provisions of any collective agreement.

The Chief Building Official or senior management of the City will provide a written response to the complainant within 30 calendar days of receipt of the written complaint.

**Review of Decision**

If, upon receipt of the results of the review, the complainant is not satisfied, he/she may forward his/her concerns to senior management of the City.

# Code of conduct complaint form



## A. Complainant and other persons information

### Complainant

Last name: \_\_\_\_\_ First name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Municipality: \_\_\_\_\_ Postal code: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

### Other persons present (if known)

Last name: \_\_\_\_\_ First name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Municipality: \_\_\_\_\_ Postal code: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

## B. Incident information

Date of incident: \_\_\_\_\_ Time of incident: \_\_\_\_\_

Staff member name (if known): \_\_\_\_\_

Vehicle number (if known/applicable): \_\_\_\_\_

## C. Details of the complaint:

Please indicate the details of your complaint:

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Date: \_\_\_\_\_ Signature: \_\_\_\_\_

### Collection of Personal Information

**Notice of Collection:** Personal information on this form is collected under the authority of the Municipal Act 2001, and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). The purpose of this collection is to examine your complaint, which will be used as part of the City of Guelph's investigation. All personal information and the nature of your complaint will be handled in as confidential a manner as possible. Any questions related to this collection should be directed to the City of Guelph's Access, Privacy and Records Specialist at 519-822-1260 extension 2349.

Alternate formats of this document are available as per the Accessibility for Ontarians with Disabilities Act by contacting Building Services at 519-837-5615 or email [building@guelph.ca](mailto:building@guelph.ca).