

Staff Report

Council Meeting Date: May 12, 2025

Subject: Building By-law

Report from: Emily Dance, Chief Administrative Officer

Attachments: DRAFT Building By-Law

Recommendation

Be It Resolved that Council hereby approves Report CBO-2025-012 being the Building By-Law Report;

AND approve the Building By-Law;

AND FURTHER authorizes the By-law coming forward at the next available meeting.

Background

The Building Code Act, 1992 (the BCA) and O. Reg. 163/24 as amended: Building Code (the Code) regulates the construction, renovation, demolition and change of use of buildings. The BCA and the Code are enforced locally through municipal building departments that review building permit applications, issue permits, inspect construction, and take enforcement action when contraventions occur.

The BCA is the legislative framework for the construction, renovation and change of use of buildings. It specifies the technical standards (the Code), applicable laws, administrative procedures and enforcement powers, among other matters.

Section 7(1) of the BCA authorizes a municipality's Council to pass a by-law (a Building By-law) concerning construction, demolition, change of use permits, inspections, and related matters.

Section 7(1)(c) grants Council the authority to impose fees and requires them to establish an appropriate fee structure for permits, inspections and other services.

Section 7(6) requires municipalities to provide public notification and hold one public meeting before introducing or changing fees.

Analysis

The Building By-law must comply with the BCA. The Province of Ontario released an amended Ontario Building Code this year. These amendments come into effect on January 1, 2025, and will be incorporated into the Building By-Law.

The Building By-Law will provide:

Permits

- Classes of Permits – Building Permit, Demolition Permit, Conditional Permit, Change of Use permit, Occupancy Permit and Sewage System Permit.
- Application for Permit – Prescribed form from the Ministry
- Requirements for documentation for permit
- Requirements for Drawings
- Submission Requirements – Plans and Specifications
- Alternate Solutions
- Revisions to Permits
- Process for the abandonment, transfer, cancellation and revocation of inactive permits
- Fees and refunds
- Notice requirements for inspections

CBO Code of Conduct

The BCA requires that municipalities and other principal authority establish and enforce a code of conduct for chief building officials and building inspectors. The purposes of a code of conduct are set out in the BCA and include:

- a. promoting appropriate standards of behaviour and enforcement actions;
- b. preventing practices which may constitute an abuse of power; and

c. promoting appropriate standards of honesty and integrity by a chief building official or building inspector in the exercise of a power or the performance of a duty under the BCA or Building Code.

A code of conduct must provide for its enforcement, including policies or guidelines to be used when responding to allegations that the code of conduct has been breached, and include disciplinary actions that may be taken if the code of conduct is breached.

The Draft Building By-Law was reviewed by our Municipal Solicitor and our Building Consultant RSM. Devon Stanley, our Acting CBO will be in attendance at the meeting to provide any clarification and answer any questions that may arise.

Link to Strategic/Master Plan

6.3 Facilitating Community Growth

Financial Impacts/Source of Funding/Link to Procurement Policy

There are no proposed changes to the Building Fees for 2025.

Approved by: Emily Dance, Chief Administrative Officer