

BY-LAW NO. 2014-220

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A by-law of the City of Ottawa in respect of buildings, applications, permits and fees.

WHEREAS Section 7 of the *Building Code Act, 1992*, S.O.1992, Chap. 23, as amended, empowers Council to enact certain by-laws respecting building permits;

THEREFORE the Council of the City of Ottawa enacts as follows:

PART I DEFINITIONS AND INTERPRETATION

DEFINITIONS

1. In this by-law,

“Act” means the *Building Code Act, 1992*, S.O. 1992, Chap. 23 including amendments thereto;

“building” means a “building” as defined in subsection 1(1) of the Act;

“Building Code” means the regulations made under Section 34 of the Act;

“Chief Building Official” means the Chief Building Official appointed pursuant to subsection 3(2) of the Act and by by-law of the City of Ottawa for the purposes of enforcement of the Act;

“City” means the City of Ottawa as constituted as a body corporate on January 1, 2001 by Section 2 of the *City of Ottawa Act, 1999*;

“construct” means “construct” as defined in subsection 1(1) of the Act;

“demolish” means “demolish” as defined in subsection 1(1) of the Act;

“fixture” means “fixture” as defined in Article 1.4.1.2. of Division A of the Building Code;

“gross floor area” means the area of the proposed work measured to the outer face of exterior walls and to the centreline of party walls or demising walls and shall include mechanical penthouses and floors, mezzanines, lofts, habitable attics, interior balconies, openings within floor areas (stairs, elevators, shafts,

etc.) with the exception of interconnected floor areas, but not unfinished basements and attached garages for single detached, semi-detached, duplex, row house and townhouse dwellings”

“Inspector” means an inspector appointed pursuant to subsection 3(2) of the Act and by by-law of the City of Ottawa for the purposes of enforcement of the Act;

“Minister” means the Minister of Municipal Affairs and Housing.

“master plan” means a unique building design that is intended for more than one application to construct and has been approved by the Chief Building Official for compliance with the Building Code;

“owner” means the registered owner of the property on which the construction or demolition will take place and includes a lessee, mortgagee in possession, and the authorized agent in lawful control of the property;

“permit” means permission or authorization in writing from the Chief Building Official to perform work regulated by the Act and the Building Code and in the case of an occupancy permit, to occupy any building or part thereof;

“permit holder” means the owner to whom the permit has been issued or, where the permit has been transferred, the new owner to whom the permit has been transferred;

“plumbing” means “plumbing” as defined in subsection 1(1) of the Act;

“Registered Code Agency” or “RCA” means a “registered code agency” as defined in subsection 1(1) of the Act;

“sewage system” means a “sewage system” as defined in Article 1.4.1.2. of Division A of the Building Code;

“work” means to do anything in the construction or demolition or change of use or plumbing for a building which is regulated by the Act and the Building Code and “project” has a similar meaning.

INTERPRETATION

2. (1) Any word or term not defined in this by-law that is defined in the Act or Building Code shall have the meaning ascribed to it in the Act or Building Code.
- (2) In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (3) This by-law includes the Schedules annexed hereto and the Schedules are hereby declared to form part of this by-law.
- (4) In this by-law, the word "metre" shall be represented by the abbreviation "m", the word "centimetre" shall be represented by the abbreviation "cm" and the word "millimetre" shall be represented by the abbreviation "mm".
- (5) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

PART II CLASSES OF PERMITS

3. The classes of applications and permits with respect to the construction, demolition or change of use of a building or part thereof shall be set out in Schedule "A" annexed hereto respecting classes of applications, permits and fees.

PART III APPLICATION FOR PERMIT

INFORMATION TO BE SUBMITTED WITH ALL APPLICATIONS

4. Every application for a permit shall:
 - (a) contain the information set out in Sections 5, 6, 7, 8 or 9 of this by-law, as applicable;
 - (b) be signed by the owner who shall certify the truth of the contents of the application;

- (c) be accompanied by the required fees as set out in Schedule “A” of this by-law; and
- (d) be submitted to the Chief Building Official.

APPLICATION FOR PERMIT TO CONSTRUCT

5. Where an application is made for a permit to construct under subsection 8(1) of the Act, the owner shall file the following information:

- (a) the prescribed application form entitled “Application for a Permit to Construct or Demolish”; and
- (b) complete plans and specifications, documents and other information as required in Part IV of this by-law.

APPLICATION FOR PARTIAL PERMIT TO CONSTRUCT

6. Where an application is made for a partial permit to construct in order to expedite work for a portion of a building or project prior to the issuance of a permit for the work for the complete building or project, and the Chief Building Official is in agreement that an application for a partial permit to construct may be submitted, the owner shall file the following information:

- (a) the prescribed application form entitled “Application for a Permit to Construct or Demolish”;
- (b) complete plans and specifications, documents and other information as required in Part IV of this by-law; and
- (c) the prescribed application form entitled “Acknowledgement by Applicant of an Incomplete Application”.

APPLICATION FOR PERMIT TO DEMOLISH

7. Where an application is made for a permit to demolish under subsection 8(1) of the Act, the owner shall file the following information:

- (a) the prescribed application form entitled “Application for a Permit to Construct or Demolish”;
- (b) complete plans and specifications, documents and other information as required in Part IV of this by-law;

- (c) proof satisfactory to the Chief Building Official that arrangements have been made with the proper authorities for the cutting off and capping of all water, sewer, gas, electric and private services; and
- (d) the completed "Demolition Review Form" as prescribed by the Chief Building Official.

APPLICATION FOR CHANGE OF USE PERMIT

8. Where an application is made for a change of use permit issued under subsection 10(1) of the Act, the owner shall file the following information:

- (a) the form prescribed by the Chief Building Official; and
- (b) complete plans and specifications showing the current and proposed occupancy of all parts of the building and any other information as required in Part IV of this by-law.

REQUEST FOR CONDITIONAL PERMIT

9. (1) Request for the issuance of a conditional permit in association with a pending application for a permit to construct under subsection 8(3) of the Act, shall be provided to the Chief Building Official and shall include the following information:

- (a) a statement of the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted; and
- (b) a statement of the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained.

(2) Where a partial permit is requested, the time in which plans and specifications of the complete building shall be filed with the Chief Building Official.

OTHER APPLICATIONS

INFORMATION TO BE SUBMITTED WITH APPLICATION FOR TRANSFER OF APPLICATION OR PERMIT AND APPLICATION FOR CERTIFICATION OF MASTER PLAN

10. Every application for transfer of an application or permit to construct, to demolish, or a partial permit, or for certification of a master plan shall:
- (a) contain the information set out in Sections 11 and 12 of this by-law, as applicable;
 - (b) be signed by the owner who shall certify the truth of the contents of the application;
 - (c) be accompanied by the required fees as set out in Schedule "A" of this by-law,
 - (d) be submitted to the Chief Building Official.

APPLICATION FOR TRANSFER OF APPLICATION OR PERMIT

11. (1) Where an application is made for a transfer of an application or permit to construct, demolish or a partial permit because of change of ownership of the property, the owner applying for the transfer shall submit the following:
- (a) the form prescribed by the Chief Building Official;
 - (b) written authorization for the transfer to the new owner by the former owner; and
 - (c) confirmation of the continuation of or the particulars of any change in the arrangements for general review of the construction in accordance with Section 1.2. of Division C, Design and General Review, of the Building Code.

APPLICATION FOR CERTIFICATION OF MASTER PLAN (not a permit)

12. (1) Where an application is made for the certification of a master plan, the owner shall file the following information:
- (a) the prescribed application form entitled "Application for Certification of a Master Plan" and

- (b) complete plans and specifications, documents and other information as required in Part IV of this by-law.

(2) Plans and specifications specific to each certified master plan shall be deemed to form part of the permit documents of each permit to construct subsequently issued under the Act.

(3) As part of an application for certification of a master plan, every application shall contain sufficient plans, specifications, documents, forms and such other information as may be deemed necessary by the Chief Building Official in order to determine whether the proposed construction conforms to the Building Code.

INCOMPLETE APPLICATION

13. Where an application is found to be incomplete and does not comply with subsection 1.3.1. of Division C of the Building Code, the application may be accepted for processing if the owner acknowledges that the application is incomplete and completes the prescribed application form entitled "Acknowledgement by Applicant of an Incomplete Application" .

INACTIVE OR WITHDRAWAL OF PERMIT APPLICATION

14. (1) Where an application for a permit remains incomplete or inactive for six (6) months, the application may be deemed by the Chief Building Official to have been abandoned and notice of cancellation shall be given to the owner.

(2) Prior to cancelling an application, the Chief Building Official may serve a notice by personal or electronic service or by mail at the address the owner has communicated to the Chief Building Official in writing, and following a thirty (30) day period from the date of service, the Chief Building Official may cancel the application, without any further notice.

(3) Where notice is served by electronic or mail service, the permit holder shall be conclusively deemed for all purposes to have been served with the notice on the fifth day after the day of posting.

(4) An owner may within thirty (30) days from the date of service of a notice under this Part, request in writing that the Chief Building Official defer the cancellation by stating reasons why the application should not be cancelled.

(5) The Chief Building Official having regard to any changes to the Act, Building Code or other applicable law may allow the deferral, applicable to a period of no later than six (6) months from the date of the deferral is granted by the Chief Building Official.

(6) The owner may by written notice to the Chief Building Official withdraw his or her application.

(7) Upon cancellation of the application or in the event of withdrawal of the application by the owner, the Chief Building Official shall, determine the amount of fees, if any, that may be refunded as set out in Section 39 of this by-law.

PART IV PLANS AND SPECIFICATIONS SUFFICIENT INFORMATION TO BE SUPPLIED

15. The owner shall submit sufficient information 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 to the Act, the Building Code, and any other applicable law. Where an application for a building permit is made, it shall:

- (1) Be in a form prescribed by the Minister and signed by the owner;
- (2) Conform with this Part of the by-law and Schedule "B";
- (3) Identify and describe in detail the work, use and occupancy for which the building permit application is made;
- (4) Identify and describe in detail the existing use and the proposed use for the premises;
- (5) Identify the subject municipal address;
- (6) Be accompanied by plans, specifications and other relevant documents, labelled for construction, sufficiently detailed and legible to allow construction to be carried out in accordance with the design, the Act and Building Code;
- (7) Be fully coordinated among design disciplines;
- (8) Be accompanied by a code compliance report prepared by an architect or professional engineer, where required by the Chief Building Official;
- (9) Be accompanied by a supplementary report prepared by an architect or professional engineer, where required by the Chief Building Official;
- (10) Be accompanied by the full building permit fees required by the regulation and this by-law;
- (11) Be accompanied by a signed statement from the architect or professional engineer or both on the form prescribed, undertaking to provide a general review, if Subsection 1.2.2 of Division C of the Building Code applies;

(12) Include, where applicable, the registration number of the builder or vendor as provided in the Ontario New Home Warranties Plan Act;

(13) State the estimated value of the proposed work, including material, labour, professional fees and related direct costs, exclusive of the cost of the land; and

(14) State the erection and removal date for all temporary buildings.

(2022-265, 2022 August 31)

~~TWO SETS OF~~ SUBMISSION OF PLANS AND SPECIFICATIONS

16. The owner or authorized agent shall submit plans, specifications, documents and other information necessary for the complete review of the building permit submission and construction, as applicable, including but not necessarily limited to architectural, structural, mechanical, plumbing, electrical drawings and shoring details. Permit applications are to be submitted as:
- a) Two complete hard copy sets of plans, specifications, documents and other information. Hard copies must be printed on substantial and durable material, or
 - b) The plans, specifications, documents and other information may be submitted digitally, as authorized by the Chief Building Official, in a portable document format or equivalent.

(2022-265, 2022 August 31)

PLANS TO SCALE

17. This section is repealed in its entirety on August 31, 2022.

PLAN OF SURVEY

18. The owner shall submit a copy of a plan of survey certified by a Registered Ontario Land Surveyor to the Chief Building Official when required to demonstrate compliance with the Act, the Building Code or any applicable law

SITE PLAN

19. The owner shall ensure that any site plan submitted to the Chief Building Official demonstrates compliance with the Act, the Building Code and any applicable law and shall contain the following information:

- (a) lot size, lot dimensions and setbacks to any existing or proposed buildings;

- (b) the similarly dimensioned location of every other adjacent existing building on the property;
- (c) existing and finished ground levels or grades to an established datum at or adjacent to the site; and
- (d) existing rights-of-way, easements, **above and below grade** utilities, municipal services and private services.

(2022-265, 2022 August 31)

AS CONSTRUCTED PLANS

20. **Upon completion of the construction of a building, or at any stage of construction, as determined by the Chief Building Official, the owner shall submit to the Chief Building Official as-constructed plans for the building or portion thereof.**

(2022-265, 2022 August 31)

PLANS PROPERTY OF THE CITY

21. **Plans, specifications, documents and other information furnished in accordance with the requirements of this by-law or otherwise required by the Act become the property of the City and shall be retained or disposed of in accordance with the relevant legislation and the City's Records Retention By-law.**

(2022-265, 2022 August 31)

PART V
DEVIATIONS FROM PLANS AND SPECIFICATIONS PLAN RE-EXAMINATION
(APPLICATION)

22. (1) Where a proposed building design of a permit application has substantially changed after the examinations of the plans and specifications have been completed, the Chief Building Official may:
- (a) apply a re-examination fee as set out in Schedule “A” in this by-law shall apply to the revised plans and specifications, or
 - (b) cancel the permit application and issue a refund as outlined in section 38/Schedule ‘A’ of this bylaw.
- (2) Where the owner proposes to change one certified master plan to another certified master plan after the examinations of the plans and specifications have been completed, a re-examination fee as set out in Schedule “A” in this by-law shall apply to the change of certified master plan.

(2022-265, 2022 August 31)

REVISION (PERMIT)

23. (1) Where a permit holder has deviated from the plans, specifications or other documents filed and in respect of which a permit has been issued, and either has been directed by the Inspector to submit an “Application for Revision to Permit” of the as-built construction, or the permit holder seeks to obtain approval for proposed revision, for consideration and authorization by the Chief Building Official, the permit holder shall file the following information:
- (a) the prescribed application form entitled Application for a Permit to Construct or Demolish;
 - (b) revised plans and specifications, documents and other information as required in Part IV of this by-law; and
 - (c) the additional non-refundable fee for “Revision to Permit” as set out in Schedule “A”.
- (2) Where the permit holder has changed one certified master plan to another

certified master plan for which a permit has been issued, the permit holder shall file the following information:

- (a) the prescribed application form entitled “Application for a Permit to Construct or Demolish”;
- (b) complete plans and specifications, documents and other information as required in Part IV of this by-law, and
- (c) the additional non-refundable fee for “Revision to Permit – Master Plan” as set out in Schedule “A”.

PART VI AUTHORIZATION OF ALTERNATIVE SOLUTION

24 (1) Where approval for an alternative solution under the Building Code is requested, the owner or permit holder shall file the following:

- (a) the application form prescribed by the Chief Building Official;
- (b) supporting documentation demonstrating that the proposed alternative solution will provide the level of safety and performance required by the Building Code; and
- (c) the non-refundable fee as set out in Schedule “A”.

(2) In addition to the fee referred to in subsection 24(1)(c), the owner or permit holder shall pay any additional costs that may be incurred by the City in relation to the evaluation process as determined by the Chief Building Official.

PART VII LIMITED PERMITS CONSTRUCTION PERMIT - LIMITED AUTHORIZATION

25. A permit for a temporary building may be issued by the Chief Building Official authorizing, for a limited time only, the erection and existence of a building or part thereof.

PARTIAL PERMIT – LIMITATIONS

26. Where a permit is issued pursuant to Section 6 of this by-law, the permit holder may proceed to construct the subject work with due regard that the partial permit issuance shall not be construed as to authorize construction beyond the plans for which approval was given, or guarantee that approval will necessarily be granted for the entire work.

**PART VIII
REVOCATION OF PERMIT**

27. (1) Prior to revoking a permit under subsection 8(10) of the Act, the Chief Building Official may serve notice by personal or electronic service or by mail at the address the permit holder has communicated to the Chief Building Official in writing, and following a thirty (30) day period from the date of service, the Chief Building Official may revoke the permit if grounds to revoke still exist, without any further notice.
- (2) Where notice is served by electronic or mail service, the permit holder shall be conclusively deemed for all purposes to have been served with the notice on the fifth day after the day of posting.
- (3) A permit holder may within thirty (30) 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.
- (4) A request for deferral shall be accompanied by the non-refundable fee as set out in Schedule "A" of this by-law.
- (5) The Chief Building Official having regard to any changes to the Act, Building Code or other applicable law may allow the one-time deferral, applicable to a period of no later than twelve (12) months from the date the deferral is granted by the Chief Building Official.

**PART IX
PRESCRIBED NOTICES AND INSPECTIONS NOTICE AT EACH STAGE**

NOTICE OF COMPLETION

28. (1) The permit holder shall give notice of completion as prescribed by Section 11 of the Act, or where occupancy is required prior to completion, the permit holder shall give notice of inspection to ensure compliance with the requirements of Section 11 of the Act and Article 1.3.3.3. Division C of the Building Code.

(2022-265, 2022 August 31)

(2) In addition, to the notice of completion as prescribed by Section 11 of the Act, the permit holder shall provide notice after the completion of demolition work within two (2) days of completion.

INSPECTIONS

29. Upon receipt of proper notice, the Chief Building Official shall undertake a site inspection of the building to which the notice relates in accordance with the prescribed time periods set out in Section 11 of the Act and Article 1.3.5.3. Division C of the Building Code.

PART X REGISTRATION OF ORDERS ON TITLE

30. Where it is the opinion of the Chief Building Official, Orders issued under the Act may be registered on title. Fees for removal of Orders registered on title are set out in Schedule "A" of this by-law.

(2022-265, 2022 August 31)

PART XI REGISTERED CODE AGENCIES

31. The Chief Building Official is authorized to negotiate and execute service agreements with a Registered Code Agency to perform specified functions pursuant to Section 4.1 of the Act provided that the Registered Code Agency meets all requirements of the Act and the Building Code and funds are available within the operating budget.

PART XII FEES AND REFUNDS FEES PAYABLE

32. (1) The Chief Building Official shall calculate the required fees for the work proposed in accordance with Schedule "A" of this by-law and the owner shall pay such fees upon submission of the application for a permit, save and except for the refundable inspection fee and the non-refundable administrative surcharge fee which are payable prior to the issuance of the permit.

(2) The building permit fees for farm buildings as set out in Schedule "A" in this by-law shall only apply to a farm business holding a valid farm business registration number issued pursuant to the provisions of the *Farm Registration and Farm Organizations Funding Act, 1993*, S.O. 1993, chap.21, as amended.

ADDITIONAL FEES

33. (1) Any person who commences construction, demolition or changes the use of a

building or part thereof prior to the issuance of a permit to construct, demolish or change the use of a building or part thereof shall, in addition to any other penalty imposed under the Act or Building Code, pay a non-refundable administrative surcharge fee as set out on Schedule "A" of this by-law.

- (2) The fee to view building permit files and associated documents shall be as set out on Schedule "A" of this by-law.
- (3) Where the Chief Building Official determines that a limiting distance agreement is required pursuant to the Act and the Building Code, the owner shall pay the fee as set out in Schedule "A" of this by-law prior to execution of the agreement by the Chief Building Official.

REFUNDABLE INSPECTION FEE

34. In addition to the fees paid at the time of application, a refundable inspection fee shall be payable prior to the issuance of a permit to construct for each unit of a single, semi-detached, row house or townhouse dwelling unit in the amount as set out in Schedule "A" of this by-law.

35. Upon successful completion of the final inspection, the refundable inspection fee shall be remitted to the person named on the fee receipt issued by the City upon payment of the fee, unless the person directs in writing that it be refunded to another person, less any additional re-inspection fees incurred by the City as set out in Schedule "A" in this by-law where,

- (a) the permit holder has provided notice of an inspection and the construction was not ready for inspection or was not substantially complete when the Inspector attended the site;
- (b) the permit holder has provided notice of an inspection and failed to cancel the notice before the Inspector attended the site; or
- (c) more than fifteen inspections were required per dwelling unit to enable the issuance of the final occupancy permit.

REFUNDS

FORFEITURE OF REFUNDABLE INSPECTION FEE

36. The refundable inspection fee shall be forfeited if the final inspection has not been passed within four (4) years from the date of issuance of the permit to construct the unit.

REPAYMENT OF REFUNDABLE INSPECTION FEE

37. (1) Subject to Section 36, the Chief Building Official shall determine the amount of refund of the refundable inspection fee, if any, that may be returned to the person named on the fee receipt issued by the City upon payment of the fee in accordance with subsection 37(2) where,
- (a) an owner withdraws an application for a permit;
 - (b) an application is deemed to have been abandoned in accordance with Section 14 of this by-law;
 - (c) the Chief Building Official has refused to issue a permit for which an application has been made; or
 - (d) the Chief Building Official has revoked the permit.
- (2) The amount of the refundable inspection fee that may be refunded shall be 100% of the fee less any additional re-inspection fees incurred by the City.
- (3) The fee that may be refunded shall be paid to the person named on the fee receipt issued by the City upon payment of the fee, unless the person directs in writing that it be refunded to another person.

OTHER

38. (1) Upon the written request of the owner or permit holder, as applicable, the Chief Building Official shall determine the amount of refund of the permit to construct or to demolish or change of use fee, if any, that may be returned to the owner or permit holder in accordance with subsection 38(2) where,
- (a) an owner withdraws an application for a permit;
 - (b) an application is deemed to have been abandoned in accordance with Section 14 of this by-law;

- (c) the Chief Building Official has refused to issue a permit for which an application has been made; or
 - (d) the Chief Building Official has revoked the permit.
- (2) The amount of the permit fees to construct or to demolish that may be refunded shall be the total fee paid less the cumulative percentage of fees applicable to the administration, review and inspection functions undertaken prior to receipt by the Chief Building Official of the written request, as follows:
- (a) ten (10%) per cent if intake administrative functions have been performed;
 - (b) ten (10%) per cent if zoning functions have been performed;
 - (c) twenty-five (25%) per cent if Building Code plan examination functions have been performed;
 - (d) five (5%) percent if the permit has been issued or the applicant has been notified of the decision to issue the permit, and;
 - (e) \$100 for each field inspection performed up to the cancellation or revocation date.
- (3) Despite subsection (2), no refund shall be payable where the amount calculated is less than the minimum fee for a "Permit to construct".
- (4) The fee that may be refunded shall be paid to the person named on the fee receipt issued by the City upon payment of the fee, unless the person directs in writing that it be refunded to another person.
39. Despite Section 38, the following fees shall not be refundable:
- (a) Application for transfer of application or permit,
 - (b) Request for conditional permit,
 - (c) Revision to permit,
 - (d) Authorization of alternative solution, and
 - (e) Request for deferral.

PART XIII

CONSTRUCTION FENCING

SCOPE AND APPLICATION

40. (1) The permit holder shall, prior to the commencement of any construction or demolition or placement of any materials or equipment, erect or cause to be erected and maintain a fence enclosing the site in accordance with this Part of the By-law, for the purpose of protecting the public by preventing entry and limiting the exposure to risk of injury due to hazards.
- (2) For the purposes of subsection 40(1), the scope of this Part includes the area of the proposed construction, alteration or demolition of any building, including any incomplete or abandoned building, any area where materials and equipment appurtenant to the site activity are located, as well as any area of extra hazard as determined by the Chief Building Official.
- (3) Conditions for exemption of fencing requirement in subsection 40(1):
- (a) where it can be demonstrated that the hazard to the public is minimal, including development sites of low human occupancy,
 - (b) where all of the proposed construction or demolition is contained within an existing structure, and entry to the structure is limited,
 - (c) where the construction or demolition has progressed to such a stage that the public no longer requires the protection of the fencing, or
 - (d) where existing fencing is in place provided that it meets or exceeds the provisions of this by-law.

PROTECTION OF THE PUBLIC BY FENCING

41. (1) Every fence required under Section 40(1) shall be erected in accordance with the following:
- (a) be located between the site and the public way or the open sides of a construction site to fully enclose the activity,
 - (b) have an unobstructed fence height above grade when measured from outside the enclosure of at least:

- (i) 1.8 m high for the construction, alteration or demolition activity of any type of building, that is located 3.0 m or less from a public way, or is adjacent to an area of extra hazard, or
 - (ii) 1.2 m high for the construction, alteration or demolition activity of a residential building of no more than 3 storeys that is located more than 3.0 m from an adjacent public way, and
 - (c) where the building or structure is located adjacent to a “public way” as defined by the *Occupational Health and Safety Act*, R.S.O. 1990, Chap. O.1, as amended, the “Public Way Protection” as required, may be constructed in addition to, or as part of, the required fencing, in accordance with the requirements of Sections 64 and 65 of O. Reg 213/91, as amended.
- (2) Fencing is deemed to comply with Section 40(1), if it is constructed in accordance with the following:
- (a) The fence material shall be not less than:
 - (i) 12.5 mm thick exterior grade plywood or wafer board or oriented strand board (OSB) fence, that is close-boarded,
 - (ii) Poly-Vinyl-Chloride (PVC) plastic mesh safety-fence type supported top and bottom,
 - (iii) galvanized chain link construction,
 - (iv) prefabricated modular fencing of welded metal frame with wire mesh infill, or
 - (v) a combination of the above materials if it can achieve an equivalent performance level
 - (b) the surface facing the exterior side of the enclosed area shall be smooth so as to deter climbing,
 - (c) no openings through and under any part of the fence shall be of a size so as to prevent the passage of a spherical object having a diameter of 100mm, and

- (d) the fence shall be erected with adequate supports and maintained in a sturdy, upright condition such that the effective height of the protection is not reduced.
- (3) Every access opening in a fence shall be equipped with a gate that shall be:
 - (a) constructed of materials equivalent to the performance of the fence,
 - (b) identified clearly as the point of access into or exit from the site, and
 - (c) securely closed and locked when the construction or demolition site is unattended.
- (4) Where any special hazard exists from which it is not possible to protect the public by means of fencing, the owner shall employ persons to guard the site and prevent the public from entering the danger zone at any time, day or night.

REMOVAL OF FENCING

- 42. (1) The fence installed to enclose the site shall be removed no more than thirty (30) days after the completion of the construction or demolition work.
- (2) Where the construction or demolition is substantially suspended or abandoned and the site no longer deemed unsafe by the Chief Building Official, the fence installed to enclose the site may be required to be removed by the Inspector.
- (3) Failure to remove the fence within ten (10) business days of receipt of a notice from the Inspector may result in the Chief Building Official arranging to remove the fence and all associated costs shall be invoiced to the owner and costs not recovered within 30 days of invoicing shall be tax rolled.
- (4) Subsections 42(1), (2) and (3) do not apply to a fence contemplated in subsection 40(3)(d).

PART

IV GENERAL

OFFENCE

43. Any person who contravenes any provision of this by-law is guilty of an offence as provided for in Section 36 of the Act.

REPEAL

44. By-law No. 2005-303 entitled "A by-law of the City of Ottawa respecting building permits", as amended, is repealed.

SHORT TITLE

45. This by-law may be referred to as the "Building By-law".

EFFECTIVE DATE

46. This by-law shall come into force and effect on June 18, 2014.

ENACTED AND PASSED this

CITY CLERK

MAYOR

SCHEDULE "A"
Respecting
CLASSES OF APPLICATIONS, PERMITS AND FEES PAYABLE (2021-21)

CLASS	FEE	
Building Classification by Major Occupancy		
	Service Index	
	\$/sqft	\$/sqm
Group A (Assembly Occupancies) with a minimum fee of \$98.00		
All (except as noted below)	\$1.53	\$16.50
School, College, and University	\$1.83	\$19.74
Community Centre, Theatre, Arena, Recreational Facility	\$2.08	\$22.34
Group B (Institutional Occupancies) with a minimum fee of \$98.00		
Hospital and Detention Facility	\$2.45	\$26.32
All other B occupancies	\$1.53	\$16.50
Group C (Residential Occupancies) with a minimum fee of \$98.00		
Single Detached Unit, Semi-Detached, Row house, Stacked Townhouse and Duplex	\$1.03	\$11.18
Master Plan Permit for Single Detached Unit, Semi-Detached, Row house and Stacked Townhouse	\$0.89	\$9.60
Building Classification by Major Occupancy		
	Service Index	
	\$/sqft	\$/sqm

Finished basement for above residential	\$0.25	\$2.72
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Apartment Building (Part 9)	\$1.10	\$11.79
Other Apartment Building, Motel, and all Hotels (Part 3)	\$1.35	\$14.51
Group D (Business and Personal Service Occupancies) with a minimum fee of \$98.00		
Office Building less or equal to 10 Storeys	\$1.29	\$13.89
Office Building more than 10 Storeys	\$1.60	\$17.13
Bank, Medical office, Police and Fire Station	\$1.47	\$15.77
Group E (Mercantile Occupancies) with a minimum fee of \$98.00		
All	\$1.10	\$11.79
Group F (Industrial Occupancies) with a minimum fee of \$98.00		
Industrial Building, Warehouse	\$0.86	\$9.29
Office area in any Industrial Building (car dealership)	\$1.10	\$11.79
Parking Garage (below or above grade) and lightly serviced warehouse	\$0.43	\$4.60
Multi level underground parking garage	\$0.55	\$5.96

Building Classification by Major Occupancy	Service Index	
	\$/sqft	\$/sqm
Single storey Self-Storage building	\$0.43	\$4.60

Miscellaneous with a minimum fee of \$98.00		

Shell Building for any classification above - Fee reduced by:	\$0.31	\$3.34
First time fit-up for any classification above (full floor area)	\$0.31	\$3.34

OTHER		
Other – rate based on a per \$1000 or part thereof of the estimated valuation of the work, with a minimum fee of \$98.00		
Tenant fit-up		\$10.75
Homeowner project (interior alterations, deck, etc)		\$10.75
Farm building		\$7.54
Any construction where the Gross Floor Area (GFA) cannot be applied		\$10.75
Construct – Limited Authorization		\$10.75
Permit to demolish	\$98.00 for the first 5,000 square feet (464.5 square metres) of GFA or portion thereof, plus \$10.75 for each additional 1,000 square feet (92.9 square metres) of GFA or part thereof	

OTHER – FLAT FEES	
Certification of master plan	\$106.00 per application
Plumbing work only - where work includes plumbing only	\$98.00 per application
Application for lot severances - requiring plumbing inspections to ensure separate plumbing services can be provided	\$105.00 per application

Application for Access to Building Permit Records (excluding reproduction costs)	\$73.00 per application
Copies – Paper (per page)	0.30
Removal of Orders registered on Title: Fee (2022-265, 2022 August 31)	\$250.00

Copies – USB (per USB)	16.40
Copies – Plan Sheet (per Plan Sheet)	11.00

FEES IN ADDITION TO REGULAR PERMIT FEES

Conditional permit	(i) \$316.00 for Single detached unit, semi-detached and row (ii) \$949.00 for all other
Change of use	\$105.00 per application
Partial permit	\$246.00 per partial permit application
Transfer of application or permit	\$98.00 per application to transfer
Re-examination fee (application with certified master plan)	Change of one certified master plan for another - \$331.00
Re-examination fee – all other applications where substantial change	Additional 10% of the fee rate based on the same building classification by major occupancy of the original application
Revision to Permit - Master Plan	Change of one certified master plan for another - \$331.00

Revision to Permit - other	\$10.75 per \$1000 or part thereof of the estimated valuation of the work with a minimum fee of \$98.00
Revision to permit for farm building	\$7.54 per \$1000 or part thereof of the estimated valuation of the work with a minimum fee of \$98.00

Administrative surcharge	<p>For Permit to Demolish where the building was located on property subject to the Demolition Control By-law 2012-377: \$1000</p> <p>For Permit to Demolish where the building was located on property subject to the <i>Heritage Act</i>: \$3000</p> <p>For Partial Permit to Construct: 50% of permit fees calculated for the complete building for a Partial Permit to Construct up to a maximum of \$5000 for each stage of construction</p> <p>For a regular Permit to Construct, Demolish or Change of Use: 50% of permit fees calculated for a regular Permit to Construct up to a maximum of \$10,000</p>
Deferral of revocation fee	\$307.00 per application to defer
Alternative Solution fee	<p>Tier I Review Process - \$920 per application plus third party evaluation costs as may be required</p> <p>Tier II Review Process - \$370 per application</p>
Limiting Distance Agreement	\$339.00 per agreement
Demolition Agreement Refundable inspection fee for single detached, semi-detached, row house or townhouse dwelling units	<p>\$406.00 per agreement</p> <p>\$300 per dwelling unit</p>
Re-inspection fee for single detached, semi-detached, row house or townhouse dwelling units	\$100.00 per inspection

**SCHEDULE "B" SUBMISSION REQUIREMENTS
CATEGORY: HOUSE**

(As Defined by the Ontario Building Code Division C, Column 1 Table 1.3.1.3.)

Information Required	New Building	Addition	Interior Alterations
General			
All drawings to be drawn on durable material, drawn to scale, and fully dimensioned	Required	Required	Required
OSSO Septic Permit	Required where applicable	Required where applicable	
Site and Key Plan			
Property lines and lot area	Required	Required	
Location of all existing and proposed buildings including setbacks to property lines, parking spaces, distance to other buildings overhead electrical conductors, and other features in relation to property boundaries	Required	Required	
Overall dimensions of all buildings	Required	Required	
Summary of permitted and proposed zoning provisions	Required	Required	Required where applicable
Location of easements, rights-of-way, adjacent streets or highway corridors	Required	Required	

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Location of septic bed, connection to existing system, septic tank and other equipment	Required where applicable	Required where applicable	Required where applicable
Key plan showing location of existing and proposed construction		Required where applicable	Required where applicable
Grading Plan			
Existing and proposed grade elevations at all lot corners, midpoints, points of grade change, driveways and drainage structures	Required	Required where applicable	
Proposed finished floor, top of foundation and u/s footing elevations	Required	Required where applicable	
Slope and surface direction runoff, culvert conditions, curb cuts and private approach	Required	Required where applicable	
Location and elevation of septic bed	Required where applicable	Required where applicable	
Floor and Roof Plans			
Basement floor plan including foundation information and use of space	Required	Required where applicable	Required where applicable
Floor plan of every upper level showing use of all spaces	Required	Required	Required
Floor plan of every upper level showing structural framing above	Required	Required where applicable	

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Roof truss layout	Required	Required where applicable	
Proprietary floor system layout	Required where applicable	Required where applicable	
Location of all plumbing fixtures	Required	Required where applicable	Required where applicable
Location of all solid fuel burning appliances	Required where applicable	Required where applicable	Required where applicable
Location of smoke alarms and carbon monoxide detectors	Required	Required where applicable	Required where applicable
Elevations			
Area of exposed building face. Area and percentage of glazed openings. Required limiting distance	Required	Required	
Exterior Finishes	Required	Required	
Window/door type, locations and sizes including height of sills above floor	Required	Required	
Roof slope and finish	Required	Required	
Exterior stairs, landings, guards and handrails	Required	Required where applicable	

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Building Sections			
Floor to floor and floor to ceiling heights	Required	Required	Required where applicable
Footing and foundation wall details including height of grade above basement floor	Required	Required where applicable	Required where applicable
Specifications of all floor, wall and roof assemblies	Required	Required	Required where applicable
Shoring and underpinning details	Required where applicable	Required where applicable	Required where applicable
Stairs, landings, guards and handrails	Required	Required where applicable	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Construction Details and Notes			
Typical wall section	Required	Required where applicable	Required where applicable
Wall and floor fire separation details	Required where applicable	Required where applicable	Required where applicable
Typical roof details	Required	Required where applicable	
Guard details including connection detail	Required	Required where applicable	
Building materials and specifications of all wall, floor and roof assemblies	Required	Required	Required where applicable
Mechanical Ventilation Design Summary	Required	Required where applicable	
Energy Efficiency Design Summary	Required	Required where applicable	
Footing design for sensitive soils	Required where applicable	Required where applicable	

Additional Information may be required on a case by case basis

**SCHEDULE "B" SUBMISSION REQUIREMENTS
CATEGORY: SMALL BUILDING, RESIDENTIAL**

(As Defined by the Ontario Building Code, Division C, Column 1 Table 1.3.1.3.)

Information Required	New Building	Addition	Interior Alterations
General			
All drawings to be drawn on durable material, drawn to scale, fully dimensioned	Required	Required	Required
OSSO Septic Permit	Required where applicable	Required where applicable	Required where applicable
Site and Key Plan			
Property lines and lot area referenced to a current survey	Required	Required	
Location of all existing and proposed buildings including setbacks to property lines, parking spaces, ramps and stairs, depressed curbs, distance to other buildings, overhead electrical conductors and other features in relation to property boundaries	Required	Required	
Overall dimensions of all buildings	Required	Required	
Summary of permitted and proposed zoning provisions	Required	Required	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Location of easements, rights-of-way, adjacent streets or highway corridors	Required	Required	
Location of septic bed, connection to existing system, septic tank and other equipment	Required where applicable	Required where applicable	Required where applicable
Key plan showing location of existing and proposed construction		Required where applicable	Required where applicable
Floor and Roof Plans			
Basement floor plan including foundation information and use of space	Required	Required where applicable	Required where applicable
Floor plan of every upper level showing use of all spaces	Required	Required	Required
Floor plan of every upper level showing structural framing above	Required	Required where applicable	
Roof truss layout	Required	Required where applicable	
Proprietary floor system layout	Required where applicable	Required where applicable	
Location of all plumbing fixtures	Required	Required where applicable	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Location of all solid fuel burning appliances	Required where applicable	Required where applicable	Required where applicable
Location of smoke alarms and carbon monoxide detectors	Required	Required where applicable	Required where applicable
Elevations			
Area of exposed building face. Area and percentage of unprotected openings. Required limiting distance	Required	Required	
Exterior Finishes	Required	Required	
Window/door type, locations and sizes including height of sills above floor	Required	Required	
Roof slope and finish	Required	Required	
Exterior stairs, landings, guards and handrails	Required	Required where applicable	
Building Sections			
Floor to floor and floor to ceiling heights	Required	Required	Required where applicable
Footing and foundation wall details including height of grade above basement floor	Required	Required where applicable	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Specifications of all floor, wall and roof assemblies	Required	Required	Required where applicable
Shoring and underpinning plans and details	Required where applicable	Required where applicable	Required where applicable
Stairs, landings, guards and handrails	Required	Required where applicable	Required where applicable
Construction Details and Notes			
Typical wall section	Required	Required where applicable	Required where applicable
Wall and floor fire separation details	Required	Required where applicable	Required where applicable
Typical roof details	Required	Required where applicable	
Guard details including connection detail	Required	Required where applicable	
Building materials and specifications of all wall, floor and roof assemblies	Required	Required	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building	Addition	Interior Alterations
Mechanical Ventilation Design Summary	Required	Required where applicable	
Energy Efficiency Design Summary	Required	Required where applicable	
Footing design for sensitive soils	Required where applicable	Required where applicable	

Additional Information may be required on a case by case basis

**SCHEDULE “B” SUBMISSION REQUIREMENTS
CATEGORY: SMALL BUILDING, NON-RESIDENTIAL**

(As Defined by the Ontario Building Code, Division C, Column 1 Table 1.3.1.3.)

Information Required	New Building or Addition	Interior Alterations
General		
All drawings to be drawn on durable material, drawn to scale and fully dimensioned	Required	Required
Drawings to be sealed, signed and dated by each professional design discipline	Required where applicable	Required where applicable
Energy Efficiency Design Summary	Required	
Building Code analysis/matrix	Required where applicable	Required where applicable
Specifications for each design discipline	Required where applicable	Required where applicable
OSSO Septic Permit	Required where applicable	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Geotechnical Investigation Report	Required	
Site and Key Plan		
Property lines and lot area referenced to a current survey	Required	Required where applicable
Location of all existing and proposed buildings including setbacks to property lines, parking spaces, ramps and stairs, distance to other buildings, overhead electrical conductors and other features in relation to property boundaries	Required	Required where applicable
Overall dimensions of all buildings	Required	
Summary of permitted and proposed zoning provisions	Required	Required where applicable
Location of easements and/or rights-of-way	Required	
Location of septic bed, connection to existing system, septic tank and other equipment	Required where applicable	Required where applicable
Key plan showing location of existing and proposed construction	Required	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Barrier free information including depressed curbs, ramps, parking and associated details	Required	Required where applicable
Fire route, fire department connections and fire hydrants	Required	
Architectural Drawings		
Floor plans identifying rooms including use of all spaces, wall construction and fire separations	Required	Required
Reflected ceiling plans and associated details	Required	Required where applicable
Roof plan and associated details including any screening requirements for mechanical roof top equipment	Required	Required where applicable
Building elevations	Required	
Building cross sections	Required	Required where applicable
Wall sections and details. Stair sections, plan and details	Required	Required where applicable
Enlarged detail plans and associated details	Required	Required where applicable
Door, window and room finish schedules if not in specifications	Required	Required where

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
		applicable
Structural Drawings		
Design information including loading, deflection, wind uplift, earthquake analysis and control flow drainage design on roof	Required where applicable	
Shoring and underpinning plans and details	Required where applicable	
Foundation plan and associated details	Required	
Floor and roof framing plans including beam and column schedule	Required	
Exterior canopy or other structural framing information	Required	
Structural connection details	Required	
Heating, Ventilation and Air Conditioning		
Layout and sizes of duct at each floor level	Required	Required where applicable
Type, location and size of equipment	Required	Required where applicable
Roof plan showing roof mounted equipment	Required where applicable	Required where applicable
Details of specialized systems	Required	Required

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
	where applicable	where applicable
Plumbing		
Site service drawings showing water, storm sewers, sanitary sewers, catch basins, manholes and connection to municipal system	Required where applicable	
Water and drain layout at each floor level and plumbing risers	Required	Required where applicable
Material, equipment and fixture specifications	Required	Required where applicable
Electrical Drawings		
Electrical site servicing drawing where separate from Mechanical	Required	
Lighting, power, emergency lighting, exit signage and electrical equipment	Required	Required where applicable
Fire alarm system drawings including alarm riser detail together with specifications and sequence of operation	Required	Required where applicable
Other Submissions		
Sprinkler Riser Diagram, including water entry schematic	Required where applicable	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Drawings showing fire hose cabinets, standpipe risers and other standpipe information	Required where applicable	Required where applicable

Additional Information may be required on a case by case basis

**SCHEDULE "B" SUBMISSION REQUIREMENTS
CATEGORY: LARGE OR COMPLEX BUILDINGS**

(As Defined by the Ontario Building Code, Division C, column 1 Table 1.3.1.3.)

Information Required	New Building or Addition	Interior Alterations
General		
All drawings to be drawn on durable material, to scale and fully dimensioned	Required	Required
Drawings to be sealed, signed and dated by each professional design discipline	Required	
Commitment by Owner for general review form for each required professional discipline	Required	Required where applicable
Building Code analysis/matrix	Required	Required where applicable
Energy Efficiency Design Summary	Required	Required where applicable
OSSO Septic Permit	Required where applicable	
Geotechnical Investigation Report	Required	

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Site Plan		
Property lines and lot area referenced to a current survey	Required	Required where applicable
Location of all existing and proposed buildings including setbacks to property lines, parking spaces, ramps and stairs, depressed curbs, distance to other buildings, overhead electrical conductors and other features in relation to property boundaries.	Required	Required where applicable
Fire route, fire department connections and fire hydrants	Required	
Existing and proposed grades. Proposed finished floor elevations of all buildings. Sidewalk elevations.	Required	
Barrier free information including depressed curbs, ramps, parking and associated details	Required	Required where applicable
Summary of permitted and proposed zoning provisions	Required	Required where applicable
Key plan showing location of existing and proposed construction	Required	Required where applicable
Architectural Drawings		
Floor plans identifying rooms including use of all spaces, wall construction and fire separations	Required	Required

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Reflected ceiling plans and associated details	Required	Required where applicable
Roof plan and associated details including any screening requirements for mechanical rooftop equipment	Required	Required where applicable
Building elevations	Required	
Building cross sections	Required	Required where applicable
Wall sections and details. Stair sections, plan and details	Required	Required where applicable
Enlarged detail plans and associated details	Required	Required where applicable
Door, window and room finish schedules if not in specifications	Required	Required where applicable
Structural Drawings		
Design information including loading, deflection, wind uplift, earthquake analysis and control flow drainage design on roof	Required	
Shoring and underpinning plans and details	Required where applicable	

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Foundation plan and associated details	Required	
Floor and roof framing plans including beam and column schedule	Required	
Exterior canopy or other structural framing information	Required	
Structural connection details	Required	
Heating, Ventilation and Air Conditioning		
Layout and sizes of duct at each floor level	Required	Required where applicable
Type, location and size of equipment	Required	Required where applicable
Roof plan showing roof mounted equipment	Required where applicable	Required where applicable
Details of specialized systems	Required where applicable	Required where applicable
Plumbing		
Site service drawings showing water, storm sewers, sanitary sewers, catch basins, manholes and connection to municipal system	Required	

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Water and drain layout at each floor level	Required	Required where applicable
Plumbing risers and stack loads	Required where applicable	
Material, equipment and fixture specifications	Required	Required where applicable
Electrical Drawings		
Electrical site servicing drawing where separate from Mechanical	Required	
Lighting, power, emergency lighting, exit signage and electrical equipment	Required	Required where applicable
Fire alarm system drawings including alarm riser details together with the specifications and sequence of operation	Required	Required where applicable
Other Submissions		
Sprinkler Riser Diagram and water entry schematic	Required where applicable	Required where applicable
Drawings showing fire hose cabinets, standpipe risers and other standpipe information	Required where applicable	Required where applicable

Additional Information may be required on a case by case basis

Information Required	New Building or Addition	Interior Alterations
Smoke venting information related to high-rise buildings	Required where applicable	

Additional Information may be required on a case by case basis

BY-LAW NO. 2014 – 220

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A by-law of the City of Ottawa respecting buildings.

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Enacted by City Council at its meeting of June 11, 2014

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LEGAL SERVICES

LCE:ec

COUNCIL AUTHORITY:

City Council – June 11, 2014