



Corporate Report

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PDC APR 2 2012

DATE: March 13, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 2, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **A By-law respecting Construction, Demolition and Change of Use Permits (Building By-law)**
PUBLIC MEETING

RECOMMENDATION:

1. That a by-law be enacted respecting Construction, Demolition and Changes of Use Permits (Building By-law), in accordance with Appendix 2 of the report of the Commissioner of Planning and Building to Planning and Development Committee dated March 13, 2012.
2. That Building By-law 0029-2011 be repealed.

BACKGROUND: The construction, renovation, demolition and change of use of buildings are regulated through *the Building Code Act, 1992* (BCA) and the Building Code (Ontario Regulation 350/06). The Building Code (the Code) is the regulation under *the Building Code Act, 1992* which sets out detailed technical and administrative provisions. The BCA and the Code are enforced locally through municipalities. Municipal building divisions review building permit applications, issue permits, and inspect buildings under construction, and take enforcement action where contraventions are found.

On February 27, 2012, Planning and Development Committee considered the report titled “Planning Application and Building Permit Fees” from the Commissioner of Planning and Building dated February 7, 2012 and on March 7, 2012, City Council passed Resolution 0042-2012 (Appendix1), adopting the report and directing that the necessary amending by-laws be prepared including the amending Building By-law to be in effect May 1, 2012.

The purpose of this report is to bring forward a draft of a new by-law respecting Construction, Demolition and Change of Use Permits (Building By-law) attached as Appendix 2, at a public meeting held in accordance with the *Building Code Act*, at which time any person that attends shall be given an opportunity to make representations with respect to the proposed changes in fees imposed for application for a permit or for the issuance of a permit.

In addition to building permit fee changes, changes in keeping with the amendments to the Code, which came into force on January 1, 2012 related to energy efficiency requirements and residential occupancy permits, are also included in the proposed revised Building By-law. Editorial, definition and housekeeping revisions are also included.

COMMENTS:

Building Permit Fees

Clause 7. (1) (c) of the *Building Code Act* authorizes Council to prescribe the amounts for permit fees. The responsibility rests with Council to determine an appropriate fee structure for all classes of building permits.

By-law 0029-2011, a By-law respecting Construction, Demolition and Change of Use Permits By-law (Building By-law) enacted and passed on February 23, 2011 is in effect.

In the fall of 2011, staff was directed to review planning application and building permit fees to determine how full cost recovery could be achieved. Watson and Associates were retained to undertake the review of the building permit fees charged in accordance with *the Building Code Act*. The Watson Report outlines the methodology undertaken and activity based costing results for selected categories of

building permit applications. Fee costing categories decisions reflecting types of buildings, new or additions, alterations to Part 3 or Part 9 were established to assist in the review. The Executive Summary of the Watson Study entitled *Development Fees Review Study, February 7, 2012* is attached as Appendix 3.

A staff review of the Watson study concluded that Building Permit Fees, Fee Structure Option 2 should be implemented to allow for full cost recovery based on anticipated volumes and building a reserve fund over the next 13 to 18 years of twice the annual costs to accommodate the cyclical nature of the construction.

All the other permit categories in the fee schedule were adjusted in general conformity with the fee structure and recommendations in the Executive Summary of the Watson Study. *The Building Code Act* allows for cross-subsidization of fees where charging higher fees in some areas to make up for shortfalls in others.

The resulting fee rates which reflect Mississauga market conditions and are in line with comparator municipalities, were adopted by Council on March 7, 2012.

Accordingly, new Building By-law Schedules “A” and “B” are attached to and form part of the draft revised Building By-law.

Energy Efficiency Requirements

The updates to 2006 Ontario Building Code in 2006, set out a road map for energy efficiency to be implemented from January 1, 2006 through to December 31, 2011. The Code sets out energy efficiency benchmarks for houses and for large buildings, providing a number of compliance paths that are consistent with those benchmarks. The Code provides that all building permit applications made on or after January 1, 2012 must meet these energy efficiency requirements. These technical compliance issues require additional applicant supportive materials to be provided for review during municipal plan examination.

The following amendments to the Building By-law are necessary to implement the requirements related to energy efficiency:

- Requirement for residential building permit applications to be accompanied by a completed “Energy Efficiency Design Summary” on a form as prescribed by the Chief Building Official;
- Schedule “C” - Forms to include Form 7 “Energy Efficiency Design Summary (Part 9 Residential)”.

Occupancy Permits and Prescribed Notices

Amendments to the Code require an inspection to be made and a permit to be issued, prior to people occupying certain new residential buildings for which an application for a permit is made on or after January 1, 2012. The amendments to the Code include criteria that must be met for such an occupancy permit to be issued and are set out in Article 1.3.3.4 of Division C of the Building Code “Occupancy Permit - Certain Buildings of Residential Occupancy.”

The Code amendments which came into force on January 1, 2012 add completion of construction and installation of building components such as Air Barriers as a notification stage under “prescribed notices” in Article 1.3.5.1 of Division C, and require notice of the completion and installation to be given to the Chief Building Official. The Code requires that an inspection be undertaken after a prescribed notice has been given.

The following amendments to the Building By-law are necessary to implement the requirements related to issuing occupancy permits:

- Requirement for an application to occupy a building of residential occupancy;
- Schedule “C” - Forms to include Form 8 “Application for a Permit to Occupy a Building of Residential Occupancy (OBC Division C-1.3.3.4.)”;
- Schedule “E” - Prescribed Notices/Inspections - to include Occupancy Prior to Completion, and Air Barriers.

FINANCIAL IMPACT: Building Permit Revenues

The 2012 Land Development Services operating budget includes \$10.3 million for building permit revenues. The building permit budget revenue projection for 2013 should reflect the impact of increased fees to be implemented for May to December 2012.

It is important to note that in keeping with the *Building Code Act*, any revenue collected that is above the cost of to administer and enforce the Act in its area of jurisdiction must be put into a reserve and cannot be used to cover any other municipal costs. This will need to be taken into account when establishing 2013 budget revenue targets.

CONCLUSION:

The draft By-law respecting Construction, Demolition and Change of Use Permits (Building By-law) includes revised Building Permit Fee Schedules in accordance with Council approved fee rates which will allow for improved cost recovery to be achieved, and for a building of a reserve fund for building permit revenue.

In addition the draft Building By-law reflects all new legislative requirements and is in compliance with the *Building Code Act, 1992* and the Ontario Building Code, Ontario Regulation 350/06 as amended.

ATTACHMENTS:

- Appendix 1: Council Resolution 0042-2012, March 7, 2012.
- Appendix 2: Draft By-law respecting Construction, Demolition and Change of Use Permits.
- Appendix 3: The Executive Summary of the Watson Study entitled "*Development Fees Review Study, February 7, 2012*".

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Frank Spagnolo, P.Eng., Chief Building Official

APPENDIX 1

Council Resolution 0042-2012

March 7, 2012



RESOLUTION 0042-2012
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on March 7, 2012

0042-2012 Moved by: Chris Fonseca

Seconded by: Frank Dale

That recommendations PDC-0010-2012 to PDC-0013-2012 inclusive contained in the Planning and Development Committee Report 4-2012 dated February 27, 2012, be approved.

APPENDIX 2

Draft

**A By-law respecting
Construction, Demolition
and Change of Use Permits**



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER

**A By-law respecting Construction,
Demolition and Change of Use Permits
and to repeal By-law 0029-2011 as amended.**

WHEREAS Section 7 of the *Building Code Act, 1992*, S.O. 1992, Chapter 23, as amended authorizes Council to pass by-laws respecting construction, demolition and change of use permits, inspections, and related matters;

AND WHEREAS the Council of the City of Mississauga desires to repeal By-law 0029-2011, as amended and enact a new Building By-law for the issuance of permits and related matters, including a fee schedule for all applicable building permit fees:

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

PART I - DEFINITIONS

1. For the purposes of this By-law, the following definitions and interpretations shall govern:
 - (1) "Act" means the *Building Code Act, 1992*, S.O. 1992, Chapter 23 as amended;
 - (2) "applicant" means the owner of a building or property who applies for a permit or the person authorized by the owner to apply for a permit on the owner's behalf;
 - (3) "architect" means a holder of a license, a certificate of practice, or a temporary license under the *Architects Act*;
 - (4) "as constructed plans" means as constructed plans as defined in the Building Code;
 - (5) "building" means a building as defined in Section 1.(1) of the Act;
 - (6) "Building Code" means the regulations made under Section 34 of the Act;
 - (7) "change of use permit" means a permit issued under subsection 10.(1) of the Act;
 - (8) "Chief Building Official" means the Chief Building Official appointed by Council under Section 3.(2) of the Act for purposes of enforcement of the Act;
 - (9) "conditional permit" means a permit issued under subsection 8.(3) of the Act;
 - (10) "construct" means to construct a building as defined in Section 1.(1) of the Act;
 - (11) "City" means The Corporation of the City of Mississauga;
 - (12) "demolish" means to do anything in the removal of a building or any material part thereof as defined in Section 1.(1) of the Act;

- (13) "forms" means the applicable Provincial or municipal prescribed forms as set out in Schedule "C" to this By-law;
 - (14) "inspector" means an inspector appointed under Section 3.(2) of the Act;
 - (15) "owner" includes, in respect of the property on which the construction or demolition will take place, the registered owner, a lessee and a mortgagee in possession;
 - (16) "partial permit" means a permit issued by the Chief Building Official to construct part of a building;
 - (17) "permit" means written permission or written authorization from the Chief Building Official to perform work regulated by this By-law and the Act, or to change the use of a building or part of a building or parts thereof, or to occupy a building or part thereof, as regulated by the Act and Building Code;
 - (18) "plumbing" means plumbing as defined in Section 1.(1) of the Act;
 - (19) "professional engineer" means a person who holds a license or a temporary license under the *Professional Engineer's Act*;
 - (20) "registered code agency" means a person or entity that has the qualifications and meets the requirements described in subsection 15.11(4) of the Act;
 - (21) "regulations" means regulations made under the Act;
 - (22) "sewage system" means a sewage system as defined in Section 1.(1) of the Act;
 - (23) "work" means construction or demolition of a building or part thereof, as the case may be.
2. Terms not defined in this By-law shall have the meaning ascribed to them in the Act or the Building Code.

PART II - CLASSES OF PERMIT

3. Classes of permits with respect to the construction, demolition, change of use and occupancy of buildings and permit fees shall be as set out in Schedules "A" and "B" to this By-law.

PART III - PERMIT APPLICATION

4. To obtain a permit, the owner or an agent authorized in writing by the owner shall file with the Chief Building Official an application in the prescribed form as set out in Schedule "C" to this By-law.

General Requirements

5. All applications for a permit to construct a building, in addition to meeting all other application requirements set out in this By-law, shall:
- (1) identify and describe in detail the work, use and occupancy to be covered by the permit for which the application is made;
 - (2) identify and describe in detail the existing uses and the proposed use(s) for which the premises are intended;
 - (3) include the legal description, the municipal address and where appropriate the unit number of the land on which the work is to be done;
 - (4) be accompanied by plans and specifications as described in Schedule "D" to this By-law;

- (5) be accompanied by the required fees as calculated in accordance with Schedules "A" and "B" to this By-law;
 - (6) state the name, address and telephone number of the owner, and where the owner is not the applicant, the authorized agent, and where applicable, the qualified architect, engineer or other designer and the constructor or person hired to carry out the construction or demolition, as the case may be;
 - (7) when Division C, Part 1, Subsection 1.2.2. of the **Building Code** applies, be accompanied by a signed acknowledgement of the owner on the prescribed form that an architect or professional engineer, or both, have been retained to carry out the general review of the construction or demolition of the building;
 - (8) when Division C, Part 1, Subsection 1.2.2. of the **Building Code** applies, be accompanied by a signed statement of the architect or professional engineer, or both, on the form prescribed, undertaking to provide general review of the construction or demolition of the building;
 - (9) for residential buildings regulated by Division B, Part 9, be accompanied by a completed "Energy Efficiency Design Summary" form prescribed by the Chief Building Official in Schedule "C" to this By-law;
 - (10) include, where applicable, the applicant's registration number where an applicant is a builder or vendor as defined in the *Ontario New Home Warranties Plan Act*; and
 - (11) be signed by the owner or authorized agent who shall certify as to the truth of the contents of the application.
6. In addition to the general requirements set out above, an application for a permit to construct a building shall:
- (1) use the provincial application form, "Application for a Permit to Construct or Demolish"; and
 - (2) include complete plans and specifications, documents and other information as required by Division C, Part 1, Sentence 1.3.1.3.(5) of the **Building Code** and as described in this By-law for the work covered by the permit.
7. In addition to the general requirements set out above, an application for a permit to construct part of a building shall:
- (1) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (2) include plans and specifications covering the work for which more expeditious approval is desired, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official;
 - (3) be accompanied by the required fee for the entire project and required administrative fee for the partial permit as calculated in accordance with Schedule "A" to this By-law; and
 - (4) be deemed to be an incomplete application where a partial permit is requested.
8. In addition to the general requirements set out above, an application to demolish a building or any material part thereof shall:
- (1) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (2) when Division C, Part 1, Subsection 1.2.2. of the **Building Code** applies, be accompanied by a completed "General Review Demolition Commitment Certificate" form prescribed by the Chief Building Official in Schedule "C" to

this By-law;

- (3) include complete plans and specifications, documents and other information as required by Division C, Part 1, Sentence 1.3.1.3.(5) of the **Building Code** and as described in this By-law for the work to be covered by the permit; and
- (4) indicate the method of demolition.

9. In addition to the general requirements set out above, an application for a **conditional permit** pursuant to subsection 8.(3) of the Act, shall:

- (1) use the provincial application form, "Application for a Permit to Construct or Demolish";
- (2) include complete plans and specifications, documents and other information as required by Division C, Part 1, Sentence 1.3.1.3.(5) of the **Building Code** and as described in this By-law for the work to be covered by the permit;
- (3) state the reasons why the applicant believes that unreasonable delays in construction would occur if a **conditional permit** is not granted;
- (4) state the necessary approval which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
- (5) state the time in which plans and specifications of the complete building will be filed with the **Chief Building Official**; and
- (6) require the owner and such other persons as the **Chief Building Official** determines to enter into an agreement with the City.

10. In addition to the general requirements set out above, an application for a **change of use permit** shall:

- (1) use the provincial application form, "Application for a Permit to Construct or Demolish";
- (2) describe the building in which the use is to be changed, by a description that will readily identify and locate the building;
- (3) identify and describe in detail the current and proposed uses of the building or part of a building for which the application is made; and
- (4) include plans and specifications showing the current and proposed use of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the **Building Code**.

11. An application for occupancy of an unfinished building permit pursuant to Division C, Part 1, Subsection 1.3.3. of the **Building Code** shall:

- (1) use the application form in Schedule "C" to this By-law, "Application for Permit to Occupy a Building Prior to Completion";
- (2) indicate the total floor area proposed for occupancy;
- (3) indicate the total number and location of units proposed for occupancy; and
- (4) be signed by the owner or authorized agent who shall certify to the truth of the contents of the application.

12. An application for a permit to occupy a building of residential occupancy pursuant to Division C, Part 1, Article 1.3.3.4. of the **Building Code** shall:

- (1) use the application form in Schedule "C" to this By-law, "Application for Permit to Occupy a Building of Residential Occupancy".

13. In addition to the general requirements set out above, an application for a "sewage system" permit shall:
 - (1) use the provincial application form "Application for a Permit to Construct or Demolish";
 - (2) include complete plans and specifications, documents and other information as required under Division C, Part 1, Sentence 1.3.1.3.(5) of the **Building Code** and as described in this By-law for the work to be covered by the permit;
 - (3) include a site evaluation which shall include all of the following items, unless otherwise specified by the **Chief Building Official**:
 - (a) include the date the evaluation was done;
 - (b) include name, address, telephone number and signature of the person who prepared the evaluation;
 - (c) a scaled map of the site showing:
 - A. the legal description, lot size, property dimensions, existing right-of-ways, easements or municipal/utility corridors;
 - B. the location of items listed in Division B, Part 8, Column 1 of Tables 8.2.1.6.A: 8.2.1.6.B; and 8.2.1.6.C. of the **Building Code**;
 - C. the location of the proposed sewage system;
 - D. the location of any unsuitable disturbed or compacted areas;
 - E. proposed access routes for system maintenance;
 - F. depth to bedrock;
 - G. depth to zones of soil saturation;
 - H. soil properties, including soil permeability; and
 - I. soil conditions, including potential for flooding.
14. 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, shall be given in writing, to the **Chief Building Official** together with the details of such change, which is not to be made without the prior written authorization of the **Chief Building Official**.
15. Where a material change set out in Section 13 of this By-law is substantial, then the **Chief Building Official** may require the applicant to submit an application for a revision to the permit in which case a revision permit must be issued by the **Chief Building Official** before any work described in the material change can be commenced.
16. The **Chief Building Official** may, where the relevant provisions of this By-law are met, issue a permit for part of a building subject to compliance with the Act, the **Building Code** and any other applicable law.
17. The **Chief Building Official** may, where the relevant provisions of this By-law and Subsections 8.(3) to 8.(5) of the Act, are met, issue a conditional permit for a building subject to compliance with the Act, the **Building Code** and any other applicable law.
18. The **Chief Building Official** is authorized to enter into agreements with respect to conditional permits.
19. The issuance of a permit for a part of a building or a conditional permit shall not be construed to authorize construction beyond that for which approval was given nor obligate the **Chief Building Official** to grant any further permit or permits for the

building.

20. Where an application for a permit remains incomplete or inactive for six months after it is made, the application may be deemed by the Chief Building Official to have been abandoned and notice thereof shall be given to the applicant.
21. Where an application has been deemed to be abandoned, a new application must be filed for the proposed work.

PART IV - PLANS AND SPECIFICATIONS

22. Every applicant shall submit sufficient information, including plans, specifications, documents and other 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 with the Act, the Building Code and any other applicable law.
23. Each application shall, unless otherwise determined by the Chief Building Official, be accompanied by two complete sets of plans and specifications required under this By-law.
24. Plans shall be drawn to scale on paper or other durable material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as set out in Schedule "D" to this By-law.
25. Site Plans submitted shall be referenced to a current plan of survey certified by a registered Ontario Land Surveyor and a copy of such survey shall be filed with the City unless this requirement is waived by the Chief Building Official because he or she is able, without having a current plan of survey, to determine whether the proposed work is in compliance with the Act, the Building Code, and any other applicable law. The site plan shall show:
 - (1) lot size and the dimensions of property lines and setbacks to any existing or proposed buildings;
 - (2) existing and finished ground levels or grades; and
 - (3) existing right-of-way, easements and municipal services.
26. The Chief Building Official may refuse to accept an application for a permit if any of the requirements for the application set out in this By-law, Act or Building Code are deemed to be incomplete or insufficient at the time of application.
27. On completion of the construction, the Chief Building Official may require that a set of plans of the building or any class of buildings as constructed including a plan of survey showing the location be filed with the Chief Building Official.

PART V - ALTERNATIVE SOLUTIONS

28. Where an application for a permit or for authorization to make a material change to the plan, specification, document or other information on the basis of which a permit was issued, contains an alternative solution for which approval in accordance with Division C, Part 2, Section 2.1.1 is required, the application shall include documentation in accordance with Division C, Part 2, Article 2.1.1.1.
29. Such information shall be accompanied with the prescribed forms "Alternative Solution Authorization Form" and "Alternative Solution Application" as prescribed by the Chief Building Official in Schedule "C" to this By-law.

PART VI - PRESCRIBED NOTICES AND INSPECTIONS

30. The person to whom a permit has been issued under Subsection 8.(1) of the Act shall

give to the Chief Building Official notice of the readiness for inspection in accordance with prescribed notices described in Division C, Part 1, Article 1.3.5.1., and Division C, Part 1, Article 1.3.5.3. of the Building Code. These mandatory notification stages and inspections are listed in Schedule "E" to this By-law.

PART VII - REGISTERED CODE AGENCIES

31. Where the City has entered into agreements with registered code agencies the Chief Building Official is authorized to enter into services agreements with registered code agencies and appoint them to perform specified functions from time to time pursuant to Section. 4.1 of the Act.

PART VIII - FEES

32. The Chief Building Official shall determine the required fees for the work proposed and the applicant shall pay the fees calculated in accordance with Schedule "A" and "B" to this By-law. No permit shall be issued until the fees therefore have been paid in full.
33. Any person who commences construction, demolition or changes the use of a building before submitting an application for a permit or before 14 calendar days have elapsed from the date on which an application for a permit has been accepted by the Chief Building Official unless the permit has already been issued, shall in addition to any other penalty under the Act, Building Code or this By-law pay an additional fee in accordance with Schedule "A" to this By-law, in order to compensate the City for the additional work incurred as a result of the commencement of the construction.
34. Where Fees payable in respect of an application for a construction or demolition permit issued under Subsection 8.(1) of the Act or a conditional permit issued under Subsection 8.(3) of the Act are based on a floor area, the floor area shall mean the total floor space of all stories above and below grade, measured as the horizontal area between the outer face of exterior walls and to the centre of party walls or demising walls.
35. Fees payable in respect of a conditional permit issued under Subsection 8.(3) of the Act shall be paid for the complete project plus the applicable additional fee in accordance with Schedule "A" to this By-law.
36. Where Fees payable in respect of an application for a change of use permit issued under Subsection 10.(1) of the Act are based on a floor area, the floor area shall mean the total floor space of all stories subject to the change of use.

PART IX - CHANGING PERMIT FEES

37. Prior to passing a By-law to change the fees the City shall:
 - (1) hold at least one public meeting at which any person who attends has an opportunity to make representations with respect to the matter;
 - (2) ensure that a minimum of 21 days notice of the public meeting is given to every person and organization that has, within five years before the day of the meeting, requested such notice; and
 - (3) ensure that the notice include an estimate of the costs for administering and enforcing the Act, the amount of the fee and change to the existing fee and the rationale for imposing or changing the fee.
38. Any person or organization wishing to receive notice as set out above should make such request in writing to the Clerk's office.

PART X - REFUNDS

39. In the case of withdrawal of an application or, abandonment of all or a portion of the

work or, the non-commencement of the work or, the refusal or revocation of a permit, upon written request by the applicant the Chief Building Official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule "A" to this By-law.

PART XI - FENCING

40. Where, in the opinion of the Chief Building Official, a construction or demolition site presents a particular hazard to the public, the Chief Building Official may, under Clauses 7.(1)(i) and 7.(1)(j) of the Act, require the erection of such fencing as the Chief Building Official deems necessary to abate that hazard.
41. The height of every fence shall be a minimum of 4 feet (1.2 meters) and a maximum of 6 feet (1.8 meters), to be measured from the highest adjacent grade and, shall be of a description as determined by the Chief Building Official.

PART XII - TRANSFER OF PERMITS

42. Every person who acquires land on which construction or demolition is occurring in respect of which a permit has been issued, shall apply to transfer the permit.
43. Every application for a transfer of permit shall be submitted to the Chief Building Official and shall:
 - (1) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (2) include such information as may be determined by the Chief Building Official; and
 - (3) be accompanied by the required fee as required in Schedule "A" to this By-law.

PART XIII - PENALTY

44. Any person who contravenes any provision of this By-law is guilty of an offence and liable;
 - (1) on a first conviction to a fine of not more than \$50,000.00 and
 - (2) on any subsequent conviction, to a fine of not more than \$100,000.00.
45. When the person convicted is a corporation, the maximum fines are \$100,000.00 on a first offence and \$200,000.00 for any subsequent offence.

PART XIV - MISCELLANEOUS

46. All Schedules to this By-law form part of this By-law.
47. A reference to the singular or the masculine shall be deemed to refer to the plural or feminine as the context may require.
48. Should any section, subsection, clause or provision in this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

PART XV - SCHEDULES

49. The following Schedules are attached to and form part of this By-law:

Schedule "A"	Permit Fees and Refunds
Schedule "B"	Building Classification and Permit Fees

Schedule "C"	Forms
Schedule "D"	Plans and Specifications
Schedule "E"	Prescribed Notices/Inspections

PART XVI - REPEAL

50. By-law 0029-2011, as amended, is repealed effective at the end of the day on which this By-law is enacted and passed.

PART XVII - SHORT TITLE

51. This By-law shall be known and may be cited as the "Building By-law".

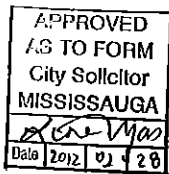
PART XVIII - EFFECTIVE DATE

52. This By-law comes into force at the beginning of the day after the day this By-law is enacted and passed.

ENACTED AND PASSED this day of , 2012.

MAYOR

CLERK



SCHEDULE "A"**Permit Fees and Refunds****1. FEES**

The minimum fee for a permit shall be \$125.00 for residential and \$210.00 for non-residential, unless stated otherwise.

1.1 CLASS OF PERMIT**PERMIT FEE**

- 1.1.1** Construct a building as defined by Section 1 of the Building Code Act, including a building intended for farming purposes, may be divided into the following classes of permits:

See Schedule "B" for Building classifications and permit fees.

1.1.1.1. Complete Building

For new building construction including additions and alterations to existing buildings (this permit includes associated drains, plumbing and mechanical works, but does not include mechanical site services that serve more than one building.)

1.1.1.2 Foundation Component**1.1.1.3 Foundation to Roof Component (Superstructure)****1.1.1.4 Plumbing Component****1.1.1.5 Drain Component (this permit may include drains within a building and/or mechanical site services that serve one building only.)****1.1.1.6 Mechanical Component**

For heating, ventilation, air conditioning and air contaminant extraction systems

1.1.1.7 Designated Structures

Includes all structures designated under Division A, Part 1, Article 1.3.1.1. of the Building Code

- 1.1.2** For permits required in Article 1.1.1.1 when divided into partial permits.

\$320.00 additional fee for each partial permit, unless stated otherwise.

- 1.1.3** Site services (for mechanical site services that serve more than one building.)

\$320.00 for each building or block of units serviced.

- 1.1.4** Sewage System

\$520.00 for a new or replacement sewage system.

\$260.00 for repairs to an existing sewage system.

- 1.1.5** Demolish a building or interior demolition

\$15.75 per 100 square metres or portion thereof of gross floor area demolished, minimum \$210.00. Accessory residential structure \$125.00 each.

- 1.1.6** Authorize occupancy of a building prior to its completion.

\$160.00 per dwelling unit or \$15.75 per 100 square metres or part thereof of a Commercial or Industrial Building.

SCHEDULE "A"

Permit Fees and Refunds

- | | | |
|--------|---|---|
| 1.1.7 | Authorize occupancy of a building of residential occupancy. | \$100.00 per dwelling unit payable at time of building permit application or permit issuance as applicable. |
| 1.1.8 | Material change (revision) to a plan, specification, or other information accompanying a permit application, or on the basis of which a permit was issued by the Chief Building Official. | \$110.00 per hour or portion thereof of permit application review and site inspection required in relation thereto, if the hours are worked on regular time or \$160.00 per hour if worked on overtime. |
| 1.1.9 | Change of use permit | \$110.00 per hour or portion thereof of permit application review and inspection time, minimum \$250.00. |
| 1.1.10 | Conditional permit | Regular fee for complete building plus an additional 20% of the fee, minimum \$550.00 to a maximum of \$5,500.00. |
| 1.1.11 | Transfer permit (to new owner) | \$150.00. |
| 1.1.12 | Duplicate copy of permit | \$100.00 |
| 1.1.13 | Alternative Solution Review | \$550.00 |
| 1.2 | In order to compensate the City of Mississauga for additional work and expense in plan examination, if new, additional or revised information is submitted for a permit application which applies to some or all of the permit which has already been reviewed, the greater of \$130.00 or the additional review time spent, measured to the nearest whole hour, multiplied by the hourly rate of \$110.00, if the hours are worked on regular time or \$160.00 per hour if worked on overtime. | |
| 1.3 | Only applicants for building permits with a value of over \$5,500 may elect to either: | |
| | 1.3.1 Pay the full permit fee at the time of application; or | |
| | 1.3.2 Pay 50% of the full permit fee at the time of application per building permit application to a maximum amount of \$11,000 and the balance at the time of permit issuance. | |
| 1.4 | With respect to work commenced prior to permit issuance or permit application as described in 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.1.5 and 1.1.7 above, to compensate the municipality for the additional expenditure required because of such unlawful commencement, the permit fee prescribed shall be increased by the greater of \$80.00 or with respect to work commenced before permit application 20% and, with respect to work commenced after permit application, but before permit issuance, 10% of the required permit fee based on the entire work to be performed and exclusive of any part into which the application for permit may be sub-divided, to a maximum of \$5,500.00. | |

SCHEDULE "A"

Permit Fees and Refunds

2. REFUNDS OF PERMIT FEES

- 2.1** Pursuant to Part 10 of this By-law, the portion of the total calculated permit fee that may be refunded shall be a percentage of the total fees payable under this By-law, calculated as follows in regard to functions undertaken by the municipality:
- 2.1.1** 85% if administrative functions only have been performed;
 - 2.1.2** 75% if administrative and zoning or Building Code permit application review functions only have been performed;
 - 2.1.3** 55% if administrative, zoning and Building Code permit application review functions have been performed;
 - 2.1.4** 45% if the permit has been issued and no field inspections have been performed subsequent to permit issuance, and
 - 2.1.5** 5% shall additionally be deducted for each field inspection that has been performed subsequent to permit issuance.
 - 2.1.6** 0% after a period of not less than three (3) years from the date of application being received, if the application has not been cancelled, or the permit has not been issued, or an issued permit has not been acted upon.
- 2.2** If the calculated refund is less than \$150.00, no refund shall be made for the fees paid.
- 2.3** The refund shall be returned to the owner named on the application for a building permit or person named on the fee receipt, unless such person advises the Chief Building Official, in writing and prior to the release of the refund, of a change in name, in which case the refund shall be returned to the person then authorized to receive it.
- 2.4** The refund, if applicable, shall be the difference between total calculated fee for functions undertaken and the deposit made at time of permit application.
- 2.5** If an overpayment of a permit fee occurs on a permit application and the overpayment is less than \$100.00 the difference will not be refunded.

SCHEDULE "B"**Building Classifications and Permit Fees****(1) CALCULATION OF PERMIT FEES**

Permit fees shall be calculated based on the formula given below, unless otherwise specified in this schedule.

Permit Fee = Service Index (SI) X Total floor area (A),
 where floor area (A) is measured to the outer face of exterior walls
 and to the centre of party walls or demising walls, except when
 calculating partition work.

(2) PERMIT FEES

Building Classification	Service Index (SI) \$/m ²
-------------------------	---

(A) CONSTRUCTION:

New buildings and additions:

Group A: Assembly Occupancies

Schools, libraries, churches, theatres, arenas, pools, restaurants, recreation centre, transit stations, bus terminals, etc.	15.00
Restaurant (shell)	12.00

Group B: Institutional Occupancies

Hospital, nursing homes, care homes, etc.	19.00
---	-------

Group C: Residential Occupancies

Detached, semis, townhouses, duplexes	13.40
All other multiple unit residential buildings (apts. etc)	14.50
Hotels, motels	15.00
Residential addition	9.80
Unheated addition	8.50
Detached garage/shed building to single dwelling	4.50
Issued Repeats to detached, semis, townhouses, duplexes	12.40
Basement apartment	8.00

Group D: Business and Personal Services Occupancies

Office buildings (shell)	11.25
Office buildings (finished)	14.50
Funeral homes, banks, medical clinic, fire halls, etc.	14.50

Group E: Mercantile Occupancies

Retail stores (shell/ strip plazas)	10.50
Retail stores (finished) supermarkets, department stores, car dealerships, etc.	14.00

SCHEDULE "B"

Building Classifications and Permit Fees

	Service Index (SI) \$/m ²
Group F: Industrial Occupancies	
Warehouses, factories (shell) ($\leq 10,000\text{m}^2$)	7.00
Warehouses, factories:	
(Single tenancy) (finished) ($\leq 10,000\text{m}^2$)	10.00
Warehouses, factories (shell) ($> 10,000\text{m}^2$)	6.50
Warehouses, factories:	
(Single tenancy) (finished) ($> 10,000\text{m}^2$)	9.50
Gas stations, car washes	9.50
Canopies (over gas pumps, storage, etc.)	4.00
Parking garages	5.00
Mezzanines and racking systems	5.00
Offices in warehouses or factories	3.00
Miscellaneous:	
Permanent tents, air supported structures	4.00
Pedestrian bridges, crane runways, etc.	3.00
Finishing basements (Detached, semis, townhouses, duplexes)	4.00
Unfinished basement (non-residential)	4.50
Repair or reclad wall (per surface area)	0.30
Parking garage repairs (minor concrete repairs)	2.00
Sprinkler	0.45
	Max. \$3,000.00
Trailers or buildings on construction sites for office or sales purpose	9.00
New roof or replacement	4.00
Roof membrane replacement	3.50
(B) ALTERATIONS:	
Interior alterations and partitioning to new or existing construction and change of occupancy classification:	
Group A: Assembly occupancies (restaurants, churches, etc.)	4.75
Group B: Institutional occupancies	4.75
Group C: Residential occupancies	4.75
Group D: Business and personal services occupancies	4.75
Group E: Mercantile occupancies	4.75
Group F: Industrial occupancies ($\leq 10,000\text{m}^2$)	4.75
Industrial occupancies ($> 10,000\text{m}^2$)	2.50

Building Classifications and Permit Fees

(C)	OTHER MISCELLANEOUS WORK:		Flat Fee
	New portable classrooms, new mobile homes, etc.		\$425.00 each
	Moving or relocating a building (portable classrooms, etc.)		\$220.00 each
	Temporary tents		\$160.00 each
	City temporary tents (see note #7)		\$160.00
	Communication and transmission towers		\$300.00 each
	Solar Collectors		
	(detached dwelling, semi-detached dwelling, townhouse dwelling)		\$225.00
	(industrial, commercial, institutional, and multi-residential)		\$500.00
	Foundation for Tanks, Silos, Dust Collectors, etc.		\$300.00 each
	Demising walls only		\$250.00 each
	Fire alarm system		\$550.00
	Fire suppression system		\$300.00
	Electromagnetic locks		\$225.00 each
		Max.	\$1,200.00
	Decks, porches, basement walkout, etc. to single dwelling		\$125.00 each
	Fireplaces, wood stoves, etc.		\$125.00 each
	Window replacements (for multiple unit residential and Non residential buildings)		\$6.25 each
	Underground and above ground storage tank		\$300.00 per tank
	Balcony guard replacements (per m.)		\$12.50/m
	Max.	\$1,200.00	
Retaining walls (per m.)		\$8.00/m	
		Service Index (SI)	
		\$/m²	
(D)	MECHANICAL COMPONENTS:		
	Heating, ventilation, air conditioning etc. (work independent of building permit):		
	Group A: Assembly occupancies		1.00
	Group B: Institutional occupancies		1.00
	Group C: Residential occupancies		1.00
	Group D: Business and personal service occupancies		1.00
	Group E: Mercantile occupancies		1.00
	Group F: Industrial occupancies		1.00

Miscellaneous Work:**Flat Fee per Unit**

Alternate heating systems – solar, geothermal, etc:	
(detached dwelling, semi-detached dwelling, townhouse dwelling)	\$170.00
(industrial, commercial, institutional, and multi-residential)	\$300.00
Commercial kitchen exhaust (including related make-up air)	\$300.00
Spray booth, dust collector etc	\$300.00/unit
Furnace replacement:	
(detached dwelling, semi-detached dwelling, townhouse dwelling)	\$170.00
Boiler replacement:	
(detached dwelling, semi-detached dwelling, townhouse dwelling)	\$170.00
(industrial, commercial, institutional, and multi-residential)	\$300.00
HVAC unit installation:	
(unit heater, rooftop unit, make-up air unit)	\$170.00
Minor alterations to mechanical systems	
(duct work only, space heater, exhaust fan)	\$300.00/unit

Building Classifications and Permit Fees**(F) PLUMBING AND DRAIN COMPONENTS:**

Plumbing Fixtures:

Fee per Fixture

(Plumbing review only)

Group A: Assembly occupancies	\$ 30.00
Group B: Institutional occupancies	\$ 30.00
Group C: Residential occupancies	\$ 30.00
Group D: Business and personal services occupancies	\$ 30.00
Group E: Mercantile occupancies	\$ 30.00
Group F: Industrial occupancies	\$ 30.00

\$/lin.m

Miscellaneous Work:

Inside sanitary and storm piping	1.20
Outside water services, sanitary and storm piping (when not included in complete building permit or permit for site services)	3.50

Replacement of Domestic Water Risers:

\$6.50
per riser per floor
(minimum \$150)

Manholes, catchbasins, interceptors, sumps etc.
(when not included in complete building permit or
permit for site services)

\$ 30.00 each

Backwater preventor

(detached dwelling, semi-detached dwelling, townhouse dwelling)	\$170.00
(industrial, commercial, institutional, and multi-residential)	\$300.00

(G) Signs

FEES
\$/m² *

All Signs

\$26.25
(minimum \$210.00)

* Fee is per m² or part thereof, of the sign area of each sign face.

NOTES:

1. Fees for classes of permit not described or included in this schedule shall be determined by the Chief Building Official.
2. The occupancy classification shall be established in accordance with the occupancy definitions of the Building Code.
3. Except as provided in Item 5, the floor area is the sum of the areas of all floors including basement and shall be measured to the outer face of the walls.
4. No deductions shall be made for openings within the floor area; i.e. stairs, elevators, ducts etc.
5. A garage serving only the dwelling unit to which it is attached or built in and an unfinished basement located within a dwelling unit shall not be included in the area calculations.
6. Issued models (house types) are referred to as "issued repeats." An "issued repeat application" is a repeat of the identical house design that the builder has previously submitted as a model for which a building permit has been issued.
7. City temporary tents are one or more tents which are installed as part of an outdoor special event which is hosted by a non-profit organization.

**THE CORPORATION OF THE CITY OF MISSISSAUGA
BUILDING BY-LAW _____**

**SCHEDULE "C"
FORMS**

Applicable provincially mandated forms and municipal forms authorized under Clause 7.1(f) of the Building Code Act.

- | | |
|--------|--|
| Form 1 | Application for a Permit to Construct or Demolish |
| Form 2 | Supplementary Information to Application for a Permit to Construct or Demolish |
| Form 3 | COMMITMENT TO GENERAL REVIEWS BY ARCHITECT AND ENGINEERS |
| Form 4 | APPLICATION FOR PERMIT TO OCCUPY A BUILDING PRIOR TO COMPLETION |
| Form 5 | Alternative Solution Authorization Form & Alternative Solution Application |
| Form 6 | GENERAL REVIEW DEMOLITION COMMITMENT CERTIFICATE |
| Form 7 | ENERGY EFFICIENCY DESIGN SUMMARY (PART 9 RESIDENTIAL) |
| Form 8 | Application for a Permit to Occupy a Building of Residential Occupancy (OBC Division C – 1.3.3.4.) |

NOTE: *Forms are prescribed by the Chief Building Official, but not attached. As such, they may be amended to reflect changes to Provincial legislation, municipal by-laws, etc. Forms are available at the Building Division, 3rd floor, City Hall or on the website at www.mississauga.ca.*

**THE CORPORATION OF THE CITY OF MISSISSAUGA
BUILDING BY-LAW _____**

**SCHEDULE "D"
PLANS AND SPECIFICATIONS**

Every application shall, unless otherwise determined by the Chief Building Official, be accompanied by two complete sets of working drawings prepared in accordance with generally accepted architectural and engineering practices, for the construction of the proposed building.

Submitted working drawings shall:

1. Be of sufficient details and contain all information to enable the Chief Building Official to determine whether the proposed construction, demolition or change of use conforms to the Act, the Building Code and, any other law:
2. Be dated and marked as "issued for construction";
3. Be of sufficient detail to construct in accordance with submitted plans and specifications; and
4. Shall contain the necessary designer information as required by the Act.

**THE CORPORATION OF THE CITY OF MISSISSAUGA
BUILDING BY-LAW**

SCHEDULE "E"

PRESCRIBED NOTICES/INSPECTIONS*		
Notice/Inspection	OBC Reference	Description
Footings	Division C – 1.3.5.1.(2)(a)	Readiness to construct footings
Backfill	Division C – 1.3.5.1.(2)(b)	Substantial completion of footings and foundations prior to commencement of backfilling.
Framing Part 9 Building	Division C – 1.3.5.1.(2)(c)	Substantial completion of structural framing, if the building is within the scope of Division B Part 9.
Framing other than Part 9 Building	Division C – 1.3.5.1.(2)(d)	Substantial completion of structural framing, if the building is not a building to which Clause Division C – 1.3.5.1.(2)(c) applies.
HVAC Rough-In Part 9 Building	Division C – 1.3.5.1.(2)(c)	Substantial completion of ductwork and piping for heating and air conditioning, if the building is within the scope of Division B Part 9.
HVAC Rough-In Other than Part 9 Building	Division C – 1.3.5.1.(2)(d)	Substantial completion of rough-in, ventilation, air-conditioning and air-contaminant extraction equipment, if the building is not a building to which Clause Division C – 1.3.5.1.(2)(c) applies.
Insulation	Division C – 1.3.5.1.(2)(e)	Substantial completion of insulation and vapour barriers..
Air Barriers	Division C – 1.3.5.1.(2)(e.1)	Substantial completion of air barrier systems
Fire Separations	Division C – 1.3.5.1.(2)(f)	Substantial completion of all required fire separations and closures.
Fire Protection Systems	Division C – 1.3.5.1.(2)(f)	Substantial completion of all fire protection systems including standpipe, sprinkler, fire alarm, and emergency lighting systems.
Fire Access Routes	Division C – 1.3.5.1.(2)(g)	Substantial completion of fire access routes.
Building Sewers	Division C – 1.3.5.1.(2)(h)(i)	Readiness for inspection and testing of building sewers.
Building Drains	Division C – 1.3.5.1.(2)(h)(i)	Readiness for inspection and testing of building drains.
Water Service Pipe	Division C – 1.3.5.1.(2)(h)(ii)	Readiness for inspection and testing of water service pipe.
Fire Service Main	Division C – 1.3.5.1.(2)(h)(iii)	Readiness for inspection and testing of fire service main.
Plumbing Rough-in – DWV	Division C – 1.3.5.1.(2)(h)(iv)	Readiness for inspection and testing of drainage systems and venting systems.
Plumbing Rough-in – Water System	Division C – 1.3.5.1.(2)(h)(v)	Readiness for inspection and testing of the water distribution system.
Plumbing Final	Division C – 1.3.5.1.(2)(h)(vi)	Readiness for inspection and testing of plumbing fixtures and plumbing appliances.

PRESCRIBED NOTICES/INSPECTIONS*		
Notice/Inspection	OBC Reference	Description
Pool/Spa Suction and Gravity Outlet System	Division C – 1.3.5.1.(2)(i)	Readiness for inspection of suction and gravity outlets, covers and suction piping outlets of an outdoor pool described in Clause 1.3.1.1.(1)(j) of Division A, a public pool or spa.
Pool/Spa Circulation/ Recirculation System	Division C – 1.3.5.1.(2)(j)	Substantial completion of the circulation/recirculation system of an outdoor pool as described in Clause 1.3.1.1.(1)(j) of Division A, a public pool or spa.
Sewage System Excavation	Division C – 1.3.5.1.(2)(k)	Readiness to construct the sewage system.
Sewage System Completion	Division C – 1.3.5.1.(2)(l)	Substantial completion of the installation of the sewage system before the commencement of backfilling.
Site Services	Division C – 1.3.5.1.(2)(m)	Substantial completion of installation of plumbing not located in a structure before the commencement of backfilling.
Occupancy Prior to Completion	Division C – 1.3.5.1.(2)(n)	Completion of construction and installation of components required to permit the issue of an occupancy permit under Sentence 1.3.3.1.(2) of Division C or to permit occupancy under Sentence 1.3.3.1.(1) of Division C if the building or part of the building to be occupied is not fully completed.
Final – Completion of Occupied Unfinished Building	Division C – 1.3.3.3.(1)	Completion of the building where a person has occupied or permitted the occupancy under Section 1.3.3. of Division C – Occupancy of Unfinished Building.
Final – Completion of Construction	Division C – 1.3.5.1.(2)(o)	Completion of construction and installation of components required to permit the issue of an occupancy permit under sentence 1.3.3.4.(5) of Division C.
Final – Completion of Building **	BCA Section 11.(2)	Completion of the building or part prior to occupancy or use.

* Prescribed notices and/or inspections apply to all building types, unless otherwise noted.

** “Building” means, BCA 1.(1)

(a) A structure occupying an area greater than ten square metres, consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto.

(b) A structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto.

(c) Plumbing not located in a structure.

(c.1) A sewage system; or

(d) Structures designated in the building code.

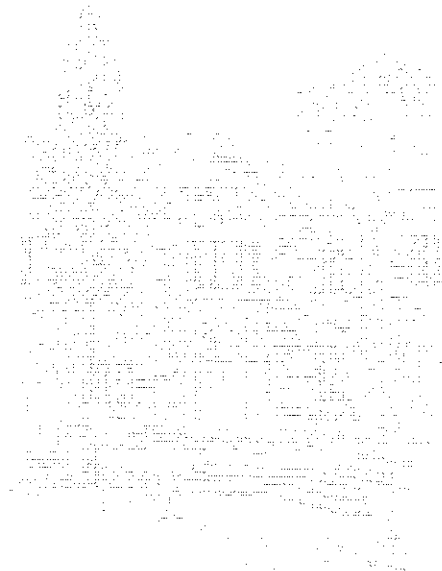
APPENDIX 3

Watson and Associates City of Mississauga Development Fees Review Study – Executive Summary

February 7, 2012

CITY OF MISSISSAUGA
DEVELOPMENT FEES REVIEW
STUDY

FEBRUARY 7, 2012



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101-2000 Argentia Rd.
Mississauga, Ontario
Canada L5N 1V9

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 Planning for growth

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Watson & Associates Economists Ltd. (Watson) was retained by the City of Mississauga to undertake a full cost recovery planning application fees review in 2008. The 2008 Study formed the basis for the City's phased approach to improving cost recovery performance for these services. In 2011, Watson was retained by the City to update the initial planning application fees review, measuring the changes to planning application processes and characteristics, and to identify cost recovery improvements. Moreover, the City identified the need to expand the review to incorporate building permit fees, sign permit fees and zoning application fees.

The costing review was undertaken using an activity-based costing approach, to identify the direct, indirect and capital-related costs of services within the permissible legislative context. Based on average activity volumes for the period 2008-2010, the following table summarizes the annual costs of processing and the current level of cost recovery within existing fee structures.

Annual Processing Costs and Current Fee Recovery

Cost Component	Planning Application Fees	Building Permit Fees	Sign Permits/Fees	Zoning Fees
Direct	5.26	7.00	0.47	0.44
Indirect	1.30	1.53	0.13	0.10
Capital	0.21	0.35	0.03	0.02
Total Costs	6.77	8.88	0.63	0.56
Existing Fee Structure Revenue	3.11	7.59	0.51	0.11
Net Position	3.73	1.29	0.12	0.45
Cost Recovery %	46%	85%	81%	20%

As a result of this costing review, and the modeled application characteristics, two fee structure options were developed for the City's consideration. These fee structure options include:

- Option 1 – Full Cost Recovery Fee Structure Option – identifies all direct, indirect and capital costs related to processing planning applications, permits, and administration and enforcement under the *Building Code Act*. Planning application fees includes a portion of the City's costs of planning policy and special projects, recognizing the benefits of such conferred upon applicants. The building permit fee structure recommendations identify fee increases to high-end of market limits where fees are dramatically under-recovering and a 5% increase to all other fee categories. Sign and zoning fee recommendations included adjustments to current fees and consideration for additional fees to improve cost recovery performance.
- Option 2 – Adjusted Full Cost Recovery Fee Structure Option – based on discussions with the City Working Group, the full cost recovery planning application fee structure was adjusted to remove planning policy and special projects, thereby reflecting more directly the processing activities related to applications. Under this option, the annual costs of processing planning applications would decline by \$2 million annually (\$6.77 million - \$4.77 million) reflecting the removal of planning policy and special projects costs. Compared to Option 1, the City's current planning application fees are recovering approximately 65% of annual costs under this option. The City Working Group also recommended fee structure adjustments for building permit fees under this option to provide full cost recovery levels (and provision for reserve funds) with greater consideration to local market circumstances. Sign and zoning fee recommendations remain unchanged under this option.

Fee Structure Option 1 would produce fees equal to annual processing costs for all services. The recommended building permit fees under this alternative would also produce an estimated annual reserve fund contribution of \$1.8 million annually (i.e. total revenues of \$10.7 million), based on 2008-2010 historic activity levels. These funds would be used to provide service sustainability during periods of fluctuation in economic activity. Under Option 2 the estimated annual reserve fund contribution would be approximately \$0.8 million (i.e. total revenues of \$9.7 million).

(iii)

To measure the impacts of the two proposed fee structure options, a survey of GTA municipalities was provided. The survey measures the impacts of the fee structure options for 5 different development types, including development charges. Based on the survey results, the full cost recovery fee structure option (Option 1) generally produces development fees greater than those provided under the adjusted full cost recovery fee structure (Option 2). The fee impacts for smaller development applications will be greater than larger applications reflecting the fixed application processing cost realities. Finally, while the planning and building permit fee impacts under the two options are significant in most cases, when measured on a total development cost basis, including development charges, the overall cost impacts are nominal large applications.

The intent of the development fee review is to provide the City with fee structure options for Council's consideration to appropriately recover the full costs of service from benefiting parties. The City will ultimately determine the level of cost recovery and phasing strategy that is suitable to meet their objectives. The potential full cost recovery fee structure (Option 1) and adjusted full cost recovery fee structure (Option 2) recommendations are summarized below for the consideration of staff and City Council.

Planning Application Fees

Planning Application Type	Current Fees \$	Fee Structure Option 1 \$	Fee Structure Option 2 \$
Official Plan Amendment (OPA)	13,120	35,000	21,990
Official Plan Amendment/Zoning By-law Amendment			
- Base Fee	22,330	54,400	39,600
Residential			
- first 25 units	640	1,030	830
- for units 26-100 units	320	760	440
- for units 101-200 units	160	330	230
- for additional units beyond 200	80	160	110
- maximum fee	80,000	200,000	180,000
Non-Residential			
- Commercial/Institutional per sq.mt.	6.40	18.50	13.10
- Industrial/Office per ha.	4,160	5,660	4,010
- maximum fee	60,000	110,000	100,000
Zoning By-law Amendment			
- Base Fee	9,120	35,800	28,800
- Additional Base Fee (non-apartment, industrial)	16,000	-	-
Residential			
- first 25 units	640	1,330	1,060
- for units 26-100 units	320	1,020	820
- for units 101-200 units	160	610	480
- for additional units beyond 200	80	260	190
- maximum fee	80,000	200,000	180,000
Non-Residential			
- Commercial/Institutional per sq.mt.	6.40	25.60	16.30
- Industrial/Office per ha.	4,160	21,480	9,600
- maximum fee	60,000	110,000	100,000
Site Plan Control			
- Base Fee	4,560	11,000	7,800
Residential			
- first 25 units	320	550	530
- for units 26-100 units	240	330	320
- for additional units beyond 100	80	110	110
- maximum fee	50,000	95,000	75,000
Non-Residential			
-first 2,000 square metres,	3.60	7.00	6.70
- for square meters 2,001-4,500,	2.40	5.00	4.80
- for square meters 4,501-7,000,	1.60	3.00	2.90
- for additional square meters beyond 7,000.	0.80	1.50	1.40
- maximum fee	35,000	66,000	52,000
Site Plan Minor/Surcharges			
Site Plan Inspection Fees			
- Infill – initial inspection	250	650	440
- Infill – subsequent inspection	95	370	190
- Non-Infill – initial inspection	650	720	690
- Non-Infill – subsequent inspection	250	590	560
Express Site Plan Approval	320	600	300

Planning Application Fees

Planning Application Type	Current Fees \$	Fee Structure Option 1 \$	Fee Structure Option 2 \$
Site Plan Minor Building Alterations or Site Revisions	1,520	3,600	2,400
Site Plan Minor Surcharges			
- Planning and Building Landscape Inspection	600	600	600
- Transportation and Works Environmental Review	90	90	90
- Community Services Forestry Review	180	180	180
- Transportation and Works Development Engineering Review	240	340	340
- Transportation and Works Storm Drainage Review	100	120	120
- Community Services Fire Review	60	70	70
Removal of Holding Symbol			
- Base Fee	15,800	40,000	28,700
- Additional Fee - City Centre Area	12,320	19,400	14,100
Part Lot Control Exemption			
- Base Fee	1,300	1,300	1,300
- Per Lot	53	53	53
Payment in Lieu of Off-Street Parking	800	12,100	8,200
Condominium Standard			
- Base Fee	3,700	6,100	5,400
- per apartment unit	21.00	35.00	31.00
- per non-apartment or vacant lot	53.00	87.00	77.00
- per non-residential hectare	105.00	173.00	153.00
Common Element	7,680	17,000	12,400
Subdivision			
- Base Fee	4,300	11,500	7,800
- Detached, semi-detached and townhouse dwellings per unit	320	860	580
- All other residential, commercial or institutional uses per sq.mt.	1.60	4.30	2.90
- Industrial and Office uses per ha.	2,700	7,200	4,900
- maximum fee	48,000	160,000	120,000
Surcharge Fees			
Environmental Impact Study (EIS)			
- Environmental Review	1,600	1,600	1,600
- Minor EIS required	2,960	2,960	2,960
- Major EIS required	8,720	8,720	8,720
Parking Utilization Study	3,040	3,490	3,490
Forestry Inspection	90	90	90
Heritage	1,280	1,280	1,280
Telecommunication Towers	-	1,900	1,100
DARC Meeting (OPA/Rezoning and Rezoning)	-	5,400	5,400
DARC Meeting (Site Plan)	-	3,700	3,700
DARC Meeting (Subdivision)	-	4,700	4,700
Preliminary Meeting (Site Plan)	-	2,300	2,300

Building Permit Fees

Permit Categories	Current Fees \$/sq.mt.	Fee Structure Option 1 \$/sq.mt.	Fee Structure Option 2 \$/sq.mt.
<u>Building Permit Fees</u>			
Assembly	12.78	13.41	15.00
Institutional	17.25	18.11	19.00
Residential - Apartment	9.80	10.29	14.50
Residential - Detached / Semi Detached/ Townhouse (>400 m2)	13.40	13.40	13.40
Residential - Detached / Semi Detached (<400 m2)	11.05	14.27	13.40
Residential - Townhouse (<400 m2)	11.05	15.08	13.40
Residential - Addition (Detached / Semi / Townhouse)	9.35	11.69	9.50
Business and Personal Service - Shell	10.23	10.74	11.25
Business and Personal Service - Finished	12.65	13.28	14.50
Mercentile - Shell	8.75	9.19	10.50
Mercentile - Finished	10.75	11.29	14.00
Industrial - Shell	6.07	6.37	7.00
Industrial - Finished	7.65	8.03	10.00
Part 3 Building Alterations	2.95	9.20	4.75
Part 9 Building Alterations	3.00	5.30	4.75
Other Building Alterations	2.95	6.60	4.75
Occupancy of Unfinished Building	980	1,029	1,029
Conditional	1,442	1,514	1,514
Demolition	101	106	106
Sign Fascia	25.00	26.25	26.25
Sign Ground	25.00	26.25	26.25

Sign Permit Fees

- Sign permit fees remain unchanged
- Consideration may be given to introducing fees for sign removal activities to mitigate the annual \$118,000 in costs. However, based on the circumstances related to imposing these fees and the City's unsuccessful experience imposing similar fees for the 2006 Federal and Municipal Elections, further analysis and consideration would be required.

Zoning Fees

- Pre-application zoning review fees should be introduced separate from building permit fees at a rate of \$380 per application
- Zoning letters - increase current fees to \$235 per application
- Zoning certificate of occupancy fees – increase current fees to \$735/application
- Swimming pool review processes - consider new fee of \$260/application or undertake a further costing analysis to identify other municipal input costs related to this process.