

# THE CORPORATION OF THE TOWN OF CALEDON

## BY-LAW NO. 2025-117

A By-law to provide for the administration and enforcement of the Building Code Act and to repeal By-law 2011-156

WHEREAS Section 7 of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, empowers Council to pass certain by-laws with respect to construction, demolition, change of use Permits, inspections and related matters;

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

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

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

### PART 1 - SHORT TITLE

1.1 This By-law may be referred to as the “Building By-law” or “By-law”.

### PART 2 - DEFINITIONS

2.1 In this By-law

“**Act**” means the Building Code Act, S.O. 1992, c. 23, as amended, and any successor thereto;

“**Applicable Law**” means any regulation for which approval must be obtained before a building permit is issued as noted in Division A, Article 1.4.1.3. of the Ontario Building Code.

“**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, or any person or corporation empowered by statute to cause the construction or demolition of a Building or Buildings and anyone acting under the authority of such person or corporation;

“**Application**” means a submission of plans, documents, prescribed forms and fees as described in the Act and this By-law for the purpose of Permit issuance and Building Code compliance review for a Certified Model and as required by the Chief Building Official.

“**Architect**” means the holder of a licence, a certificate of practice or a temporary licence under the Architects Act.

“**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;

“**Certified Model**” means a Building design that has been approved by the Chief Building Official having compliance with the Building Code and is intended for construction pursuant to a Permit issued under the Act. A Certified Model approval is not in itself a Permit.

“**Chief Building Official**” means the person appointed as Chief Building Official by the Council for the purpose of enforcement of the Act and shall include their designate

“**Complete Application**” means an Application that meets the requirements set out in the Building Code for Applications where the Chief Building Official is required to make a decision within the prescribed time period under the Building Code, and further that meets the requirements set out in Section 4 and Schedule “A” to this By-law.

**“Conditional Permit”** means a Permit issued for a stage of construction under subsection 8(3) of the Act.

**“Construct”** means construction, alteration or demolition of a building or part thereof. “Construction” and “Work” shall have a similar meaning.

**“Council”** means the Council of The Corporation of the Town of Caledon.

**“Designer”** means one who prepares documents and/or drawings as part of a Building Permit Application package and who possess Provincial qualifications and a Building Code Identification Number (BCIN).

**“Demolish”** means to do anything in the removal of a building or any material part thereof. Demolition shall have a corresponding meaning.

**“Inspector”** means a person appointed as an Inspector by the Council for the purposes of enforcement of the Act.

**“Owner”** means

- (a) The registered owner of the land on which the building is located or, if the building is owned separately from the land, the owner of the building; or
- (b) The person that is responsible for maintaining the building or part of the building subject to a building condition evaluation program;
- (c) A lessee or mortgagee in possession; or
- (d) An authorized agent in lawful control of the property.

**“Partial/Phased Permit”** means a Permit issued by the Chief Building Official to construct a portion or part of a Building.

**“Permit”** means authorization given by the Chief Building Official either in written or electronic form, to construct or demolish, to change the use of a Building or part thereof or to occupy a Building or part thereof, as regulated by the Act and Building Code.

**“Permit Holder”** means the person, firm or corporation to whom the Permit has been issued or where the Permit has been transferred, the new Owner to whom the Permit has been transferred.

**“Professional Engineer”** means a person who holds a license or a temporary license under the Professional Engineer’s Act, as defined in the Building Code. “Engineer” shall have a similar meaning.

**“Registered Code Agency”** means a Registered Code Agency as defined in Subsection 1(1) of the Act.

**“Town”** means The Corporation of the Town of Caledon.

### **Words not defined**

2.2 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.

## **PART 3 - CLASSES OF PERMITS**

3.1 Classes of Permits with respect to the construction, demolition, change of use and occupancy of buildings, or part of it, and Permit fees shall be as set out in Schedule “A” and Schedule “B” to this By-law.

## **PART 4 - PERMIT APPLICATIONS**

### **General Requirements**

- 4.1 An Applicant for a permit shall file an Application with the Chief Building Official and shall supply any information related to the Application together with the applicable requirements set out in this Section and Schedule "A" to this By-law; and
- a) Unless otherwise determined by the Chief Building Official, be in the form of an Electronic Submission filed by the Owner or Applicant;
  - b) As deemed appropriate, provide prescribed forms in an electronic format; and
  - c) When filing an Application, the Owner and the Applicant shall provide an electronic mailing address(s) for the purpose of receiving communications from the Chief Building Official regarding the construction, demolition, change of use, or occupancy associated with a Permit Application or issued Permit. The Owner or authorized agent of the Owner shall inform the Chief Building Official immediately in writing when the electronic mailing address(s) provided change or become not functional.
- 4.2 All documents and drawings accompanying an Application shall be coordinated and consistent with the description of the proposed work.
- 4.3 Where this By-law requires the Owner or Applicant to submit a form or document, and the required form or document is not prescribed by applicable federal, provincial or municipal legislation, the Chief Building Official is authorized to design, prepare, produce and provide to the Owner or Applicant the required form or document, and the Owner or Applicant shall use the form or document so provided in completing the required submission.
- 4.4 Be accompanied by the plans, specifications, documents, forms and other information prescribed in Schedule "A" to this By-law; and
- 4.5 Be accompanied by the appropriate fee calculated in accordance with the Fees as listed Schedule "B" to this By-law.

### **Building Permits**

- 4.6 Every Permit Application, Certified Model Application and Application for an Alternative Solution shall meet the requirements of Subsections 4.1 to 4.5 and shall:
- a) Identify and describe in detail the proposed work to be done and the existing and proposed use and occupancy of the Building, or part thereof, for which the Application for a Permit is made;
  - b) Be accompanied by the approved documents or permits issued by the agencies responsible for the Applicable Laws listed in the Building Code where that law applies to the construction or demolition being proposed;

### **Demolition Permits**

- 4.7 Every Application for a Permit to demolish a Building shall meet the requirements of Subsections 4.1 to 4.5 and shall:
- a) Identify and describe in detail the work to be done and the existing use and occupancy of the Building, or part thereof, for which the Application for a Permit to demolish is made, and the proposed use and occupancy of that part of the Building, if any, that will remain upon completion of the demolition.
  - b) Where applicable, be accompanied by a signed statement of the Professional Engineer on the form provided by the Chief Building Official, undertaking to provide general review of the demolition of the Building;
  - c) Be accompanied by confirmation that arrangements have been made with the proper authorities for the safe and complete disconnection of all existing water, sanitary and storm sewer, gas, electric and other utilities.

## **Partial/Phased Permit**

- 4.8 Every Application for a Permit to construct part of a Building shall meet the requirements of Subsections 4.1 to 4.5 and shall:
- a) Include an Application for the entire project.
  - b) Be accompanied by plans, specifications, documents, forms and other information covering that part of the work for which Application for a Partial/Phased Permit is made, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official.
  - c) Be accompanied by the required fee for the entire project and any administrative fee for the partial/phased permit as calculated in accordance with Schedule "B" to this By-law.
  - d) The Chief Building Official may issue a Partial/Phased Permit when the Chief Building Official determines it is appropriate to expedite substantial construction before a Permit for the entire building is available and where the relevant provisions of this By-law and the Act are met.
  - e) When determining whether to issue a Partial/Phased Permit, the Chief Building Official shall have regard for the likelihood of subsequent approvals being available in a timely fashion such that a project is not interrupted and exposed to potential damage from the elements while awaiting subsequent approvals.
  - f) The Chief Building Official shall not, by reason of the issuance of a Partial Permit pursuant to this By-law, be under any obligation to grant any additional Permits.
  - g) Where a partial/phased permit is requested the full building or project Application will be deemed incomplete for purposes of Div. C, Part 1, Article 1.3.1.3. of the Ontario Building Code.

## **Conditional Building Permits**

- 4.9 Where the issuance of a conditional building Permit respecting the construction of part of a Building is sought an Application for a Conditional Building Permit meeting the requirements of Subsections 4.1 to 4.5 and Schedule "A" to this By-law shall be submitted in addition to a permit for construction of the entire project. Every Conditional Permit Application shall include:
- a) A Conditional Permit Request form as prescribed by the Chief Building Official for the scope of work to be completed;
  - b) A written agreement, in a form provided by the Chief Building Official, executed by the Applicant, the Owner and such other necessary persons the Chief Building Official determines for the purpose set out in clause 8(3)(c) of the Act; and
  - c) Financial securities for compliance with subclause 8.(3)(c)(iv) of the Act.
- 4.10 Where a conditional building Permit is sought, and where the Applicant has complied with Subsection 4.9 to this By-law, and where the Chief Building Official is satisfied that the compliance required under clause 8(3)(a) of the Act has been achieved, and where the Chief Building Official is of the opinion that unreasonable delays in construction would result if a Conditional Building Permit were not issued, the Chief Building Official is hereby authorized to execute on behalf of the Town the written agreement referred to in Clause 4.9(b) to this By-law as part of the Conditional Building Permit Application.
- 4.11 Where deemed necessary by the Chief Building Official, the agreement referred to in clause 4.9(b) of this By-law may be registered on title to the lands upon which the Application for Permit has been made.
- 4.12 The Chief Building Official shall not, by reason of the issuance of a Conditional Building Permit pursuant to this By-law be under any obligation to grant any additional Permits.

## **Change of Use Permits**

- 4.13 Every Application for a change of use Permit shall meet the requirements of Subsections 4.1 to 4.5 and shall:

- a) identify and describe in detail the existing and proposed use and occupancy of the Building, or part thereof, for which the Application for a Permit is made; and
- b) be accompanied by plans, specifications, documents, forms and other information which show the current and proposed occupancy of all parts of the Building and which contain sufficient information to establish compliance with the Building Code, including but not necessarily limited to floor plans, details with wall, ceiling and roof assemblies identifying existing fire resistance ratings and load bearing capacities and details of the existing sewage system, if any.

### **Certified Model**

4.14 Every Application for a Certified Model shall meet the requirements of Subsections 4.1 to 4.5 and shall:

- a) Be submitted using the Certified Model Application form as prescribed by the Chief Building Official; and
- b) Plans and specifications forming part of each Certified Model Application shall be deemed to form part of the Permit documents of each Permit subsequently issued under the Act.

### **PART 5 - INCOMPLETE PERMIT APPLICATIONS**

5.1 An Application shall be deemed to be incomplete until all the requirements set out in this By-law and those of Division C, Article 1.3.1.3. of the Building Code have been complied with.

5.2 Where an Application does not contain sufficient information to enable the Chief Building Official to determine whether the proposal will contravene the Act, the Building Code or any other Applicable Law, the Application will be deemed incomplete and may not be accepted. Incomplete Applications, where accepted, are not subject to the timeframes set out in the Building Code.

5.3 An Incomplete Application for a Permit may be refused by the Chief Building Official.

### **PART 6 - REQUIREMENTS FOR PLANS AND SPECIFICATIONS**

6.1 Upon issuance of the Building Permit, the Owner or authorized agent of the Owner shall ensure that a copy of the Permit card and approved Permit plans are available on site at all times.

6.2 A certificate, prepared by a registered Ontario Land Surveyor, confirming the location of the foundation(s) for the buildings and the top of foundation elevations, may be requested by the Chief Building Official prior to the commencement of above-grade framing.

6.3 On completion of the construction of a Building, or part of a Building, the Chief Building Official may require submission of a set of plans of the Building or part of a Building, as constructed, together with a plan of survey, prepared and certified by an Ontario Land Surveyor, showing the location of the Building.

6.4 Plans and specifications submitted in accordance with this By-law or otherwise required by the Act become the property of the Town and will be disposed of or retained in accordance with relevant legislation or by-law.

### **PART 7 - ALTERNATIVE SOLUTIONS**

7.1 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, Section 2.1. is required, the Application shall include documentation in accordance with Division C, Article 2.1.1.1.

- 7.2 Where approval for an alternative solution under the Building Code is being sought, the Applicant shall submit:
- a) An Application on a form prescribed by the Chief Building Official;
  - b) Supporting documentation demonstrating that the proposed alternative solution will provide the level of performance required by the Building Code; and
  - c) Payment of the required fee prescribed by Schedule “B” to this By-law.
- 7.3 The Chief Building Official may accept or reject any proposed alternative solution and may impose conditions or restrictions on its use.
- 7.4 Alternative solutions that are accepted under this section shall be applicable only to the location described in the Application and are not transferrable to any other Building Permit.

## **PART 8 - DORMANT PERMIT APPLICATIONS**

- 8.1 An Application for a Permit or a Certified Model shall be deemed to be dormant by the Applicant where:
- a) The Application is inactive or incomplete for six months after it was accepted and the Applicant has been advised in writing of all the reasons for refusal;
  - b) The Chief Building Official has determined that the proposed Building, construction, demolition or change of use will not comply with the Act or the Building Code or will contravene any other Applicable Law, or
  - c) Where an Electronic permit application submission has not been accepted by the Chief Building Official within ten (10) business days of creation the electronic submission may be deemed by the Chief Building Official to be dormant and may be cancelled.
- 8.2 Applications may be deemed dormant by the Chief Building Official without prior notice given to the Applicant.
- 8.3 Where an Application has been deemed dormant all documents and drawings may be disposed of by the Chief Building Official and shall not be used to form the basis of any future Application for proposed work.

## **PART 9 - REVISION OR RESUBMISSIONS TO PERMITS**

- 9.1 Where an Applicant substantially revises a proposed Building design after examination of a previous submission has already been undertaken, a re-submission review fee shall apply as set out in Schedule “B” to this By-law.
- 9.2 If after the issuance of a Permit a material change to a plan, specification, document or other information on the basis of which the Permit was issued is proposed, the Chief Building Official may require the Applicant to submit an Application for a revision to the Permit. A revision Permit must be issued by the Chief Building Official before any work described in the material change can be commenced.
- 9.3 The provisions of Section 4, 5 and Schedule “A” this By-law shall apply to such Application.

## **PART 10 - TRANSFER OF PERMITS**

- 10.1 If the Ownership of the land changes after a Permit has been issued, the Permit may be transferred to the new Owner (the “transferee”) of the lands where an Application is filed with the Town in writing in accordance with Subsection 10.2 to this By-law.

- 10.2 Every Application for the transfer of Permit shall:
- a) Be submitted using the Application form as prescribed by the Chief Building Official,
  - b) Include proof of Ownership of the lands by the transferee satisfactory to the Chief Building Official;
  - c) Confirm that the work to be done and the existing and proposed use and occupancy of the Building or part thereof, for which the Application for the transfer of the Permit is made, is the same as that identified and described on the Application for the Permit;
  - d) State the name, address, telephone number, email address of the proposed Architect, Professional Engineer or other designer and their Building Code qualifications, where they are different from those identified in the Application for the Permit;
  - e) Include a written confirmation from the original or proposed Architect or Professional Engineer(s), or both, that they have been retained to undertake general review of the construction or demolition on behalf of the transferee where required under the Building Code;
  - f) Include, where the proposed transferee is a builder as defined in the Ontario New Home Warranties Plan Act, or any successor thereto, the proposed transferee's registration number thereunder;
  - g) Be signed by the transferee to certify as to the truth of the contents of the Application; and
  - h) Be accompanied by the appropriate fee in accordance with Schedule "B" to this By-law.
- 10.3 Upon the issuance of transfer of a Permit to the transferee, the transferee shall be deemed to be the Permit Holder and the original Permit Holder have no further rights or obligations under the Permit save and except for any obligations set out in any agreements entered into for the purposes of Clause 8(3)(c) of the Act.
- 10.4 Nothing in this Section shall be construed as relieving prior or current Owners from their obligations under the Building Code Act, Building Code and/or the Building By-law and/or as stopping the Chief Building Official from bringing charges and/or initiating proceedings and/or bringing any enforcement actions prescribed by law against any person who caused construction or demolition to take place in a manner contrary to the Building Code Act, Building Code and/or the Building By-law.

## **PART 11 - REVOCATION OF PERMITS**

- 11.1 A person to whom a permit has been issued may apply in writing to the Chief Building Official requesting cancellation/revocations of the permit only if the work for which the permit was issued has not commenced.
- 11.2 Prior to revoking a Permit pursuant to Section 8(10) of the Act, the Chief Building Official may give written notice of intention to revoke the Permit to the Permit Holder's address or email address shown on the Application or to such other address as the Permit Holder may provide to the Town for that purpose. If on the expiration of thirty (30) days from the date of such notice, the ground for revocation continues to exist, the Permit may be revoked without further notice.
- 11.3 Notice under Subsection 11.2 to this By-law shall be given either personally, by email or by mailing the notice by standard mail to the Permit Holder at the last address the Permit Holder has communicated to the Chief Building Official in writing; and where notice is served by mailing, the Permit Holder shall be conclusively deemed for all purposes to have been served with the notice on the fifth (5th) business day after the day of mailing.
- 11.4 Where a document is served by email to the Permit Holder, it is deemed to have been served on the business day following the sending of the email or delivery of the notice.
- 11.5 Where an Application has been revoked all documents and drawings may be disposed of by the Chief Building Official and shall not be used to form the basis of any future Application for proposed work

## **PART 12 - DEFERRAL OF REVOCATION**

- 12.1 A Permit Holder may, within thirty (30) days from the date of service of the notice of intention to revoke a Permit, if provided, request the Chief Building Official in writing to defer the revocation of the Permit.
- 12.2 A request for deferral shall set out the reasons why the Permit should not be revoked and the date by which the work will be commenced or resumed.
- 12.3 The Chief Building Official may allow the deferral and shall notify the Permit Holder of the decision.
- 12.4 A request for deferral of revocation shall be accompanied by the minimum fee as set out in Schedule "B" to this By-law.

## **PART 13 - FEES AND REFUNDS OF FEES**

- 13.1 A fee is to be paid as part of a Permit Application, calculated in accordance with Schedule "B" to this By-law, and shall be due and payable upon the submission of the Application for a Permit.
- 13.2 No Permit shall be issued until the fees therefore have been paid in full.
- 13.3 The Chief Building Official shall determine the appropriate building category, floor area and/or value, and that determination shall be final.
- 13.4 Where fees payable in respect of an Application are based on a floor area, the floor area shall mean the total floor space of all storeys above grade, or below grade for an underground Building, measured as the horizontal area between the outer face of exterior walls and to the centre of party walls or demising walls.
- 13.5 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 storeys subject to the change of use.
- 13.6 As deemed necessary by the Chief Building Official where an outside consultant is engaged to provide a third-party review of a document or drawing submitted with a Permit Application, Alternative Solution proposal or partial occupancy Permit, the consultant's fees are to be fully paid by the Applicant.
- 13.7 The fees listed in Schedule "B" of this By-law shall be adjusted annually, based on criteria outlined in the Town's Fee By-law.
- 13.8 In the case of cancelled or dormant Applications, or the refusal or revocation of a permit, upon written request by the Applicant, the Chief Building Official shall determine the amount of fees, if any, that may be refunded, in accordance with Schedule "B" to this By-law.

### **Additional Inspection Fees**

- 13.9 An additional inspection fee as set out in Schedule "B" to this By-law, may apply where:
  - a) Any of the prescribed notice requirements under the Building Code, or the additional notices required under this By-law, have not been complied with;
  - b) Any substantial portion of work required to be inspected is covered prior to an inspection being undertaken;
  - c) Construction is not ready for an inspection or not in compliance with the Building Code;
  - d) No one is present for a booked inspection;
  - e) A Building is occupied before a notice to inspect is received; or
  - f) An inspection is requested to confirm that outstanding items have been completed or corrected.

13.10 An occupancy inspection will not be performed unless all outstanding additional fees per Subsection 13.9 of this By-law have been paid.

#### **Additional Fee where the Construction Commenced without a Permit**

13.11 Any person or corporation that commences construction, demolition, change of use of a Building before obtaining a Permit shall, in addition to any other penalty under the Act, Building Code or this By-law, pay an additional fee to offset the additional administrative and enforcement costs incurred by the Town, the Permit Fee prescribed in Scheduled "B" to this By-law.

13.12 An administration fee shall apply, in accordance with Schedule "B" for costs associated with registering on title and discharging of an order to comply. The fees shall be payable prior to discharging the order.

#### **Fee Refunds**

13.13 In the case of cancelled or dormant Applications for a Permit the Chief Building Official shall, upon written request of the Owner or Applicant, determine the amount of paid Permit fees that may be refunded to the payee in accordance with Schedule "B" to this By-law.

13.14 No refund shall be applicable where an Application has been cancelled or remained dormant more than one (1) year after the permit application date.

13.15 No refund shall be made where the amount is equal to or less than the minimum Permit Fee prescribed in Scheduled "B" to this By-law.

13.16 Subject to clauses above, the Chief Building Official shall determine the appropriate amount of fees refundable, and that determination shall be final.

13.17 Any amount authorized by the Chief Building Official to be refunded shall be paid to the initial payee, unless the payee directs in writing that it be refunded to another person.

#### **PART 14 - REGISTERED CODE AGENCIES**

14.1 Subject to the provisions of the Act and the Building Code, the Town may enter into agreements with Registered Code Agencies authorizing an agency to perform the functions specified in the agreement with respect to the construction of any Building or class of Building specified in the agreement. The Chief Building Official is authorized to appoint the agency to perform specified functions from time to time in respect of the construction of a Building or class of Buildings.

14.2 Where the Town has entered into an agreement with a Registered Code Agency, the Chief Building Official is authorized to appoint the Registered Code Agency to perform specified functions in respect of the construction of a Building or a class of Buildings from time to time in order to maintain the time periods for Permits prescribed in Division C, Subsection 1.3.1. of the Building Code.

14.3 An appointment under Section 14 may include any one or more of the specified functions described in Section 15.15 of the Act.

#### **PART 15 - INSPECTION NOTICES**

15.1 In addition to the notices prescribed under Divisions C, Article 1.3.5.1. of the Building Code, where applicable the Permit Holder shall give notice of the following stages of construction:

- a) At commencement of construction of:
  - i. Masonry fireplaces and masonry chimneys;
  - ii. Factory-built fireplaces and allied chimneys;
  - iii. Stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys; or
  - iv. Radon gas rough-ins

- 15.2 A notice required to be given by a Permit Holder to the Chief Building Official or Registered Code Agency pursuant to Division C, Subsection 1.3.5. of the Building Code shall be given to the Chief Building Official or Registered Code Agency at least two days in advance of the construction stage of which notice is being given.
- 15.3 A notice given pursuant to Subsection 15.2 of this By-law is not deemed effective until acknowledged as received by the Chief Building Official, their designate or Registered Code Agency as the case may be.
- 15.4 When a Mandatory Sewage Systems maintenance inspection is required in accordance with Divisions C, Article 1.10.2.3. of the Building Code, the property Owner shall, within the given time
- a) Submit all documentation as deemed necessary for compliance with the requirements set out in Division C, Article 1.10.2.5. of the Building Code.
- 15.5 Where construction has started prior to the issuance of a Building Permit and where an Order to Comply (OTC) and/or a Stop Work Order (SWO) has been issued, the Owner shall, if ordered to do so by the Chief Building Official,
- a) Provide proof that the construction complies with this By-Law, the Building Code and any Applicable Law;
  - b) Carry out test and investigations by independent agencies, at the cost of the Owner, to determine if the construction complies with the Building Code;
  - c) Carry out test and investigations by independent agencies, at the cost of the Owner, to determine appropriate remedial measures to ensure construction complies with the Building Code;
  - d) Provide to the Chief Building Official, at the cost of the Owner, the result of any test and investigation ordered by the Chief Building Official, or
  - e) Provide documentation to the satisfaction of the Chief Building Official to establish that all remedial measures to ensure the construction complies with Building Code have been completed.

#### **PART 16 - FENCES AT CONSTRUCTION AND DEMOLITION SITES**

- 16.1 Where in the opinion of the Chief Building Official, a construction or demolition site presents a hazard to the public, the Chief Building Official may under Sentences 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.
- 16.2 Construction fencing shall;
- a) Create a continuous barrier to deter unauthorized entry;
  - b) Have a height of not less than 1.2 metres above grade;
  - c) Be maintained in a vertical plane in good repair; and
  - d) Have all openings closed when the site is unattended.
- 16.3 In considering the necessity for fencing the hazard presented by the construction or demolition site, the Chief Building Official shall have regard for,
- a) The proximity of the construction or demolition site to other occupied Buildings;
  - b) The proximity of the construction or demolition site to lands accessible to the public, including but not limited to streets, pools, commercial and institutional activities;
  - c) The hazards presented by the construction or demolition activities and materials;
  - d) The feasibility and effectiveness of site fencing; and
  - e) The duration of the hazard.

## **PART 17 - OFFENCES AND PENALTIES**

- 17.1 Any person or corporation who contravenes any provision of this By-law is guilty of an offence and is liable upon conviction to a penalty as set out in the Act, for example as per Section 36 of the Act.

## **PART 18 - SEVERABILITY**

- 18.1 Should any provision of this By-law be declared by a court of competent jurisdiction to be invalid it shall not affect the validity of this By-law as a whole or any other part thereof, other than the provision declared to be invalid.

## **PART 19 - CODE OF CONDUCT FOR BUILDING OFFICIALS**

- 19.1 Subsection 7.1(1) of the Act requires the Town to establish and enforce a Code of Conduct for the Chief Building Official and Inspectors. All building officials under the employ of the Town shall abide by the Code of Conduct set out in Schedule "C" to this By-law, with respect to exercising powers and performing duties under the Act.

## **PART 20 – ADMINISTRATION**

- 20.1 This By-law shall be enforced by the Chief Building Official.
- 20.2 Where the Council for The Corporation of the Town of Caledon has authorized the municipality to enter into an agreement with another municipality providing for
- a) the review for compliance with the Building Code of plans and specifications for construction of a Building
  - b) the expedited review for compliance with Building Code of plans and specifications for the construction of substantially similar Buildings
  - c) the allocation of responsibility for reviews for compliance with Building Code plans and specifications for construction of Buildings
  - d) the resolution of disagreements about whether plans and specifications comply with the Building Code, and
  - e) indemnification.
- 20.3 The Chief Building Official is hereby authorized to make such decisions under the agreement as may be necessary for its implementation.

## **PART 21 – MISCELLANEOUS**

- 21.1 All Schedules to this By-law form part of this By-law.
- 21.2 A reference to the singular or the masculine shall be deemed to refer to the plural or feminine as the context may require.

## **PART 22 - INTERPRETATION AND IMPLEMENTATION**

- 22.1 This By-law comes into effect on the day of its passing, and will repeal and replace By-law 2011-156.
- 22.2 Schedules "A", "B", and "C" as attached shall form part of this By-law.

**Enacted by the Town of Caledon Council this 25<sup>th</sup> day of November, 2025.**

"Annette Groves"

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Annette Groves, Mayor

"Kevin Klingenberg"

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Kevin Klingenberg, Municipal Clerk

**SCHEDULE “A” to By-law No. 2025-117**

**Part 1**

**CLASSES OF PERMITS AND DOCUMENTS & DRAWINGS REQUIRED FOR  
PERMIT APPLICATIONS**

<b>Row</b>	<b>Class of Permit</b>	<b>Documents and Drawings Required</b>
1.	<b>All Permits</b>	<p>Documents</p> <ul style="list-style-type: none"> <li>• Building Permit Application Form (not required for Residential Pool Enclosure Permits)</li> <li>• Schedules or Commitment to General Review*</li> <li>• Applicable Law Declaration Form and Approvals*</li> <li>• Site Plan Approved drawings*</li> </ul>
2.	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• Detached houses</li> <li>• Semi Detached/</li> <li>• Multi-Unit Residential (low rise)</li> <li>• Town Houses</li> <li>• Alterations</li> <li>• Additions</li> <li>• Accessory Buildings</li> <li>• Change of Use</li> </ul>	<p>Documents</p> <ul style="list-style-type: none"> <li>• TARION Registration Form</li> <li>• Energy Efficiency Design Summary Form</li> <li>• Plumbing Data Sheet</li> <li>• Mechanical Ventilation Design Summary Form</li> <li>• Personal Use Declaration Form*</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Site Plan</li> <li>• Current Property Survey</li> <li>• Municipally approved Lot Grading Plan and/or site alteration permit</li> <li>• Architectural Drawings</li> <li>• Structural Drawings</li> <li>• Roof truss/Pre-Engineered floor system shop drawings</li> <li>• HVAC Drawings and Calculations</li> <li>• Septic Drawings and Data*</li> </ul>
3.	<p><b>Non-residential</b></p> <ul style="list-style-type: none"> <li>▪ Alterations</li> <li>▪ Renovations</li> <li>▪ Tenant Improvements</li> <li>▪ Change of Use</li> </ul>	<p>Documents</p> <ul style="list-style-type: none"> <li>• Confirmation of compliance with Applicable Law</li> <li>• Ontario Building Code Data Matrix</li> <li>• Land and Building Use Declaration Form</li> <li>• Supplementary Standard Form (SB-10 Compliance)</li> <li>• Flow Control Roof Drainage Declaration Form</li> <li>• Mag Lock Declaration Form*</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Site Plan</li> <li>• Current Property Survey</li> <li>• Municipally approved Lot Grading Plan and/or site alteration permit</li> <li>• Site Servicing Drawings</li> <li>• Architectural Drawings</li> <li>• Structural Drawings</li> <li>• HVAC Drawings and Calculations</li> <li>• Plumbing Drawings</li> <li>• Electrical Drawings</li> <li>• Fire Protection Drawings and Calculations</li> <li>• Assessment of the existing sewage system*</li> </ul>

4.	<b>Agricultural</b> <ul style="list-style-type: none"> <li>▪ New Buildings</li> <li>▪ Alterations</li> <li>▪ Renovations</li> <li>▪ Change of Use</li> </ul>	Documents <ul style="list-style-type: none"> <li>• Land and Farm Building Use Declaration Form</li> <li>• Drawings &amp; other technical design information</li> <li>• Site Plan</li> <li>• Current Property Survey</li> <li>• Municipally approved Lot Grading Plan and/or site alteration permit</li> <li>• Architectural Drawings</li> <li>• Structural Drawings</li> <li>• Roof truss/Pre-Engineered floor system shop drawings</li> <li>• HVAC Drawings and Calculations</li> <li>• Septic Drawings and Data*</li> </ul>
5.	<b>Demolition Permit</b>	Documents <ul style="list-style-type: none"> <li>• Demolition Property Status Form</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Site Plan</li> <li>• Current Property Survey</li> <li>• Structural P. Eng.'s assessment report and plans*</li> </ul>
6.	<b>Partial/Phased Permits</b> <ul style="list-style-type: none"> <li>▪ Industrial, Commercial, Institutional Buildings only</li> </ul>	Documents <ul style="list-style-type: none"> <li>• As Above for Non-Residential Permits</li> <li>• Land and Building Use Declaration Form</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Drawings pertinent to the type of conditional permit being requested</li> <li>• Separate full building permit</li> </ul>
7.	<b>Conditional Permits</b> <ul style="list-style-type: none"> <li>▪ Industrial, Commercial, Institutional Buildings only</li> </ul>	Documents <ul style="list-style-type: none"> <li>• Request for Conditional Permit Form</li> <li>• Executed Conditional Permit Agreement (prior to issuance)</li> <li>• Substantial Completion Memo from Development Planning</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Drawings pertinent to the type of conditional permit being requested</li> <li>• Separate full building permit submission</li> </ul>
8.	<b>Sewage Systems</b>	Documents <ul style="list-style-type: none"> <li>• Soil and Water Table Information Sheet</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Site Plan</li> <li>• Municipally approved Lot Grading Plan and/or site alteration permit*</li> <li>• Current Property Survey</li> <li>• Septic Design and Calculations</li> <li>• Structural P. Eng.'s assessment report and plans*</li> </ul>
9.	<b>Plumbing Only</b>	Documents <ul style="list-style-type: none"> <li>• Plumbing Data Form</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Site Plan</li> <li>• Current Property Survey</li> <li>• Plumbing Design and Calculations</li> <li>• Structural P. Eng.'s assessment report and plans*</li> </ul>

10.	<b>Mechanical Only</b>	Documents <ul style="list-style-type: none"> <li>• Mechanical Ventilation Design Summary*</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Site Plan</li> <li>• Current Property Survey</li> <li>• Mechanical Design and Calculations</li> <li>• Structural P. Eng.'s assessment report and plans*</li> </ul>
11.	<b>Temporary Structure Permits</b> <ul style="list-style-type: none"> <li>▪ Tents, Stages, Bleachers</li> </ul>	Documents <ul style="list-style-type: none"> <li>• Confirmation of compliance with Applicable Law</li> <li>• Ontario Building Code Data Matrix</li> <li>• Document confirming flame spread rating of tent material</li> <li>• Drawings &amp; other Technical Design Information</li> <li>• Site Plan</li> <li>• Shop Drawings</li> </ul>

Documents and/or drawings marked with an asterisk (\*) represents “where applicable” and may not be required based on Building type, servicing or other applicable legislation.

The Chief Building Official may waive the requirements for any specified documents or drawings where the scope of the work, Applicable Law or Building Code requirements does not necessitate its submission.

Notwithstanding the above, if required for the scope of work proposed, the Chief Building Official may require additional drawings or specifications to be submitted.

**SCHEDULE “A” to By-law No. 2025-117**

**Part 2**

**INFORMATION REQUIRED ON DRAWINGS**

<b>Item</b>	<b>Drawing Type</b>	<b>Information required</b>
<b>1.</b>	<b>Site Plan</b>	Legal description, survey property lines, property dimensions, compass orientation, location and names of adjacent road
		Outline of all existing and proposed Buildings and structures, Building dimensions and their distance to property lines
		Dimensions and location of parking vehicle access and fire routes
		Dimensions and location of barrier-free parking, curb cuts, path of travel to a Building and Building access
<b>2.</b>	<b>Grading Plan</b>	Signature and seal of Professional Engineer, landscape Architect or Ontario land surveyor
		Municipal Approval Stamp
		Property lines, easements sidewalks, driveways, building location, curb cuts, retaining walls
		Existing and proposed elevations within the site and at property lines (including adjacent lands), retaining wall elevation, slopes and driveways, drainage flow and swales
		Location of catch basins, above and below ground utilities, and connections to services
<b>3.</b>	<b>Architectural</b>	Existing plans showing construction and room and space identification of all floors in the area of proposed work or occupancy
		Plans of all floors including basements complete with all rooms and room names
		Roof plan showing roof slope, drainage, roof and roofing construction details
		Building elevations showing grade, floor and ceiling heights, overall Building height, exterior finish materials, window heights and sizes and spatial separation
		Residential construction details including proposed wall section from footing to roof, specifications of all wall, floor and roof assemblies and all building materials and construction specifications
		Stairs, guards and handrail dimensions and details, window sizes and height above floor level; location and fuel type of all fireplaces.
		Mezzanine plan showing construction, guardrails, egress

		<p>Location and details of barrier free entrances and barrier free washrooms</p> <p>Reflected ceiling plans, bulkhead details, horizontal service shaft details</p> <p>Roof equipment screening, anchorage for window washing, roof access</p> <p>Building cross sections showing grade, floor and ceiling heights, horizontal and vertical fire separations</p> <p>Enlarged sections and detail plans of washrooms and exit stairs</p> <p>Wall sections, plan and section construction details</p> <p>Exit stair enclosure, wall construction details, fire separations and listed design numbers, door numbers</p> <p>Door and hardware schedule, door and frame details, window schedule, room finish schedule</p> <p>Foundation plans, floor and roof framing plans, footing, column and beam schedules, structural details and material specifications</p>
4.	<b>Structural</b>	<p>Design specifications, live and dead loading, wind and snow loading, earthquake loading, geotechnical report design basis</p> <p>Structural drawings sealed by a Professional Engineer for all structural elements not within the scope of part 9 of the Building Code</p> <p>Roof and floor truss drawings sealed by a Professional Engineer</p>
5.	<b>HVAC</b>	<p>Heating, ventilating and air conditioning plans, service shafts, equipment layout and schedules</p> <p>Fire damper locations, kitchen exhaust equipment</p>
6.	<b>Plumbing &amp; Site Servicing</b>	<p>Plumbing and drainage plans; location and sizing of under and above ground storm, sanitary and water supply piping and appurtenances</p> <p>Location of fire stopping; specifications of plumbing and fire-stopping materials</p>
7.	<b>Electrical</b>	<p>Electrical supply and distribution plans; location of power and lighting outlets; equipment schedules; transformer locations</p> <p>Location and specification of emergency lighting, emergency generators and exit signage</p>
8.	<b>Fire Protection</b>	<p>Fire hydrant locations, sprinkler and standpipe distribution plans and schedules; sprinkler head layout; fire hose cabinet locations</p>

## **SCHEDULE “B” to By-law No. 2025-117**

A detailed list of the fees and rates related to the administration and enforcement of the Building Code Act and Regulations (including building, demolition and change of use Permit fees, other applicable fees, rates and refunds) as well as the explanatory Notes are included in the Town of Caledon Fees By-law, as amended.

**SCHEDULE “C” to By-law No. 2025-117  
CODE OF CONDUCT**

**BUILDING  
SERVICES**



October 2025

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**CODE OF CONDUCT**

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**1. PURPOSE**

Section 7.1(1) of the *Building Code Act, 1992, S.O. 1992, c. 23* requires that a principal authority establish and enforce a Code of Conduct for the Chief Building Official and inspectors. Therefore, the Town of Caledon, as the principal authority, establishes this Code of Conduct for its Building Officials.

The purpose of this Code of Conduct is to promote appropriate standards of behaviour, enforcement actions, honesty, and integrity among Building Officials, and to prevent practices which may constitute an abuse of power including unethical or illegal practices by Building Officials in the exercise of their power or the performance of their duties under the Building Code Act, Ontario Building Code, and/or other applicable laws.

**2. PRINCIPLES OF CONDUCT**

The Building Officials Code of Conduct, in addition to the policies and standards established by the Town of Caledon relating to employee conduct, shall apply to the Chief Building Official and Inspectors, (hereinafter referred to as Building Officials), performing duties in accordance with the Building Code Act.

The Town of Caledon Building Officials shall:

- Always act in the public interest, particularly with regard to the health and safety of buildings and structures;
- Apply all relevant building laws, codes and standards in an impartial, consistent, fair and professional manner, independent of any external influence and without regard to any personal interests;
- Abide with the provisions of the Building Code Act, the Ontario Building Code and other Acts, Laws or By-laws which regulate or govern Building Officials or their functions;
- Maintain required legislated qualifications, discharging all duties in accordance with recognized areas of competency;
- Extend professional courtesy to all;
- Apply the highest standard of honesty and integrity in the exercise of a power or performance of a duty under the Building Code Act or regulation thereof;

- Not accept any gift or favour which may appear to influence the decision of the Building Official and never use his/her public office to exact personal gain or favour, nor to offer same in execution of their duties;
- Refrain from engaging in any activity that may be considered a conflict of interest that could improperly influence decisions or actions in the execution of their duties.

### **3. GUIDELINE FOR RESPONDING TO COMPLAINTS OF BREACHES OF THE CODE OF CONDUCT**

If a person believes that a breach of this Code of Conduct has taken place, they may report the matter. Complaints must be made in writing to the Commissioner of Planning and Development and Chief Planner. The complaint letter must contain a clear and concise statement including pertinent information outlining the alleged breach of the Code and must be signed by the complainant. Promptness in lodging the complaint is important to protect the public rights and the rights of the person complained against and should be made within five (5) days of the incident. Complaints should be filed by an individual with personal knowledge.

In response to an allegation of a breach of this Code by a Building Official, the Commissioner of Planning & Development and Chief Planner, in consultation with the People Services Division will review the complaint and an investigation will be executed if warranted. Violations of this Code of Conduct may result in disciplinary action up to and including termination of employment. Such disciplinary action would be the responsibility of the Town of Caledon and would be applied in conjunction with relevant laws, and the Town of Caledon' policies.