

Authority: Item 10, Planning Committee
Report 15-019 (PED15191
CM: December 9, 2015

Bill No. 277

CITY OF HAMILTON

BY LAW NO. 15-

To Amend By-law No. 15-058

A By-law Respecting Building Permits and Related Matters

WHEREAS Council of the City of Hamilton desires to amend By-law No. 15-058, the Building By-law, to change Building Permit Fees;

WHEREAS public notice has been given and a public meeting held as required for this By-law, in addition to other public consultation;

AND WHEREAS section 7 of the *Building Code Act, 1992* authorizes Council of the City of Hamilton to pass by-laws concerning the issuance of permits and related matters;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The title of Section 10 of By-law 15-058 is deleted and replaced with the following title:

10. REGISTERED CODE AGENCIES AND LIMITING DISTANCE AGREEMENTS

2. Section 10 of By-law 15-058 is further amended by adding the following new subsection:

10.2 The Chief Building Official is authorized to enter into and sign limiting distance agreements under the Building Code when the following conditions are met:

- (a) no land that is owned by the City is affected by the agreement; and
- (b) the agreement does not impose any obligations on the City.

3. Schedule "A" of By-law No. 15-058 is deleted and replaced with Schedule "A" attached to and forming part of this By-law.

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 2 of 10)

4. Sections 1 and 2 come into force on the day this By-law is passed.
5. Section 3 comes into force on January 1, 2016.

PASSED this 9th day of December, 2015

Fred Eisenberger
Mayor

J. Pilon
Acting City Clerk

SCHEDULE “A” TO BUILDING BY-LAW NO. 15-058

RESPECTING CLASSES OF PERMITS AND PERMIT FEES

CALCULATION OF PERMIT FEES

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

$$\text{Permit Fee} = \text{SI} \times \text{A}$$

Where SI = Service Index for the applicable Classification under section 3 below of the work proposed, and A = floor area in m² of work involved.

PERMIT FEES

2. (a) Permit fees shall be rounded off to the nearest full dollar.
 (b) Where the permit fee is in excess of \$50,000.00 an applicant may elect to pay 50% of the full permit fee at the time of building permit application and the balance at the time of permit issuance.

CLASSES OF PERMITS AND FEES

3. Permit fees shall be calculated using the following table:

TABLE 1 – CLASSES OF PERMITS AND FEES

Minimum Permit Fee	
Minimum permit fee for processing and issuance of permits, except where specifically noted otherwise in this By-law	\$228
Group A (Assembly Occupancies)	Service Index (SI) \$/m ² unless otherwise indicated
All Recreation Facilities, Elementary Schools, Daycare Facilities, Libraries, Places of Worship, Restaurants, Theatres, Arenas, Gymnasiums, Indoor Pools, Secondary Schools and all other Group A Buildings	\$21.32
Portable Classrooms/Classroom Unit	\$340 (flat fee)
Shell Only	\$18.50
Finishing only	\$4.83
Non-Residential – Outdoor Patio	\$171 (flat fee)

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 4 of 10)

Group B (Institutional Occupancies)	Service Index (SI) \$/m ² unless otherwise indicated
Institutional, Hospitals, Medical Care Facilities, Nursing Homes, and other Group B Buildings	\$25.47
Group C (Residential Occupancies)	Service Index (SI) \$/m ² unless otherwise indicated
Single Family Dwelling, semi, duplex, row house, townhouse	\$14.35
Apartment buildings	\$14.35
Hotels, Motels	\$18.97
Group D (Business and Personal Services)	Service Index (SI) \$/m ² unless otherwise indicated
Office Buildings (up to 10 storeys) (Shell only)	\$14.32
Office Buildings (up to 10 storeys) (Finishing only)	\$4.58
Office Buildings (up to 10 storeys) (Finished)	\$18.89
Office Buildings (more than 10 storeys) (Shell only)	\$17.32
Office Buildings (more than 10 storeys) (Finishing only)	\$4.86
Office Buildings (more than 10 storeys) (Finished)	\$22.17
Group E (Mercantile)	Service Index (SI) \$/m ² unless otherwise indicated
Retail (Shell only)	\$11.75
Retail (Finishing only)	\$3.97
Retail (Finished)	\$15.72
Group F (Industrial)	Service Index (SI) \$/m ² unless otherwise indicated
Industrial (up to 4,650 m ²)	\$11.03
Industrial (greater than 4,650 m ²)	\$7.75
Parking Garages	\$6.50
Gas Stations	\$11.85

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 5 of 10)

Foundation and Conditional Permits (in addition to the regular permit fee)	Flat Fee
Residential under Part 9 of Division B of the Building Code	\$354
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (up to 1200 m ²)	\$881
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (greater than 1200 m ²)	\$2,645
Designated Structures	Flat Fee
Communication Tower	\$409
Crane Runway	\$409
Exterior Storage Tanks – Above and below ground (except for fire fighting water reservoirs)	\$409
Pedestrian Bridge/Walkway	\$409
Retaining Wall	\$409
Satellite Dish (face area equal to or greater than 5 m ²)	\$409
Silos	\$409
Outdoor Public Spa	\$839
Outdoor Public Swimming Pool	\$1,661
Fire Protection Systems (stand alone – excludes relocation of components for existing system)	Service Index (SI) \$/m ² unless otherwise indicated
Electromagnetic Locks	\$194 each (maximum \$580)
Fire Alarm System	\$340 (flat fee)
Sprinkler System	\$0.57
Standpipe System	\$340 (flat fee)
Combined Sprinkler and Standpipe System	\$0.57 (minimum \$340)

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 6 of 10)

Mechanical Systems (stand alone)	Flat Fee
Commercial Cooking Exhaust System	\$340
Demolition (complete or partial building – not issued under Demolition Control By-law)	Service Index (SI) \$/m ² unless otherwise indicated
Residential – single/two family dwelling and townhouses	\$0.43
Accessory structures to a residential use	\$0.43 (\$146 minimum)
Non-residential and multi residential	\$0.43 (\$364 minimum)
Plumbing Devices (stand alone)	Flat Fee
Backflow Preventer	
For first premise or zone device	\$228
For each additional premise or zone device	\$146
Backwater Valve	\$228
Grease/Oil Interceptor	\$228
Renewable (Green) Energy Systems	Flat Fee
Geothermal System for a Single/Two Family Dwelling	\$409
Geothermal System for all other Buildings	\$549
Solar Collector for a Single/Two Family Dwelling	\$228
Solar Collector for all other Buildings	\$409
Wind Turbine	\$409
Sewage Systems	Flat Fee
To construct a sewage system pursuant to the provisions of the Act	\$791
To construct a Class 5 sewage systems or to repair a sewage system pursuant to the provisions of the Act	\$484

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 7 of 10)

Signs	Flat Fee
Ground Sign with a sign area of less than or equal to 2.5 m ²	\$204
Ground Sign with a sign area of greater than 2.5 m ² and up to 4.0 m ²	\$359
Ground Sign with a sign area greater than 4.0 m ²	\$718
Awning, Canopy, Marquee, Parapet, Projecting and Wall Signs	\$359
Billboard	\$718
Water and Sewer Permits	Flat Fee
New water service	\$146
New sewer service	\$146
Other Classifications (not previously listed)	Service Index (SI) \$/m ² unless otherwise indicated
Accessory structures, garage, storage shed, new basement, cold cellar, unenclosed canopies, air supported structures	\$5.15
Farm Buildings	\$2.62
Greenhouses	\$1.58 (Maximum \$5,185)
Tents	\$1.71 (Maximum \$364)
Residential greenhouses, deck, balcony, open porch, exterior stair, ramp, open carport	\$4.19
Temporary buildings, alterations/partitioning/renovations to existing finished areas (where no building systems are being installed or altered), relocation/moving permits, finishing a basement in a single family dwelling	\$3.18
Exterior barrier free access in existing single and two family dwellings	\$0.00
Re-roofing without any structural changes (except for buildings containing less than 4 dwelling units or townhouses)	\$0.26

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 8 of 10)

Administrative Fees	Flat Fee
<p>Additional Plan Review (Resubmission) Where a non-compliant resubmission is submitted above and beyond the first resubmission</p>	\$146 (per hour of review time)
<p>Additional Permit Fee (Revision) Where an applicant makes a material change to a plan, specification, document, or other information, following the issuance of a building permit (includes first hour of review time)</p>	\$146
<p>For each additional hour, or part thereof, of review time</p>	\$146
<p>Alternative Solution Application for an Alternative Solution under Section 2.1, of Division C, of the Building Code (up to 4 hours review time)</p>	\$517
<p>For each additional hour, or part thereof, of review time</p>	\$146
<p>Applicable Law Review Review and consultation for Applicable Law requirements</p>	\$223
<p>Building Code Compliance Letters Written requests for information concerning a building's compliance with the current Building Code</p>	\$146 (per hour of review time)
<p>Change of Use Permit Change of use Permit with no construction</p>	\$297
<p>Limiting Distance Agreements For Review and approval of Limiting Distance Agreements under Sentence 3.2.3.1.(8), 9.10.14.2.(4) or 9.10.15.2.(4), of Division B, of the Building Code</p>	\$517
<p>Occupancy Permit of an Unfinished Building Occupancy inspection prior to completion as per Subsection 1.3.3 of Division C of the Building Code</p>	\$146 (per unit)
<p>Permit or Application Extensions Extension of a building permit or permit application where no revisions are required</p>	\$146
<p>Pre-Consultation Building Code preliminary design consultation/review for proposed designs prior to a complete permit application being submitted</p>	\$146 (per hour of review time)

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 9 of 10)

Administrative Fees (continued)	Flat Fee
<p>Premature/Additional Inspections Where an inspection request is premature and the inspector must re-attend the site to complete the necessary inspection, or an additional inspection is requested or required</p>	<p>\$194 (per inspection)</p>
<p>Stock Plans Review of stock plans for new single family dwellings in a Plan of Subdivision prior to a complete permit application being submitted</p>	<p>\$370</p>
<p>Suspended Permit Where an inspection is requested for a Permit that has been suspended</p>	<p>\$194 (per inspection)</p>
<p>Transfer of Permit Where ownership changes on a property and there are no other changes to the project or the professional services required.</p>	<p>\$146</p>

4. Where no new floor area is created, or where materials, systems or equipment regulated by the Building Code render it impossible to determine the permit fee on the basis of the classifications noted in this Schedule, the permit fee payable shall be 1% of the prescribed value as determined by the Chief Building Official under subsection 6.1 of this By-law, subject to a minimum fee as per section 3 of this Schedule.

5. The total fees under this Schedule and Schedule "C" shall be paid prior to the issuance of a permit.

6. **INTERPRETATION**

In addition to referring to the Act and the Building Code in determining the fees under this By-law, the Chief Building Official may have regard to the following explanatory notes as may be needed in the calculation of permit fees:

- (a) Floor area of the proposed work is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls (but excluding residential garages);
- (b) In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work (e.g. tenant space);

To Amend By-law No. 15-058
A By-law respecting Building Permits and Related Matters

(Page 10 of 10)

- (c) Mechanical penthouses and floors, mezzanines, lofts, habitable attics and interior balconies are to be included in all floor area calculations;
- (d) Except for interconnected floor spaces, no deduction is made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, and similar openings);
- (e) Unfinished basements for single family dwellings, semis, duplexes and townhouses are not included in the floor area;
- (f) Attached garages and fireplaces are included in the permit fee for individual dwelling units;
- (g) Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable;
- (h) Corridors, lobbies, washrooms, lounges, and similar areas are to be included and classified according to the major classification for the floor area on which they are located;
- (i) The occupancy categories in the Schedule correspond with the major occupancy classifications in the Building Code. For mixed occupancy floor areas, the Service Index for each of the applicable occupancy categories shall be used and the floor area associated with the major occupancy;
- (j) For Rack Storage use apply the square footage charge for industrial for the building;
- (k) A temporary building is considered to be a building that will be erected for not more than one year; and
- (l) Where a change of use permit is subject to a fee based on floor area, "floor area" shall mean the total floor space of all storeys subject to the change of use.