Corporation Of The
Township Of Havelock-Belmont-Methuen

By-law Number 2026 - 062

Being a By-law to Provide for the Administration and Enforcement of the Building Code Act, 1992, within the Township of Havelock-Belmont-Methuen (Building By-law).

WHEREAS Section 7 of the Building Code Act, 1992 authorizes a Municipal Council to pass by-laws concerning the issuance of permits and related matters.

WHEREAS pursuant to Section 425 of the Municipal Act, S.O. 2001, c.25, as amended provided that any person who contravenes any By-law of a municipality passed under the authority of the Municipal Act is guilty of an offence;

NOW THEREFORE, the Council of the Township of Havelock-Belmont-Methuen enacts as follows:

1. **Citation**

   This By-law may be cited as the Building By-law.

2. **Definitions and Work Usage**

   In this By-Law:

   (a) "**Act**" means the Building Code Act, 1992, as amended

   (b) **"Alternative Solution**" means a substitute for an acceptable solution, proposed by an applicant pursuant to the Ontario Building Code;

   (c) **"Applicable Law"** means applicable law as identified by the Ontario Building Code

   (d) "**Applicant"** means the owner of a building or property who applies for a permit or any 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 demolition of a building or buildings and anyone acting under the authority of such person or Corporation.

   (e) "**As Constructed Plans**" means as constructed plans as defined in the Ontario Building Code;

   (f) "**Architect**" means a holder of a licence, a certificate of practice, or a temporary licence under the *Architect's Act* as defined in the Building Code

(g) **"Authorized Agent"** means a person who has been authorized in writing to act on the owner's behalf for matters relating to an application for permit

(h) **"Builder"** a person or persons that cause a building to be erected or demolished

(i) "**Building**" means a building as defined in Subsection 1(1) of the Act

(j) "**Building Code**" means the regulation made under Section 34 of the Act.

(k) "**Chief Building Official**" means the Chief Building Official appointed by the By-law of the Corporation of the Township of Havelock Belmont Methuen for the purpose of enforcement of the act of the Act.

(l) "**Construct**" means construct as defined in Subsection 1(1) of the Act;

(m) **"Construction Value"** means the total cost of a project to the owner, at current fair market value, for all construction materials and labour for the project, whether it is completed by the owner or others

(n) **"Corporation"** means the Corporation of the Township of Havelock Belmont Methuen

(o) "**Council**" means the Council of the Corporation of the Township of Havelock Belmont Methuen

(p) **"Courtesy Inspection"** an inspection that is requested and carried out at the discretion of the Chief Building Official

(q) **"Demolish"** demolish as defined in the Act

(r) **"Farm Building"** a farm building as defined in the Building Code

(s) "**Inspector**" means an inspector appointed by By-law by the Corporation of the Township of Havelock-Belmont-Methuen for the purposes of enforcement of the Act;

(t) **"Owner"** means the registered owner of the land and includes a lessee, mortgagee in possession, and the person in charge of the property.

(u) "**Permit**" means permission or authorization given in writing by the Chief Building Official to perform work regulated by the Act and Building Code, or to occupy a building or part thereof.

(v) "**Permit Holder**" means the person to whom the permit has been issued and who assumes the primary responsibility for complying with the Act and the Building Code.

(w) **"Plumbing"** plumbing as defined in the Act

(x) "**Professional Engineer**" means a person who holds a licence or a temporary licence under the *Professional Engineer's Act*, R.S.O. 1990, c. P.28.

(y) "**Registered Code Agency"** means a person or an entity that has the qualifications and meets the requirements set out in the Act.

(z) "**Renewal of Permit**" means the fee administered when a building permit remains open and is 2 years past the date of issuance.

(z) **"Sewage System"** means a sewage system as defined in the Ontario Building Code;

(aa) **"Surveyors Real Property Report"** means a survey and report that locates a building or structure in relation to the boundaries of a unit of land.

(bb) **"Township"** The Corporation of the Township of Havelock-Belmont-Methuen

3. Terms not defined in this by-law shall have the meaning ascribed to them in the Act or the Building Code.

3. **Classes of Permits**

Classes of permits required for construction, demolition, building relocation, conditional permit, change of use, sewage systems and occupancy of buildings are set forth in Schedule "A" appended to and forming part of this by-law.

4. **Permits**

(1) To obtain a permit, an applicant shall file an application under Cloudpermit - an online system (https://ca.cloudpermit.com) to apply for and track your building permits and shall supply any other information relating to the application as required by the Chief Building Official.

(2) Every building permit application shall:

(a) identify and describe in detail the work, use and occupancy to be covered by the permit for which the application is made;

(b) identify and describe in detail the existing uses and the proposed uses(s) for which the premises are intended;

(c) describe the land on which the work is to be done, by a description that will readily identify and locate the

site on which the building or demolition is to occur;

(d) be accompanied by plans and specifications as described in the by-law;

(e) be accompanied by the required fees in accordance with Schedule "A".

(f) be accompanied by the required Development Charges as per the current Development Fees By-Laws;

(g) invite the parties to the application including the names, addresses and telephone numbers of the owner, applicant, architect, engineer or other designer, and the constructor or person hired to carry out the demolition, as the case may be;

(h) when Article 1.2.1.1 of Division C of the Ontario Building Code applies, be accompanied by a signed acknowledgement of the owner on a form prescribed by the Chief Building Official 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;

(i) When Article 1.2.1.1 of Division C of the Ontario Building Code applies, be accompanied by a signed statement of the architect or professional engineer, or both, on a form prescribed by the Chief Building Official, undertaking to provide general review of the construction or demolition of the building;

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

(k) state estimated construction valuation of the proposed work including material and labour; and

(l) be signed off by the applicant who shall certify as to the truth of the contents of the application.

(3) In addition to the requirements of subsection (2) above, every demolition permit application shall:

(a) when Article 1.2.2.3 of Division C of the Ontario Building Code applies, be accompanied by structural design characteristics of building and the method and time schedule of the demolition; and

(b) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services.

(4) In addition to the requirements of subsection (2) above, every construction permit application for part of a building shall:

(a) include an application for the entire project; and

(b) include plans and specifications covering the part of 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.

(5) In addition to the requirements of Subsection (2) above, every **conditional permit** application for the construction of a building shall be accompanied by:

(a) a written statement from the applicant explaining why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;

(b) written acknowledgement from the applicant of the necessary approvals which must be obtained in respect of the proposed construction and the time period in which such approvals shall be obtained;

(c) A written agreement, executed by the applicant, the owner, and any other necessary persons the Chief Building Official determines for the purposes set out in clause 8(3)(c) of the Act; and

(6) In addition to the applicable requirements of Subsection (2) above, every **change of use permit** application shall:

(a) describe the building or part thereof in which the occupancy is to be changed; and

(b) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the

Building Code including, floor plans, details of wall, floor, and roof assemblies identifying required fire resistance rating and load bearing capacities.

(7) In addition to the applicable requirements of Subsection (2) above, every application for a permit to construct an **on-site sanitary sewage system** under Subsection 8(1) of the Act shall:

(a) using the form, "Application for a Permit to Construct or Demolish" as prescribed by the Act, provide all information pertaining to the construction including Schedule 1 and 2 as required by the form;

(b) be accompanied by the complete plans, specifications, documents,

and other information as required by Division C, Article 1.3.5.4. of the Ontario Building Code and as prescribed in Section 4.00 and Schedule C to this By-law, for the work to be covered by the permit;

(c) be accompanied by the completed form as prescribed in Schedule A to this By-law where Division C, Subsection 1.2.2. of the Building Code applies;

(d) include a Site Evaluation Report, completed in conformance with the provisions of Division B, 8.2.1.2. of the Building Code; and

(e) be accompanied by any other information necessary to, or required in accordance with the Act, the Building Code, and applicable law, and;

(f) be accompanied by the required fees and deposits calculated in accordance with Schedule A; and

(g) an as constructed sketch completed by the installer/designer will be required at the time of final inspection.

(8) The Chief Building Official shall, where conditions in Subsection (4) above have been fulfilled, issue a permit for part of a building subject to Compliance with the Act, the Building Code, and any applicable law.

(9) The Chief Building Official may, where conditions in Subsection 8(3) to 8(5) of the Act and Subsection (5) above have been fulfilled, issue a conditional permit for a building subject to compliance with the Act, the Building Code, and any applicable law.

(10) The Chief Building Official shall not, by reason of the issuance of a Conditional permit or a Partial permit, be under any obligation to grant any further permits.

(11) Every request for authorization to occupy an unfinished building under Division C, Article 1.3.3.1., 1.3.3.2., and 1.3.3.4. of the Building Code shall:

(a) No person shall occupy, or permit to be occupied, any building which was constructed under building permit except in conformance with the Act, the Building Code, and the provisions of this By-law;

(b) Provide notice of intent to occupy an unfinished building to the Chief Building Official, prior to establishing occupancy of any portion, in part or whole of the building under permit, in accordance with Section 11 of the Act, and Division C, Subsection 1.3.3. of the Building Code;

(c) identify and describe in detail the occupancy, the date of such occupancy, and the building or part thereof for which the request for a permit is made;

(d) be accompanied by plans which show the areas of the proposed occupancy;

(e) Where General Review by an Architect, Engineer, or Both when applicable is required in conformance with Division C, Subsection 1.2.2. of the Building Code, all reports from the Architect, Engineer, or Both where applicable, stating their opinion to general conformity of the construction in accordance with the approved permit drawings and specifications as issued is to be provided to the Chief Building Official; and

(f) An Occupancy Permit may only be issued by the Chief Building Official, or designate of the Chief Building Official, as appointed under By-law of the Corporation.

(12) Should a permit holder wish to make a material change to any plan, specification, document, or other information on the basis of which the permit was issued, the permit holder shall file an application for a revision to the permit which describes the material changes and pay the fee set out in Schedule A.

(13) 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.

(14) Building without a permit is a contravention of both this municipal by-law and provincial statute and regulation. Any person or corporation who commences construction, demolition or changes the use of a building before submitting an application for a permit or receiving a permit, shall in addition to any other penalty under the Act, building code or this by-law pay an additional fee equal to 100% of the amount calculated as to the full permit fee for the entire project in order to compensate the corporation for the additional work incurred by such early start of work.

The additional fee in section 4(15) shall not relieve any person or other corporate entity from complying with the Building Code and other applicable law or from any penalty prescribed by the Building Code Act for commencing construction prior to obtaining a building permit.

Any person who commences construction, demolition or changes the use of a building or part thereof, prior to the issuance of a permit, or takes any action or inaction contrary to any permit having previously issued, which results in the issuance of an order or orders under the Building Code Act shall, in addition to any other penalty imposed under the Act or Building Code, pay the applicable non-refundable fee(s) as set out in Schedule A.

5. **Plans and Specifications**

(1) Every applicant shall furnish;

(a) sufficient plans, specifications, documents, and other information to enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act and Building Code; and

(b) a site plan referenced to a current plan of survey certified by a registered Ontario Land Surveyor and copy of such a survey shall be filed with the municipality unless this requirement is waived because the Chief Building Official is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code, and any other applicable law. Site Plan will include all information in Schedule B of this by-law.

(2) Plans submitted shall be legible and be drawn to an appropriate scale.

(3) The Chief Building Official shall determine the number of plans, specifications, documents, and other information required to be furnished with an application for permit having regard for the requirements of any Act, regulation, or by-law respecting the examination or circulation of the application.

(4) On completion of the construction of a building, the Chief Building Official may require a set of as constructed plans, including a plan of survey showing the locations of the building.

(5) Plans and specifications furnished according to this by-law or otherwise required by the Act become the property of the municipality and will be disposed of or retained in accordance with relevant legislation.

(6) Where the prescriptive requirements or acceptable solutions of Division B of the Building Code are not met, the Chief Building Official may approve an alternative solution as required by Division C, Subsection 2.1.1. of the Building Code. An alternative solution proposal may be requested for a system or building design at the time of permit application, or if a material change is necessary to a plan, specification, document, or other information on the basis of which a permit is issued. The applicant, with or without their approved representative, shall submit:

(a) a completed "Application for an Alternative Solution.

(b) a description of the applicable objectives, functional statements, and acceptable solutions;

(c) a description of the proposed material, system or building design for which authorization is sought;

(d) supporting documentation demonstrating that the proposed material, system or building design will provide the level of performance required by the Building Code; and

(e) the results of tests or evaluations as may be required to achieve compliance with Division C, Article 2.1.1.2. of the Building Code; and

(f) payment of the required fee as set out in Schedule A.

The Chief Building Official or registered code agency may accept or reject any proposed alternative solutions and may impose conditions or limitations on their use. Alternative solutions that are accepted under this section shall be applicable only to the location described in the application and are not transferable to any other permit.

6. <u>Fees</u>

(1) The Chief Building Official shall determine the required fees calculated in accordance with Schedule "A" for the work proposed and the applicant shall pay such fees. No permit shall be issued until the fees therefore have been paid in full.

(2) Subject to Subsection 7(1), there shall be no refund of permit fees where a permit has been revoked.

(3) Refund of building permit fees will be determined as follows:

(1) In the case of all or a portion of the work or of the non-commencement of any project, the Chief Building Official shall determine the amount of refund of permit fees, if any, that may be returned to the permit holder.

(2) The fees that may be refunded shall be a percentage of the fees payable as determined by Schedule A and as follows:

a) Ninety (90%) percent if administrative and zoning functions only have been performed;
b) Eighty (80%) percent if administrative, zoning and plan examination function have been performed;
c) Seventy-five (75%) percent if the permit has been issued and no field inspections have been performed subsequent to permit issuance;
d) Five (5%) percent shall additionally be deducted for each field inspection that was performed after the permit has been issued.

(3) No refund shall be made when the amount is calculated to be one hundred and fifty dollars ($150.00) or less.

(4) The fee for the transfer of permit is non-refundable.

(5) If a property owner who is charged a renewal fee, fails to pay the fee within thirty (30) days of the invoice date, the Municipality may add the fee, including interest, to the tax roll for any real property of the Municipality registered in the name of

the property owner and the Municipality may collect the fee, including interest, in the same manner as Municipal Taxes.

7. Permit Revocation, Deferral of Revocation and Transfer

(1) Revocation of Permit

Prior to revoking a permit under clauses 8(10) (b) and (c) of the Act, the Chief Building Official shall give written notice of intention to revoke to the permit holder at his last known address and 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 and all submitted plans and other information may be disposed of.

(2) Deferral of Revocation

(a) On receipt of a notice of intention to revoke a permit, a permit holder may request in writing within thirty (30) days from the date, thereof, the Chief Building Official to defer the revocation of such permit.

(b) 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.

(c) Having considered the circumstances of the request and having determined that there have been no changes to the Act and the Building Code and any other applicable law which would have prevented the issuance of the original permit, the Chief Building Official may allow a deferral to a prescribed date and shall notify the permit holder.

(d) A request for deferral of revocation is subject to a fee in accordance with Schedule "A".

(e) A refund will not be issued for revoked permits.

(3) Transfer of Permit

(a) Permits are transferable only upon the new owner completing a permit application to the requirements of Section 4.

(b) A fee, as prescribed in Schedule "A" shall be payable on a transfer of permit by the new owner who shall thenceforth be the permit holder for the purpose of the Act, and the Building Code.

8. Prescribed Notice and Inspections

(1) The person to whom a permit has been issued under Section 8 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, Section 1.3.5 of the Building Code.

(2) Notices shall be given as required by Division C, Section 1.3.5 of the Building Code.

9. Fencing

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 the hazard.

The height of every fence shall be a minimum of 4 feet (1.2 metres) and a maximum of 6 feet (1.8 metres), to be measured from the highest adjacent grade and, shall be of a description as determined by the Chief Building Official.

10. Code of Conduct

The Code of Conduct as required under Section 7.1 of the Act is under municipal Policy Number 60.

11. Severability

Should any section, subsection, clause, or provision of 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.

12. Penalty

(1) Every person who contravenes any provision of this By-law is guilty of an offence and liable:

a) on a first conviction to a fine of not more than $25,000, and

b) on any subsequent conviction, to a fine of not more than $50,000.

(2) Where the person convicted is a corporation, the maximum fines are $50,000 on a first offence and $100,000 for any subsequent conviction.

13. Part XII – Miscellaneous

(1) All Schedules to this By-law form part of this By-law.

(2) A reference to the singular or the masculine shall be deemed to refer to the plural or feminine as the context may require.

14. Repeal

By-Law Number 2024-069 as amended and all other building permit related fees and refunds, are hereby repealed in their entirety.

15. Effective Date

That this By-Law shall come into effect on October 6, 2026.

Read a first, second and third time and finally passed in open Council this 6th day of October, 2026.

Jim Martin, Mayor

Robert V. Anglone, Clerk

SCHEDULE "A"
TO BY-LAW 2026-062

Being a By-law to Provide for the Administration and Enforcement of the Building Code Act, 1992, within the Township of Havelock-Belmont-Methuen (Building By-law).

Building Permit Fees 2026

Type	2024 Fee
Residential, Seasonal Residential, Multi-Residential, Agriculture New, Additions, Covered Porch	$ 1.40 per sq. ft.
Residential, Seasonal Residential, Multi-Residential Tenant Fit-up (Renovation)	$ 0.38 per sq. ft.
Commercial, Industrial, Institutional New, Additions	$ 1.50 per sq. ft.
Commercial, Industrial, Institutional Tenant Fit-up (Renovation)	$ 0.38 per sq. ft
Accessory Buildings – All Classes i.e., garages, boathouses, utility sheds	$ 0.72 per sq. ft
Decks, Verandas - All Classes (no roof)	$ 0.81 per sq. ft
Plumbing Permit Only – All Classes $75.00 plus $7.50 per fixture	Minimum of $120.00
Change of Use-No Construction	$150.00
Demolition	$125.00
Transfer of Permit	$375.00
Deferral of Revocation of a permit	$100.00
Minimum Permit Fee	$150.00
Building Without a Permit	Permit fee + 100% of original fee
Projects not defined above	$150.00
Issuance of Order Under BCA Order Registration on Title under BCA Removal of Order under BCA Service of Order under BCA by registered mail	$150.00 $500.00 $500.00 $ 15.00

Occupancy Permit	**$150.00**
Sign Permit **Renewal Fee Permit – after 2 years**	**$ 75.00** **$200.00**
Courtesy Inspection	**$150.00**
Inspections on permits 10 years or older per inspection	**$150.00**
Fees per inspection deemed necessary by the Chief Building Official or for call-back inspections where the work was not complete/failed inspection (applicable to existing buildings or defective/deficient new/altered. **Farm structures** **Foundation**	**$150.00** **.40 per sq. ft** **.40 per sq. ft**
Administrative fee – Cloudpermit application submission on behalf of owner/applicant	**$100.00**
Revision to Plans – Minor **Revision to Plans – Major**	**$100.00** **0.05 per sq. ft – minimum $250.00**
Public Pool Permits	**$500.00**
Class 4 Sewage System, design capacity less than or equal to 4,500 litres per day	**$1,000.00**
Class 4 Sewage System, design capacity greater than 4,500 litres per day and less than 10,000 litres per day	**$1,450.00**
Class 4 Sewage System tank replacement only	**$400.00**
Class 5 Sewage System (Holding Tank)	**$1,000.00**
Class 3 Sewage System (Cesspool)	**$500.00**
Class 2 Sewage System (Greywater system)	**$500.00**
System permit for Filter Bed repair, replacement, or extension of 6 square meters or less; Trench bed repair, replacement or extension of 16 meters of less	**$500.00**
Mandatory Maintenance Inspections- Inspections of Sewage Systems (Source Water Protection Areas)	**$375.00**
Existing Sewage System Review or Change of Use	**$400.00**
Rezoning, minor variance or Official Plan Amendment comments requiring a site visit	**$250.00**
Severance or Subdivision Comments	**First lot $300.00** **Each additional lot, $150.00**

SCHEDULE "B"
TO BY-LAW 2026-062

Being a By-law to Provide for the Administration and Enforcement of the Building Code Act, 1992, within the Township of Havelock-Belmont-Methuen (Building By-law).

SITE PLAN REQUIREMENTS

The following shall be shown clearly on the site plan:

- Drawn to the appropriate scale
- Include all existing buildings and sizes
- Lot dimensions
- All four setbacks to building (proposed and existing)
- Septic locations (proposed and existing)
- Surface water drainage by arrows (not to flow to adjacent properties)
- Any retaining wall
- North arrow
- Street name and number
- Legal description of property
- Right-of-way width (fire road)
- Proposed and existing swales and ditches
- Foundation or sump drainage (to dry well or ditch)
- Proximity to above ground electrical wires

Commercial properties also need to include:

- Hours of operation
- Proposed signs and locations
- Proposed illumination and location

SCHEDULE "C"
TO BY-LAW 2026-062

Being a By-law to Provide for the Administration and Enforcement of the Building Code Act, 1992, within the Township of Havelock-Belmont-Methuen (Building By-law).

Existing Sewage System - Application Review

Class 2 and 3 3B: Site Evaluation Form

Class 4 and 5 3A: Site Evaluation Form