

The Corporation of the City of Guelph

By-law Number (2024) - 20940

A by-law to amend By-law Number (2015)-19985, as amended, being a by-law respecting Building, Demolition, Conditional, Change of Use and Occupancy Permits, Payment of Fees, Inspections, Appointment of Inspectors and a Code of Conduct.

Whereas subsection 7(1) of the Building Code Act, 1992, S.O. 1992, c. 23, as amended (the "Act"), authorizes Council to pass certain by-laws respecting building, demolition and change of use permits, and inspections;

And whereas the Council of the City has passed a Building By-law being By-law Number (2015)-19985, as amended, (the "Building By-law");

And whereas the council of the City wishes to amend that Building By-law;

The Council of the Corporation of the City of Guelph enacts as follows:

1. In section 4 (Administrative Procedures Relating to Permits), subsection 4.2 (a), second paragraph, strike the words "and fees paid".
2. In section 4 (Administrative Procedures Relating to Permits), subsection 4.2 (b) second paragraph only, is hereby repealed and replaced with:
"Where the Chief Building Official becomes aware that the ownership of land has changed after a Permit application has been submitted, or after a Permit has been issued, and where the voluntary transfer of the Permit in accordance with the provisions of section 4.2(a) has not occurred, the Chief Building Official at their discretion for the orderly administration of their duties, may initiate the transfer of the permit by:"
3. In section 5 (Requirements for Applications), subsection 5.3, second paragraph, strike the words "two complete sets of".
4. Section 7 (Refund of Permit Fees), is here repealed and replaced with:
"In the case of withdrawal, cancellation or abandonment of an application for a Permit or abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall, upon written request of the Owner of Applicant, determine the amount of paid Permit fees that may be refunded to the Owner of Applicant, if any, in accordance with Schedule "A" of this by-law."
5. In section 8 (As Constructed Plans), subsection 8.2, is hereby repealed and replaced with:
"Upon completion of Construction of the foundation for all residential developments of up to 10 units and all townhouse developments, a certificate from an Ontario Land Surveyor, Professional Engineer or Architect shall be submitted to the Chief Building Official confirming that the elevation of the foundation conforms to the Ontario Building Code and to the subdivision grading plan or lot grading plan approved by the City."
6. In Schedule "A", Building Permit fees effective January 1, 2024, January 1, 2025, January 1, 2026 and January 1, 2027 under the heading Refund of Permit fees item f. is hereby repealed and replaced with:

"f. No refund shall be made of an amount that is less than \$50"

7. In Schedule "A", Building Permit fees effective January 1, 2024, January 1, 2025, January 1, 2026 and January 1, 2027 under the heading Refund of Permit fees item g. is hereby repealed and replaced with:

"g. Where the permit has not been issued, no refund shall be made after two years following the date of Permit application"

8. In Schedule "A", Building Permit fees effective January 1, 2024, January 1, 2025, January 1, 2026 and January 1, 2027 under the heading Refund of Permit fees item h. is hereby added:

"h. Where the permit has been issued, no refund shall be made after one year following the date of Permit issuance"

9. Schedule "B" of By-law Number (2015)-19985, as amended, is hereby repealed in its entirety and replaced with the attached Schedule.

10. Schedule "C" of By-law Number (2015)-19985, as amended, is hereby repealed in its entirety and replaced with the attached Schedule.

11. This by-law shall come into force and take effect on the date it is passed.

Passed this twenty-fifth day of June, 2024.

Schedules:

Attachment 1: New Schedule "B" of By-law (2015)-19985, as amended

Attachment 2: New Schedule "C" of By-law (2015)-19985, as amended

Cam Guthrie, Mayor

Dylan McMahon, Acting City Clerk