

Authority: Item 9, Planning Committee
Report: 22-016 (PED22206)
CM: December 7, 2022
Ward: City Wide

Bill No. 272

CITY OF HAMILTON

BY LAW NO. 22-272

**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;

AND WHEREAS public notice has been given and a public meeting held as required for this By-law;

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. Schedule "A" of By-law No. 15-058 is deleted and replaced with Schedule "A" attached to and forming part of this By-law;
2. That in all other respects, By-law 15-058 is confirmed; and
3. This By-law comes into force on January 1, 2023.

PASSED this 7th day of December, 2022.

A. Horwath
Mayor

A. Holland
City Clerk

**SCHEDULE “A” TO BUILDING BY-LAW NO. 15-058
 RESPECTING CLASSES OF PERMITS AND FEES**

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.

2. (a) Permit fees shall be rounded off to the nearest full dollar.
- (b) Where the permit fee is in excess of \$50,000 an applicant may elect to pay 55% of the full permit fee at the time of building permit application and the balance at the time of permit issuance.
- (c) Fees noted in this Schedule are subject to Harmonized Sales Tax (H.S.T.) where applicable.

CLASSES OF PERMITS AND FEES

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

TABLE 1 – CLASSES OF PERMITS AND FEES

| Minimum Fee | |
|---|--|
| Minimum fee for processing and issuance of permits, except where specifically noted otherwise in this By-law | \$277 |
| 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 | \$25.90 |
| Portable Classrooms | \$414 per portable |
| Shell only | \$22.48 |
| Finishing only | \$5.88 |
| Non-Residential – Outdoor Patio | \$208 (flat fee) |

| | |
|---|--|
| Group B (Institutional Occupancies) | Service Index (SI) \$/m ² unless otherwise indicated |
| Institutional, Hospitals, Medical Care Facilities, Nursing Homes, and other Group B Buildings | \$30.95 |
| Shell only | \$24.77 |
| Finishing only | \$6.84 |
| Group C (Residential Occupancies) | Service Index (SI) \$/m ² unless otherwise indicated |
| Single Family Dwelling, semi, duplex, row house, townhouse | \$17.44 |
| Apartment buildings | \$17.44 |
| Hotels, Motels | \$23.06 |
| Group D (Business and Personal Services) | Service Index (SI) \$/m ² unless otherwise indicated |
| Office Buildings (up to 10 storeys) (Shell only) | \$17.41 |
| Office Buildings (up to 10 storeys) (Finishing only) | \$5.57 |
| Office Buildings (up to 10 storeys) (Finished) | \$22.98 |
| Office Buildings (more than 10 storeys) (Shell only) | \$21.05 |
| Office Buildings (more than 10 storeys) (Finishing only) | \$5.91 |
| Office Buildings (more than 10 storeys) (Finished) | \$26.96 |
| Group E (Mercantile) | Service Index (SI) \$/m ² unless otherwise indicated |
| Retail (Shell only) | \$14.27 |
| Retail (Finishing only) | \$4.82 |
| Retail (Finished) | \$19.09 |
| Group F (Industrial) | Service Index (SI) \$/m ² unless otherwise indicated |
| Industrial (Shell only) | \$8.65 |
| Industrial (Finishing only) | \$4.73 |
| Industrial (Finished) | \$13.38 |

| Group F (Industrial) (continued) | Service Index (SI) \$/m ² unless otherwise indicated |
|---|--|
| Parking Garages | \$7.90 |
| Gas Stations | \$14.42 |
| Subsurface Works (in addition to the regular permit fee) | Flat Fee Unless otherwise indicated |
| Foundation Permits | |
| Residential under Part 9 of Division B of the Building Code | \$431 |
| Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (up to 1200 m ²) | \$1,071 |
| Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (greater than 1200 m ²) | \$3,215 |
| Excavation and Shoring | \$11.89 per linear metre |
| New water service (low density residential only) | \$178 |
| New water service when included with a complete building permit application for a new building (low density residential only) | \$160 |
| New sewer service (low density residential only) | \$178 |
| New sewer service when included with a complete building permit application for a new building (low density residential only) | \$160 |
| Designated Structures | Flat Fee |
| Communication Tower, Crane Runway, Retaining Wall, Silos | \$498 |
| Exterior Storage Tanks – Above and below ground (except for fire fighting water reservoirs) | \$498 |
| Pedestrian Bridge/Walkway | \$498 |
| Satellite Dish (face area equal to or greater than 5 m ²) | \$498 |
| Outdoor Public Spa | \$1,020 |
| Outdoor Public Swimming Pool | \$2,019 |

| Fire Protection Systems (stand alone – excludes relocation of components for existing system) | Service Index (SI) \$/m ² unless otherwise indicated |
|--|--|
| Electromagnetic Locks/Electric Strikes | \$236 each (maximum \$705) |
| Fire Alarm System | \$414 (flat fee) |
| Emergency Lighting/Exit Signs | \$414 (flat fee) |
| Sprinkler System | \$0.69 |
| Standpipe System | \$414 (flat fee) |
| Combined Sprinkler and Standpipe System | \$0.69 (minimum \$414) |
| Mechanical Systems (stand alone) | Flat Fee |
| Commercial Cooking Exhaust System | \$414 |
| 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 | \$0.51 |
| Accessory structures to a residential use or partial demolition of a single/two family dwelling and townhouses | \$0.51 (\$178 minimum) |
| Non-residential and multi residential | \$0.51 (\$441 minimum) |
| Plumbing Devices (stand alone) | Flat Fee |
| Backflow Preventer | |
| For first premise or zone device | \$277 |
| For each additional premise or zone device | \$178 |
| Backwater Valve | \$277 |
| Grease/Oil Interceptor | \$277 |

| Renewable (Green) Energy Systems | Flat Fee |
|--|---|
| Geothermal System for a Single/Two Family Dwelling | \$498 |
| Geothermal System for all other Buildings | \$668 |
| Solar Collector for a Single/Two Family Dwelling | \$277 |
| Solar Collector for all other Buildings | \$498 |
| Wind Turbine | \$498 |
| Sewage Systems | Flat Fee |
| To construct a sewage system pursuant to the provisions of the Act | \$962 |
| To construct a Class 5 sewage systems or to repair a sewage system pursuant to the provisions of the Act | \$589 |
| Sewage System Maintenance Inspection Program | \$270 |
| Signs | Flat Fee |
| Ground Sign with a sign area of less than or equal to 2.5 m ² | \$248 |
| Ground Sign with a sign area of greater than 2.5 m ² and up to 4.0 m ² | \$436 |
| Ground Sign with a sign area greater than 4.0 m ² | \$873 |
| Awning, Canopy, Marquee, Parapet, Projecting and Wall Signs | \$436 |
| Billboard | \$873 |
| Other Classifications (not previously listed) | Service Index (SI) \$/m² unless otherwise indicated |
| Accessory structures, garage, storage shed, new basement, cold cellar, unenclosed canopies, air supported structures | \$6.26 |
| Farm Buildings | \$3.20 |
| Greenhouses | \$1.91 (Maximum \$6,301) |

| Other Classifications (not previously listed) (continued) | Service Index (SI) \$/m ² unless otherwise indicated |
|---|--|
| Tents | \$2.08 (Maximum \$441) |
| Temporary Structures | |
| Sales Offices | \$17.04 |
| Construction Trailers | \$13.48 |
| Stages | \$277 (flat fee) |
| Other Structures (intended to be used for less than 6 months) | \$277 (flat fee) |
| Residential greenhouses, deck, balcony, open porch, exterior stair, ramp, open carport, terraces, exterior roof amenity areas | \$5.10 |
| Balcony Guard Replacement | \$3.00 per linear metre |
| Balcony Repairs | \$30.00 per balcony |
| Slab Reconstruction | \$6.00 |
| 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 | \$3.86 |
| 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) | \$0.33 |
| Administrative Fees | Flat Fee |
| Additional Plan Review (Resubmission) Where a non-compliant resubmission is submitted above and beyond the first resubmission | \$178 (per hour of review time) |
| 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) | \$178 |
| For each additional hour, or part thereof, of review time | \$178 |

| Administrative Fees (continued) | Flat Fee |
|---|--|
| Alternative Solution Application for an Alternative Solution under Section 2.1, of Division C, of the Building Code (up to 4 hours review time) | \$644 |
| For each additional hour, or part thereof, of review time | \$178 |
| Applicable Law Review Review and consultation for Applicable Law requirements | \$272 |
| Building Code Compliance Letters Written requests for information concerning a building's compliance with the current Building Code | \$178 (per hour of review time) |
| Change of Use Permit Change of use Permit with no construction | \$277 |
| Conditional Permit Fee Review and approval of Conditional Permit Agreements/Undertakings | 10% of permit fee (minimum \$1,160, maximum \$4,062) |
| Fire Watch/Fire Plan Review and approval of Fire Watch/Fire Plans during construction | \$581 |
| Limiting Distance Agreements For Review and approval of Limiting Distance Agreements under the Ontario Building Code | \$628 |
| Occupancy Permit of an Unfinished Building Occupancy inspection prior to completion as per Subsection 1.3.3 of Division C of the Building Code | \$178 (per unit) |
| Permit or Application Extensions Extension of a building permit or permit application where no revisions are required | \$178 |
| Pre-Consultation Building Code preliminary design consultation/review for proposed designs prior to a complete permit application being submitted | \$178 (per hour of review time) |
| 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 | \$236 (per inspection) |

| Administrative Fees (continued) | Flat Fee |
|---|---------------------------|
| Stock Plans Review of stock plans for new single family dwellings in a Plan of Subdivision prior to a complete permit application being submitted | \$451 |
| Suspended Permit Where an inspection is requested for a Permit that has been suspended | \$236 (per inspection) |
| Transfer of Permit Where ownership changes on a property and there are no other changes to the project or the professional services required. | \$178 |

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);
- (c) Mechanical penthouses and floors, mezzanines, lofts, habitable attics, balconies, terraces and exterior roof amenity areas 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.