

Building permit process outlines for Caledon council

By Bill Rea

Caledon councillors asked for clarification when it comes to dealing with building permit applications, and they got it.

Bill Klingenberg, chief building official for the Town, made a presentation to council at their Feb. 10 meeting.

Building permits are legally required under the building Code Act, which is aimed at establishing standards for public health and safety, as well as structural standards, energy and water conservation, environmental integrity and barrier-free design. The Act also makes municipalities responsible for enforcement, and Klingenberg observed it's seen as a duty to present and future owners of the building to property review the plans, issue permits and conduct inspections.

He also pointed out that building inspectors are part of the Ontario Building Officials Association, operating independent of municipal councils.

"The Ontario Building Code sets a minimum standard that protects what is potentially the largest investment an individual makes in their lifetime," he said, "their home."

Permits are typically required for new buildings, renovations, additions, decks, retaining walls, heating, plumbing, fire protection, demolition and changing the proposed use of the building.

The requirements for a permit include determining if the proposed construction is permitted, and Klingenberg said that involves things like zoning, setbacks and permits from external agencies, like conservation authorities or the Niagara Escarpment Commission. He added there are also submission requirements that have to be met before a permit application is considered complete, such as construction details and drawings, information on engineering components, fees, etc.

Once the application is deemed complete, Klingenberg said review times are provided for, with their length depending on the class and complexity of the building. He added the timelines don't apply to resubmissions or revisions after a permit's been issued, since they add time to the process and involve more costs.

After the permit is issued, Klingenberg said the applicant has six months to start construction. He added the permit specifies the inspections that are needed, and that it's up to the applicant to call the inspectors in to do them.

Permits are not needed for ground mount solar projects, or for components regulated by the Technical Standards and Safety Authority (TSSA), such as boilers and pressure vessels, elevating devices, amusement devices, ski lifts, fuels (including propane and hydrogen), and upholstered and stuffed articles. They are also not needed for federally regulated installations, like airplane hangars or communication towers. As well, they are not needed for buildings less than 10 square metres.

In terms of risk management, Klingenberg said the job of building officials includes "being prepared for the unknown."

He added inspectors avoid acting as consultants, stating they're not out there to comment. They make sure documents, files and records are complete, and assist with checklists and procedures. It is also understood that liability can arise through to completion of the project and beyond, and that existing buildings must be monitored and maintained. He also pointed out that the municipality is often the only party left to be sued by the time a claim is made years after the structure is built.

Klingenberg gave some details about dispute resolution.

He said an applicant or holder of a permit can apply to the Building Code Commission (which he said is similar to the Ontario Municipal Board) regarding an order from an official dealing with compliance with technical requirements of the Building Code, if a permit has been refused for any reason or to determine if requirements have been met. He added a decision of the Commission can't be appealed.

Klingenberg told Councillor Annette Groves said there is no dispute resolution timeline for a request to withdraw a permit. He said the Chief Building Official can revoke a permit if it can be proven it was based on false information or if it was issued in error.

He also told Councillor Nick deBoer a common reason for applications being deemed incomplete involves permits needed from external agencies.

"It's a common deficiency that we see at the beginning stages of the application process," he said.

DeBoer wondered if there was a better way to communicate the process.

Klingenberg said they could consider holding a workshop. As well, he said they could look at the check lists and building permit packages to make sure everything's up to date.