

2.5. APPROVAL OF THE RELEVANT DOCUMENTS BY THE LOCAL AUTHORITY

Building Permits

A general discussion of permitting does not allow for too many specific statements. The conditions are very different depending upon the type of facility, project location, and the number of jurisdictions that may be involved.

What is a Building Permit

The provincial government, through the municipal act and the Building Code building regulations has granted municipalities the power to regulate the construction of buildings and structures. Municipalities therefore issue building permits as a means of regulating construction to comply with municipal bylaws and provincial regulations. To ensure that buildings are constructed and facilities are installed in accordance with appropriate regulations, municipalities have also been empowered to undertake inspections. Approval to occupy a newly constructed building will not be issued until all inspections have been completed and the work complies with the applicable codes, regulations and bylaws.

When is a Building Permit Required

A building permit must be obtained prior to excavation, erection, enlargement, alteration, removal, fire repair or demolition of any building or structure. For any of these circumstances, an application for a building permit must be filed with the municipality.

Departments Involved in the Building Permit Process

The planning services department coordinates the review of the building permit application and the inspection processes, the approvals of which are granted under the authority of the building inspector. Depending upon the complexity of the application, there may be involvement with other departments including engineering, health, fire and planning which will also be coordinated by the planning services department.

For example in the United States, federal laws set certain standards with regard to air and quality. Some of these include the clean air act, which is administered and policed by Environment Protection Agency (EPA). The bureau of Land Management has jurisdiction over federally owned land. The Army Corps of Engineers regulates the navigable waters of the United States and the Fish and Wildlife Service protects plants and animal life. Before

construction of most facilities can be started, an environmental impact statement must be filed before a permit application will be considered.

Additionally there are regional and local regulations which may set further conditions or impose further restrictions on new plant construction. Local interpretation of the regulations is subject to considerable variation. These differences can have a measurable effect on project schedule and costs.

Purpose of a Building Permit

The primary purpose for the issuance of a building permit is to ensure that all buildings comply with safety, health, and zoning requirements of the province and municipality. Building codes have been established by the province in order to uphold public safety standards, and until a proposed building design meets the requirements of the codes, a permit cannot be issued.

One needs to be aware of certain district plans, policies and regulations that may apply to their property. Listed below are some of the plans, policies and regulations needed to be checked before submitting an application.

1. Official Community Plan

Usually the community plan divides the area into different land use designations. Each designation allows specific types of land uses. Check the official community plan for the designation of your property and the land uses allowed within that designation.

2. Development Permit Areas and Guidelines

This identifies the type of development permit area in which your property is located: commercial, industrial, and institutional or multiple residential. It also contains specific guidelines that apply to all development within each type of area. Development permit, area maps and guidelines are available for viewing at the planning services department. If a development permit is required, it must be completed before applying for a building permit.

3. Zoning By-Law and Zoning Map

Each property has specific zoning regulations. Check the zoning map for the existing zoning of your property. Then check the zoning bylaw to find the regulations for that zone. If your present zoning does not allow the proposed development, you will have to consider rezoning your property. Check the required setbacks from the property lines and the maximum site coverage permitted the height and other specified requirements for your zone.

4. Services

All developments must provide adequate sewer, water and other services at the developer's cost. Check whether the required services are available or whether additional servicing is needed for your development. Information and locations of existing services is available through the Planning and Engineering Departments.

5. Temporary Street Occupancy

If you plan to occupy a street during any part of construction you must apply for a temporary permit from planning services.

6. Flood Plain Area

Consult the map in the Planning Services Department to see if your property is in this area and they will provide you with the special requirements.

7. Natural Hazard Area

Consult the map in the Planning Services Department to see if your property is in this area and they will provide you with the special requirements.

8. Ministry of Highways

When your property fronts onto a provincial highway, access approval must be obtained from the ministry of highways.

9. Rights-of-Way

Check for easements or rights-of-way on your property. Municipal records are not always complete. Complete information is available at the Land Registry Office.

10. Health Department

Check with the Health Department for septic disposal system if no sanitary system is available to your property.

11. Survey Plan

The Plan must show posting, topographical and average grade data, and correspond to geodetic metric datum which may be obtained from the Engineering Department.

Once the review of the plans, policies and regulations, are completed and are ready to be applied for a building permit, the staff at the Planning Services Department will initiate an application. Drawings are to be provided which may be in imperial or metric but not both.

At the time of application, a staff member conducts a brief review of the documentation submitted to determine if the application is complete and to advise of any additional requirements. A building inspector is assigned the responsibility of processing the application which may include referral to the fire, engineering, planning and health departments for comment. The building inspector also undertakes a review of the application with respect to the provincial building code and appropriate municipal bylaws. Once the comments from the other departments have been reviewed, the building inspector determines whether the building permit can be issued or whether the application requires corrections.

Once the building permit is approved, you will be contacted to pick it up. At the time of collecting the permit the fees will have to be paid. The building permit amount is based upon the total construction value of the project. Fees for service connections, vehicle crossings, damage deposits, development cost charges, frontage charges, landscape bonding, etc., are also paid at this time.

As the construction project proceeds through the various stages, inspections are conducted by the building inspector. The building inspectors have to be given a 24 hour notice for an inspection. There are a number of different types of required inspections including: excavation, form, drain tile, damp proof (walls, slabs), frame, insulation, services, and plumbing. These are listed on the "Building Permit".

Once the project is complete, the building inspector will issue an approval for occupancy and then final approval. Final approval is conditional on all items being completed. Once final approval has been granted the applicable deposits will be refunded.