

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 081-2022

BEING A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF BUILDING RATES, FEES AND CHARGES FOR SERVICES PROVIDED BY THE MUNICIPALITY AND TO REPEAL BY-LAW 063-2018 AND ALL OTHER PREVIOUS BUILDING USER FEES BY-LAWS PASSED PRIOR TO SEPTEMBER 12, 2022.

WHEREAS pursuant to section 7(1) of the *Building Code Act*, S.O. 1992, c.23, the council of a municipality may pass by-laws prescribing classes of permits and requiring the payment of fees on applications for and on the issuance of permits, requiring the payment of fees for maintenance inspections, and prescribing the amounts of the fees.

AND WHEREAS pursuant to section 7(2) of the *Building Code Act*, S.O. 1992, c.23, the total amount of the fees under clause (1)(c) shall not exceed the anticipated reasonable costs of the principal authority to administer and enforce the Act in its area of jurisdiction.

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** the rates and fees for building permit applications be established as set out in Schedule 'A' to this by-law.
2. **THAT** all previous Building User Fees By-laws passed prior to September 12, 2022 are hereby repealed, including but not limited to By-Law 063-2018.
3. **THAT** interest be added to rates, fees and charges including any collection costs, that are due and unpaid after 30 days at the rate of 1.25% per month.
4. **THAT** no request by any person for any information, service or activity described in Schedule 'A' will be processed or provided unless and until the person requesting the information, service or activity has paid the applicable fee in the prescribed amount as set out in Schedule 'A' to this By-law.
5. **THAT** should any part of this By-law, including any part of Schedule 'A', be determined by a Court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the By-law shall be severable and that the remainder of this By-law including the remainder of Schedule 'A', as applicable, shall continue to operate and to be in force and effect.

6. **THAT** the following definitions and guidelines will apply:

6.1 Calculation of Permit Fees

- a) Permit fees payable shall be calculated based on the formula given below, unless otherwise specified in this by-law or in Schedule 'A':

Permit Fee = SI x A, where SI = Service Index for the Classification of the work proposed, as described in Schedule 'A' Classes of Permits and Permit Fees and A = Floor Area in m² of proposed work.

- b) *Floor area* is measured to the outer face of exterior walls and to the centre of party walls or demising walls for each storey of construction. No deductions shall be allowed for floor openings for such facilities as stairs, elevators, escalators, shafts and ducts. Interconnected floor spaces and atriums above their lowest level may be deducted from the calculated floor area.
- c) The Chief Building Official shall determine fees for any class of permit not described or included in Schedule 'A' (based upon 1.28% of the prescribed construction value, as determined by the Chief Building Official).
- d) Elective changes (revisions) filed after the issuance of a building permit, or prior to the issuance of a building permit and requiring the repetition of processes already commenced or completed, shall be subject to an additional Elective Changes (Revisions) fee as prescribed in Schedule 'A' as determined by the Chief Building Official.
- e) Where they serve detached, semi-detached or townhouse dwellings, no additional fee applies for attached decks, fireplaces, unfinished basements or attached garages proposed and constructed at the same time as the dwelling they serve.
- f) No additional fee applies for sprinklers, fire alarms, electromagnetic locks, or other mechanical systems or equipment proposed and installed at the same time as the construction they serve, except in the case of revisions to proposed systems, which will be charged in accordance with paragraph 6.1(d) above.
- g) For interior partitioning, floor areas used for the calculation of fees shall be the lesser of:
- i) The area contained within a rectangle encompassing the partitions being erected, or
 - ii) The actual area of the tenant space.
- h) The occupancy classifications used in this By-law are based upon the Ontario Building Code major occupancy classifications. For mixed occupancy floor areas, the fee multiplier (SI) for each occupancy applies.

6.2 Minimum Fee

Notwithstanding the fee calculation, a minimum fee as prescribed in Schedule 'A' shall be charged for all permit classifications, unless otherwise noted in Schedule 'A'.

6.3 Administrative Fee

- a) Where construction or demolition is carried out prior to permit issuance, to offset the additional investigative and administrative costs incurred by the municipality, upon issuance, the permit fee prescribed in Schedule 'A' shall be increased by the Order to Comply fee and/or the Stop Work Order Fee in Schedule 'A'.
- b) Where an inspector determines that the work for which an inspection has been requested is not sufficiently complete to allow for a proper inspection, the subsequent re-inspection fee as prescribed in Schedule 'A' will apply, payable upon receipt of a written invoice.
- c) Where a requested inspection reveals an infraction that was identified at a previous inspection and not remedied, the fee for subsequent re-inspection as prescribed in Schedule 'A' will apply, payable upon receipt of a written invoice.
- d) The fee for a Conditional Building Permit shall be 20% of the permit fee payable for the complete building permit and additional thereto. A minimum fee of \$1,700 and a maximum fee of \$25,000 apply to Conditional Building Permits.
- e) Upon request, the Chief Building Official may authorize a priority, fast track, after-hours service, at a rate of 1.5 times the permit fee prescribed herein.
- f) Upon request, the Chief Building Official may authorize special inspections outside of normal working hours at the rate prescribed in Schedule 'A', subject to a minimum 3 hour charge.
- g) Upon request, the Chief Building Official may authorize a Partial Building Permit at the rate prescribed in Schedule 'A' for the following classes of permits:
 - i) Foundation Component (no charge for Firebreak Lots);
 - ii) Foundation to Roof Component;
 - iii) Plumbing Component; and
 - iv) Drain Component (this may include drains within a building and/or mechanical component).

PASSED IN OPEN COUNCIL ON THIS 12th DAY OF SEPTEMBER, 2022

Gordon A. Krantz

Mayor

Meaghen Reid

Clerk

Schedule "A" to Building User Fees By-Law 081-2022

BUILDING CLASSIFICATION	2022 Fees	2023 Fees	2024 Fees	2025 Fees	2026 Fees	2027 Fees
	Effective from January 1, 2022	Effective from January 1, 2023	Effective from January 1, 2024	Effective from January 1, 2025	Effective from January 1, 2026	Effective from January 1, 2027
	SERVICE INDEX (SI) (unless otherwise indicated) \$/m ²	SERVICE INDEX (SI) (unless otherwise indicated) \$/m ²	SERVICE INDEX (SI) (unless otherwise indicated) \$/m ²	SERVICE INDEX (SI) (unless otherwise indicated) \$/m ²	SERVICE INDEX (SI) (unless otherwise indicated) \$/m ²	SERVICE INDEX (SI) (unless otherwise indicated) \$/m ²
Minimum permit fee, unless otherwise noted	\$244.08	\$248.96	\$253.94	\$259.02	\$264.20	\$269.48
A) CONSTRUCTION - New Buildings and Additions to Existing Buildings						
<i>Group A (Assembly Uses)</i> All Recreation Facilities, Schools, Libraries, Places of Worship, Restaurants (finished), Theatres, Arenas, Gymnasias, Indoor Pools	25.28	25.79	\$26.30	\$26.83	\$27.36	\$27.91
Portable Classrooms	\$ 249.38 (Flat Rate)	\$ 254.37 (Flat Rate)	\$ 259.46 (Flat Rate)	\$ 264.65 (Flat Rate)	\$ 269.94 (Flat Rate)	\$ 275.34 (Flat Rate)
Alteration - Alteration or Repair to existing or damaged construction, and partitioning of new or previously occupied construction, and CHANGE OF USE (No construction proposed but Change of Use results in an increase in hazard and construction is required)	6.05	6.17	6.29	6.42	6.55	6.68
<i>Group B (Care or Detention Uses)</i> All Group B Buildings	27.92	28.48	29.05	29.63	30.22	30.83
Alteration - Alteration or Repair to existing or damaged construction, and partitioning of new or previously occupied construction, and CHANGE OF USE (No construction proposed but Change of Use results in an increase in hazard and construction is required)	6.05	6.17	6.29	6.42	6.55	6.68
<i>Group C (Residential Uses)</i> Single/Semi-detached Dwellings, Townhouses, Duplexes and Back to Back	16.67	18.96	21.61	24.64	25.13	25.64
All other Multiple Unit Buildings (6 storey or less)	16.67	18.96	21.61	24.64	25.13	25.64
Apartment Buildings (greater than 6 storey)	16.67	17.00	17.34	17.69	18.04	18.41
Hotels, Motels	16.67	17.00	17.34	17.69	18.04	18.41
Unfinished Basement/Foundation to accommodate a Building moved from elsewhere	5.08	5.18	5.29	5.39	5.50	5.61
Detached garage or other Accessory Structure (over 27.9 m ² or 300 ft ²)	8.72	8.89	9.07	9.25	9.44	9.63

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Detached garage or other Accessory Structure (up to 27.9 m ² or 300ft ²)	\$ 150.69 (Flat Rate)	\$ 153.70 (Flat Rate)	\$ 156.77 (Flat Rate)	\$ 159.91 (Flat Rate)	\$ 163.11 (Flat Rate)	\$ 166.37 (Flat Rate)
Attached carport or garage attached to Detached/or Semi-detached or Townhouse dwellings	\$ 150.69 (Flat Rate)	\$ 153.70 (Flat Rate)	\$ 156.77 (Flat Rate)	\$ 159.91 (Flat Rate)	\$ 163.11 (Flat Rate)	\$ 166.37 (Flat Rate)
Unenclosed deck or porch	\$ 150.69 (Flat Rate)	\$ 153.70 (Flat Rate)	\$ 156.77 (Flat Rate)	\$ 159.91 (Flat Rate)	\$ 163.11 (Flat Rate)	\$ 166.37 (Flat Rate)
<i>Group D (Business and Personal Services Uses)</i>						
Shell Only	17.00	13.67	13.94	14.22	14.51	14.80
Partitioned and/or Finished	20.62	21.03	21.45	21.88	22.32	22.77
Alteration - Alteration or Repair to existing or damaged construction, and partitioning of new or previously occupied construction, and CHANGE OF USE (No construction proposed but Change of Use results in an increase in hazard and construction is required)	6.05	7.36	7.51	7.66	7.81	7.97
<i>Group E (Mercantile Uses)</i>						
Shell Only	15.09	12.34	12.59	12.84	13.09	13.36
Partitioned and/or Finished	18.61	18.98	19.36	19.75	20.14	20.55
Alteration - Alteration or Repair to existing or damaged construction, and partitioning of new or previously occupied construction, and CHANGE OF USE (No construction proposed but Change of Use results in an increase in hazard and construction is required)	6.05	6.64	6.78	6.91	7.05	7.19
Temporary Real Estate Sales Pavilion	18.61	18.98	19.36	19.75	20.14	20.55
<i>Group F (Industrial Uses)</i>						
Under 9,999 m ² :						
Shell Only	12.55	12.33	12.58	12.83	13.09	13.35
Partitioned and/or Finished	13.53	18.97	19.35	19.74	20.13	20.54
Alteration - Alteration or Repair to existing or damaged construction, and partitioning of new or previously occupied construction, and CHANGE OF USE (No construction proposed but Change of Use results in an increase in hazard and construction is required)	6.05	6.64	6.77	6.91	7.05	7.19

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Over 10,000 m2: Shell Only	12.55	10.54	10.75	10.97	11.19	11.41
Partitioned and/or Finished	13.53	16.22	16.54	16.87	17.21	17.55
Alteration - Alteration or Repair to existing or damaged construction, and partitioning of new or previously occupied construction, and CHANGE OF USE (No construction proposed but Change of Use results in an increase in hazard and construction is required)	6.05	5.68	5.79	5.91	6.02	6.14
Gas Station, Car Wash	13.53	13.80	14.08	14.36	14.65	14.94
Canopy over pump island, outside storage, etc.	\$ 520.42 (Flat Rate)	\$ 530.83 (Flat Rate)	\$ 541.45 (Flat Rate)	\$ 552.28 (Flat Rate)	\$ 563.32 (Flat Rate)	\$ 574.59 (Flat Rate)
Parking Garage	6.82	6.96	7.10	7.24	7.39	7.53
Farm Building	4.06	4.14	4.22	4.31	4.39	4.48
Greenhouse/Storage	4.06	4.14	4.22	4.31	4.39	4.48
Poly Hoop	2.11	2.15	2.20	2.24	2.29	2.33
<i>All Occupancies</i> Occupancy Permit	\$ 63.67 per Dwelling Unit (or per 300 m ² or part thereof for other building types)	\$ 64.94 per Dwelling Unit (or per 300 m ² or part thereof for other building types)	\$ 66.24 per Dwelling Unit (or per 300 m ² or part thereof for other building types)	\$ 67.56 per Dwelling Unit (or per 300 m ² or part thereof for other building types)	\$ 68.91 per Dwelling Unit (or per 300 m ² or part thereof for other building types)	\$ 70.29 per Dwelling Unit (or per 300 m ² or part thereof for other building types)
Permanent Tent, Air-Supported Structure	6.97	7.11	7.25	7.40	7.55	7.70
Temporary Tent (s)	\$ 244.08 (Flat Rate)	\$ 248.96 (Flat Rate)	\$ 253.94 (Flat Rate)	\$ 259.02 (Flat Rate)	\$ 264.20 (Flat Rate)	\$ 269.48 (Flat Rate)
Temporary Building (trailer or buildings on construction site for office purposes, and other similar temporary buildings)	\$ 318.36 (Flat Rate)	\$ 325.24 (Flat Rate)	\$ 331.74 (Flat Rate)	\$ 338.38 (Flat Rate)	\$ 345.15 (Flat Rate)	\$ 352.05 (Flat Rate)
Move or Relocate a Building to an existing foundation (except portable classrooms)	\$ 244.08 (Flat Rate)	\$ 248.96 (Flat Rate)	\$ 253.94 (Flat Rate)	\$ 259.02 (Flat Rate)	\$ 264.20 (Flat Rate)	\$ 269.48 (Flat Rate)
Designated Structures - mobile homes and those listed in the Ontario Building Code	\$ 451.01 (Flat Rate)	\$ 460.03 (Flat Rate)	\$ 469.23 (Flat Rate)	\$ 478.62 (Flat Rate)	\$ 488.19 (Flat Rate)	\$ 497.95 (Flat Rate)
Shoring (per linear metre)	-	10.97	11.19	11.41	11.64	11.87
B) CHANGE OF USE - No construction proposed or required	\$ 244.08 (Flat Rate)	\$ 248.96 (Flat Rate)	\$ 253.94 (Flat Rate)	\$ 259.02 (Flat Rate)	\$ 264.20 (Flat Rate)	\$ 269.48 (Flat Rate)

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C) OTHER ALTERATIONS - Alteration or Repair to existing or damaged construction, and partitioning of new or previously occupied construction, and OTHER CHANGES OF USE (No construction proposed but Change of Use results in an increase in hazard and construction is required):						
Finished Basement	6.05	6.17	6.29	6.42	6.55	6.68
Secondary Suites	8.85	9.03	9.21	9.39	9.58	9.77
Basement walkouts, exterior stairs	\$ 244.08 (Flat Rate)	\$ 248.96 (Flat Rate)	\$ 253.94 (Flat Rate)	\$ 259.02 (Flat Rate)	\$ 264.20 (Flat Rate)	\$ 269.48 (Flat Rate)
Deck Alterations	\$ 150.69 (Flat Rate)	\$ 153.70 (Flat Rate)	\$ 156.77 (Flat Rate)	\$ 159.91 (Flat Rate)	\$ 163.11 (Flat Rate)	\$ 166.37 (Flat Rate)
<i>Miscellaneous</i>						
Parking Garage Repair	2.59	2.64	2.69	2.75	2.80	2.86
Farm Building Alterations	2.59	2.64	2.69	2.75	2.80	2.86
Racking (no platforms/mezzanine) (per linear metre)	-	10.97	11.19	11.41	11.64	11.87
D) DEMOLITION						
<i>All Occupancies</i>	\$ 244.08 (Flat Rate)	\$ 248.96 (Flat Rate)	\$ 253.94 (Flat Rate)	\$ 259.02 (Flat Rate)	\$ 264.20 (Flat Rate)	\$ 269.48 (Flat Rate)
E) MECHANICAL WORK (Heating, Ventilating, Air-conditioning and Fire Protection NOT Proposed with the Original Building)						
<i>All Occupancies</i>						
Heating, Ventilating, Air-Conditioning	0.92	0.94	0.96	0.98	1.00	1.02
Sprinkler System	0.92	0.94	0.96	0.98	1.00	1.02
Fire Alarm	\$ 631.42 (Flat Rate)	\$ 644.05 (Flat Rate)	\$ 656.93 (Flat Rate)	\$ 670.07 (Flat Rate)	\$ 683.47 (Flat Rate)	\$ 697.14 (Flat Rate)
Electromagnetic Locks	\$ 131.59 (Each)	\$ 134.22 (Each)	\$ 136.90 (Each)	\$ 139.64 (Each)	\$ 142.44 (Each)	\$ 145.28 (Each)
Fireplace, Woodstove	\$ 244.08 (Flat Rate)	\$ 248.96 (Flat Rate)	\$ 253.94 (Flat Rate)	\$ 259.02 (Flat Rate)	\$ 264.20 (Flat Rate)	\$ 269.48 (Flat Rate)
Special Systems (Commercial Exhausts, Spray Booths, Dust Collectors, CO Detection, etc.)	\$ 477.54 (Flat Rate)	\$ 487.09 (Flat Rate)	\$ 496.83 (Flat Rate)	\$ 506.77 (Flat Rate)	\$ 516.90 (Flat Rate)	\$ 527.24 (Flat Rate)

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F) PLUMBING (Proposed Separately)						
<i>All Occupancies</i>						
New/replacement drainage system, water supply system or parts thereof	\$ 244.08 (Flat Rate)	\$ 248.96 (Flat Rate)	\$ 253.94 (Flat Rate)	\$ 259.02 (Flat Rate)	\$ 264.20 (Flat Rate)	\$ 269.48 (Flat Rate)
Site Servicing (sanitary, storm, water)	\$ 3.46 lin. m.	\$ 3.53 lin. m.	\$ 3.60 lin. m.	\$ 3.67 lin. m.	\$ 3.75 lin. m.	\$ 3.82 lin. m.
G) PRIVATE SANITARY SEWAGE DISPOSAL SYSTEMS (Proposed Separately or in relation to other construction)						
<i>All Occupancies</i>						
Evaluation of a Building Addition or Change of Use	\$ 189.96 (Flat Rate)	\$ 193.76 (Flat Rate)	\$ 197.64 (Flat Rate)	\$ 201.59 (Flat Rate)	\$ 205.62 (Flat Rate)	\$ 209.73 (Flat Rate)
Evaluation and Inspection related to replacement or repair of a tank or leaching bed	\$ 382.03 (Flat Rate)	\$ 389.67 (Flat Rate)	\$ 397.46 (Flat Rate)	\$ 405.41 (Flat Rate)	\$ 413.52 (Flat Rate)	\$ 421.79 (Flat Rate)
New/replacement System	\$ 764.07 (Flat Rate)	\$ 779.35 (Flat Rate)	\$ 794.94 (Flat Rate)	\$ 810.84 (Flat Rate)	\$ 827.05 (Flat Rate)	\$ 843.59 (Flat Rate)
Septic System Assessment/Inspection (Provincially Mandated)	\$ 100.81 (Flat Rate)	\$ 102.83 (Flat Rate)	\$ 104.89 (Flat Rate)	\$ 106.98 (Flat Rate)	\$ 109.12 (Flat Rate)	\$ 111.31 (Flat Rate)
H) SIGNS						
<i>All Signs</i>	1.6% of prescribed value or minimum \$244.08	1.6% of prescribed value or minimum \$248.96	1.6% of prescribed value or minimum \$253.94	1.6% of prescribed value or minimum \$259.02	1.6% of prescribed value or minimum \$264.20	1.6% of prescribed value or minimum \$269.48
I) ADMINISTRATIVE FEES						
<i>Order to Comply</i>	\$ 313.06 (Flat Rate)	\$ 319.32 (Flat Rate)	\$ 325.71 (Flat Rate)	\$ 332.22 (Flat Rate)	\$ 338.86 (Flat Rate)	\$ 345.64 (Flat Rate)
<i>Stop Work Order</i>	\$ 625.05 (Flat Rate)	\$ 637.55 (Flat Rate)	\$ 650.30 (Flat Rate)	\$ 663.31 (Flat Rate)	\$ 676.57 (Flat Rate)	\$ 690.10 (Flat Rate)
<i>Registration of Order on Title</i>	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost
<i>Discharge of Order on Title</i>	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost	Actual Legal Cost
<i>Permit Transfer</i>	\$ 159.18 (Flat Rate)	\$ 162.36 (Flat Rate)	\$ 165.61 (Flat Rate)	\$ 168.92 (Flat Rate)	\$ 172.30 (Flat Rate)	\$ 175.74 (Flat Rate)
<i>Subsequent Re-Inspection</i>	\$ 96.57 (Flat Rate)	\$ 98.50 (Flat Rate)	\$ 100.47 (Flat Rate)	\$ 102.48 (Flat Rate)	\$ 104.53 (Flat Rate)	\$ 106.62 (Flat Rate)
<i>Elective Changes (Revisions)</i>	\$ 403.26 (Flat Rate)	\$ 411.33 (Flat Rate)	\$ 419.56 (Flat Rate)	\$ 427.95 (Flat Rate)	\$ 436.51 (Flat Rate)	\$ 445.24 (Flat Rate)
<i>Special Inspections</i>	\$ 96.57 (Flat Rate)	\$ 98.50 (Flat Rate)	\$ 100.47 (Flat Rate)	\$ 102.48 (Flat Rate)	\$ 104.53 (Flat Rate)	\$ 106.62 (Flat Rate)
<i>Partial Building Permit</i>	\$ 700.40 (Flat Rate)	\$ 714.41 (Flat Rate)	\$ 728.70 (Flat Rate)	\$ 743.27 (Flat Rate)	\$ 758.14 (Flat Rate)	\$ 773.30 (Flat Rate)
<i>Limiting Distance Agreement</i>	\$ 594.28 (Flat Rate)	\$ 606.17 (Flat Rate)	\$ 618.29 (Flat Rate)	\$ 630.66 (Flat Rate)	\$ 643.27 (Flat Rate)	\$ 656.14 (Flat Rate)
<i>Alternate Solution Application</i>	\$1,310.59 (Flat Rate) (plus any additional fees incurred during evaluation process)	\$1,336.80 (Flat Rate) (plus any additional fees incurred during evaluation process)	\$1,363.54 (Flat Rate) (plus any additional fees incurred during evaluation process)	\$1,390.81 (Flat Rate) (plus any additional fees incurred during evaluation process)	\$1,418.62 (Flat Rate) (plus any additional fees incurred during evaluation process)	\$1,447.00 (Flat Rate) (plus any additional fees incurred during evaluation process)