



## THE CORPORATION OF THE TOWNSHIP OF BLACK RIVER-MATHESON

### BY-LAW NO. 2025-31

#### BEING A BY-LAW TO REGULATE CONSTRUCTION, DEMOLITION, CHANGE OF USE, INSPECTIONS AND RELATED MATTERS PURSUANT TO THE BUILDING CODE ACT, 1992, AS AMENDED

---

WHEREAS Section 7 of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, authorizes the council of a municipality to pass by-laws respecting the issuance, revocation, and transfer of permits, inspections, the determination of permit fees, and related administrative processes;

AND WHEREAS Section 8(3) of the *Building Code Act, 1992* permits the issuance of conditional permits subject to terms and agreements as prescribed by by-law;

AND WHEREAS Section 36 of the *Building Code Act, 1992* provides for penalties in respect of offences under the Act and any municipal by-law passed thereunder;

AND WHEREAS Section 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a single-tier municipality to pass by-laws respecting structures, health and safety, and the economic, social and environmental well-being of the municipality;

NOW THEREFORE the Council of The Corporation of the Township of Black River-Matheson enacts as follows:

#### 1. TITLE

1.1 This By-Law may be cited as the "Building By-Law."

#### 2. PURPOSE AND SCOPE

2.1 This By-Law is made pursuant to Section 7 of the *Building Code Act, 1992*, as amended, and applies to the issuance of permits, inspections, construction standards, enforcement, and related administrative functions within the Township of Black River-Matheson.

#### 3. DEFINITIONS

3.1 All terms used in this By-Law shall have the meanings ascribed to them in the *Building Code Act* or the *Ontario Building Code*, unless otherwise defined herein.

3.2 'CBO' means the Chief Building Official appointed by Council of the Corporation of the Township of Black River-Matheson.

3.3 'Permit' means written permission issued by the CBO to perform work regulated under the Act.

3.4 'Owner' includes a registered owner, lessee, mortgagee in possession, or agent authorized in writing.

#### **4. CLASSES OF PERMITS**

4.1 Classes of permits shall include the following:

4.1.1 Construction Permits

4.1.2 Demolition Permits

4.1.3 Conditional Permits

4.1.4 Change of Use Permits

4.1.5 Plumbing Permits

4.1.6 Partial Permits

4.1.7 Permit Transfers

4.2 Additional classes may be established by the CBO in accordance with the Act.

#### **5. APPLICATION FOR PERMITS**

5.1 Every person shall apply for a permit using the prescribed provincial application form, or a form approved by the CBO where no form is prescribed.

5.2 Each application shall include:

5.2.1 A description of the proposed work and intended use;

5.2.2 The legal description and municipal address of the subject land;

5.2.3 Plans, specifications, and documents sufficient to determine compliance;

5.2.4 The names, addresses, and phone numbers of the owner and authorized professionals;

5.2.5 The required fee as per Schedule A to this By-Law;

5.2.6 A signed declaration of truth by the applicant.

5.3 Incomplete applications may be deemed abandoned after six months of inactivity.

## **6. PLANS AND SPECIFICATIONS**

6.1 The applicant shall provide such plans and specifications as may be necessary to determine whether the proposed work complies with the Act and the Code.

6.2 All documents shall be legible, drawn to scale where applicable, and submitted in paper or digital format as determined by the CBO.

6.3 The CBO may waive the requirement for a current survey if site conditions are otherwise verifiable.

## **7. PERMIT ISSUANCE, DISPLAY, AND VALIDITY**

7.1 No work shall commence until a permit has been issued.

7.2 A copy of the permit shall be displayed in a visible location at the construction site.

7.3 Permits may be revoked under the conditions set out in the Act.

## **8. REVISIONS, TRANSFERS, AND CONDITIONAL PERMITS**

8.1 Revisions to permits shall be submitted in writing and approved by the CBO.

8.2 Permit transfers require the new owner to submit a new application.

8.3 Conditional permits may be issued subject to the execution of an agreement with the Township under Section 8(3) of the Act.

## **9. CHANGE OF USE AND DEMOLITION**

9.1 No person shall change the use of a building or demolish a structure without a permit.

9.2 Change of use permits must include plans demonstrating compliance with Code requirements related to fire safety, structural adequacy, and occupancy classification.

## **10. ALTERNATIVE SOLUTIONS AND EQUIVALENTS**

10.1 Where an applicant seeks approval for an alternative solution under Section 9 of the Act, they must submit supporting documentation.

10.2 The documentation shall include identification of the relevant objectives and functional statements under the Ontario Building Code, as well as evidence that the proposed solution achieves at least the same level of performance as the Code.

10.3 Documentation may include test results, professional evaluations, or precedent approvals from other authorities.

## **11. FEES, REFUNDS, AND VALUATION**

11.1 All permit fees shall be paid in accordance with Schedule A of this By-Law.

11.2 Where the declared value of construction is absent, incomplete, or deemed to be understated, the Chief Building Official may refer to Schedule B of this By-Law to determine the appropriate valuation.

11.3 Refunds may be issued where a permit application is withdrawn, abandoned, or refused, or where work is not commenced, subject to the following framework:

11.3.1 Where no review of the application has commenced, up to 90 percent of the permit fee may be refunded.

11.3.2 Where administrative intake is complete but technical review has not commenced, up to 75 percent of the permit fee may be refunded.

11.3.3 Where technical review has commenced, but no permit has been issued, up to 50 percent of the permit fee may be refunded.

11.3.4 No refund shall be issued where a permit has been issued or where inspections have been carried out.

11.3.5 A written request for refund must be submitted by the applicant, and any refund issued shall be at the discretion of the Chief Building Official, based on the extent of services rendered.

11.3.6 Refunds shall be calculated based on the base permit fee and shall not include fees for zoning reviews, development charges, or other external levies once incurred

## **12. NOTICE REQUIREMENTS AND INSPECTIONS**

12.1 The permit holder shall notify the CBO at each stage of construction requiring inspection under the Ontario Building Code.

12.2 Notices must be given in writing or as otherwise approved by the CBO.

12.3 Notice shall include those prescribed under Division C, Article 1.3.5.1 of the Ontario Building Code, and any additional notices deemed necessary by the CBO to confirm compliance.

### **13. ENFORCEMENT AND ORDERS**

13.1 The CBO may issue Orders to Comply, Stop Work Orders, and other notices authorized under the Act.

13.2 No person shall obstruct the CBO or remove a posted order.

13.3 Where construction is undertaken without a permit, the CBO may require professional reports from a qualified engineer or architect assessing the structural and life safety aspects of the building. Remedial work may be required to bring the structure into compliance through a new permit process.

### **14. OCCUPANCY**

14.1 No person shall occupy a building where an occupancy permit is required under Division C of the Code unless such permit has been issued.

### **15. OFFENCES AND PENALTIES**

15.1 Every person who contravenes this by-law or the Act is guilty of an offence and is subject to the penalties set out in Section 36 of the Building Code Act.

### **16. FORMS AND TEMPLATES**

16.1 Where a form is prescribed by the Building Code Act or Ontario Building Code, that form shall be used.

16.2 Where no form is prescribed, the format and content of any required form, notice, declaration, or template shall be at the discretion of the Chief Building Official.

16.3 All such forms shall be made available to the public on the municipal website and may be amended from time to time without amendment to this by-law.

### **17. SEVERABILITY AND EFFECT**

17.1 If any provision of this by-law is held to be invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

17.2 This by-law comes into force and effect on the date of its final passing.

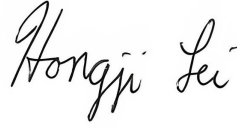
READ A FIRST AND SECOND TIME THIS 13<sup>th</sup> DAY OF MAY, 2025.

READ A THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF JUNE, 2025.



---

**Dave Dymant**  
**Mayor**



---

**Hong Ji Lei**  
**Clerk**



## **SCHEDULE A TO BY-LAW NO. 2025-31 THE CORPORATION OF THE TOWNSHIP OF BLACK RIVER-MATHESON**

### **BUILDING PERMIT FEES**

1. The following fees shall apply to all building permit applications:
  - a. Residential Building or Renovation: \$100.00 for the first \$1,000 of construction value, plus \$10.00 for each additional \$1,000 or part thereof.
  - b. Residential Standalone Demolition Permit: \$100.00 per structure.
  - c. Residential Demolition when included with Building Permit: \$30.00.
  - d. Commercial Building or Renovation: \$150.00 for the first \$1,000 of construction value, plus \$15.00 for each additional \$1,000 or part thereof.
  - e. Commercial Standalone Demolition Permit: \$150.00 per structure.
  - f. Conditional Permit: 50% of total estimated permit fee, with the balance due upon issuance of full permit.
  - g. Commercial Demolition when included with Building Permit: \$50.00.
  - h. Commercial Swimming Pool: \$250.00 flat fee.
  - i. Re-inspection due to failed or incomplete work: \$100.00 per occurrence or \$150.00 after the second inspection.
  - j. Permit Renewal or Extension: 10% of the total original permit fee or \$50.00, whichever is greater.
2. The Chief Building Official may adjust fees for complex projects, phased developments, or projects involving substantial administrative resources.
3. Permit fees shall be paid prior to an application being reviewed unless otherwise authorized in writing by the Chief Building Official.
4. In the event that construction has commenced prior to the issuance of a Building Permit, in addition to any applicable provisions of the Building By-Law, Building Code Act and/or Building Code, the total fee for such permit shall be doubled (x2).



**SCHEDULE B TO BY-LAW NO. 2025-31  
THE CORPORATION OF THE TOWNSHIP OF BLACK RIVER-MATHESON**

**VALUATION OF CONSTRUCTION (FOR PERMIT FEES)**

**Residential (Group C):**

Ground Floor:	\$220/ft <sup>2</sup>
Second Floor:	\$145/ft <sup>2</sup>
Attached Garage:	\$100/ft <sup>2</sup>
Finished Basement:	\$50/ft <sup>2</sup>
Detached Garage / Accessory Structures:	\$70/ft <sup>2</sup>
Decks:	\$30/ft <sup>2</sup>
New Mobile Home: Cost +	\$30/ft <sup>2</sup>
Mobile Home Installation ONLY:	\$30/ft <sup>2</sup>
Shed / Carport / Accessory:	\$50/ft <sup>2</sup>
New Apartment Building:	\$295/ft <sup>2</sup>
Apartment Renovation / Tenant Fit-Up:	\$75/ft <sup>2</sup>

**Commercial / Institutional / Other:**

Group A (Assembly):	\$350/ft <sup>2</sup> (New), \$120/ft <sup>2</sup> (Renovation)
Group B (Institutional):	\$350/ft <sup>2</sup> (New), \$120/ft <sup>2</sup> (Renovation)
Group D (Office & Personal Services):	\$300/ft <sup>2</sup> (New), \$120/ft <sup>2</sup> (Renovation)
Group E (Mercantile): \$230/ft <sup>2</sup> (New):	\$80/ft <sup>2</sup> (Renovation)
Group F (Industrial): \$150/ft <sup>2</sup> (New):	\$80/ft <sup>2</sup> (Renovation)

**Other Structures:**

Farm Buildings:	\$80/ft <sup>2</sup>
Tents & Air Support Structures:	\$60/ft <sup>2</sup>
Storage Buildings:	\$70/ft <sup>2</sup>
Sea Containers: Cost + Installation	
Demountable Stages:	\$150/linear foot
Self-Storage (Direct Access/No Interior Corridor):	\$100/ft <sup>2</sup>