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CITY OF TORONTO

BY-LAW No. 163-1998

A By-law under the *Building Code Act, 1992* respecting permits and related matters.

WHEREAS section 7 of the *Building Code Act, 1992*, authorizes a municipal council to pass by-laws concerning the issuance of permits and related matters;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Short Title.

This By-law may be cited as the "Building Permit By-law".

2. Definitions and Word Usage.

(1) In this By-Law, unless the context requires otherwise,

- (a) "Act" means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended;
- (b) "applicant" means the owner of a building or property who applies for a permit or any person authorized by the owner to apply for a permit on the owner's behalf, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone acting under the authority of such person or corporation;
- (c) "Building Code" means the regulations made under section 34 of the Act;
- (d) "owner" means the registered owner of the land and includes a lessee, mortgagee in possession, and the person in charge of the property;
- (e) "permit" means permission or authorization given in writing by the Chief Building Official to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the Act and Building Code;
- (f) "permit holder" means the owner to whom a permit has been issued or where a permit has been transferred, the new owner to whom the permit has been transferred, and

(g) “work” means construction or demolition of a building or part thereof, as the case may be.

(2) Terms not defined in this By-Law shall have the meaning ascribed to them in the Act or the Building Code.

(3) Grammatical variations of any terms defined in this By-law shall have similar meanings to such defined terms.

(4) Unless the contrary intention appears, words importing the masculine gender include the feminine or neuter gender and words in the singular include the plural, and vice versa.

3. Classes of Permits.

(1) The classes of required permits are as set out in Schedule “A” of this By-law.

(2) In the event of a conflict between a provision in the body of this By-law and a provision in Schedule “A” of this By-law, the provision in the body of this By-law shall prevail.

4. Permits.

(1) An applicant for a permit shall file an application in writing on forms prescribed by and available from the Chief Building Official, and shall supply any other information relating to the application as required by the Chief Building Official.

(2) Every permit application shall:

(a) identify and describe in detail the work, use and occupancy to be covered by the permit for which the application is made;

(b) identify and describe in detail the existing uses and the proposed use for which the premises are intended;

(c) describe the land on which the work is to be done, by a description that will readily identify and locate the site on which the construction, demolition or change of use is to occur;

(d) be accompanied by plans, specifications, documents and other information required by this By-law;

(e) be accompanied by a deposit equal to the Chief Building Official’s preliminary estimate of the fees required by this By-law or twenty thousand dollars (\$20,000.), whichever amount is the lesser;

- (f) state the names, addresses and telephone numbers of the owner, the applicant, the architect, engineer or other designer, and the person who will carry out the work applied for;
 - (g) when Section 2.3. of the Building Code applies, be accompanied by a signed acknowledgment of the owner on a form prescribed by the Chief Building Official that an architect or professional engineer, or both, have been retained to carry out the general review of the construction or demolition of the building;
 - (h) when Section 2.3. of the Building Code applies, be accompanied by a signed statement of the architect or professional engineer, or both, on a form prescribed by the Chief Building Official, undertaking to provide general review of the construction or demolition of the building;
 - (i) include, where applicable, the registration number of the builder or vendor as provided in the *Ontario New Home Warranties Plan Act*, R.S.O. 1990, c. O.31, as may be amended or replaced from time to time;
 - (j) state estimated valuation of the proposed work including material, labour and related direct costs associated with the work exclusive of the cost of the land;
 - (k) state, for all proposed temporary buildings, the date of removal of the temporary buildings; and
 - (l) be signed by the applicant who shall certify as to the truth of the contents of the application.
- (3) In addition to the requirements of subsection 4(2) of this By-law every permit application that includes demolition, shall:
- (a) when Section 2.3. of the Building Code applies, be accompanied by structural design characteristics of the building and the method and time schedule of demolition; and
 - (b) where the application includes the use of explosives during the course of demolition, be accompanied by, at the sole discretion of the Chief Building Official, an undertaking, insurance policy, and performance bond, letter of credit or certified cheque, in a form satisfactory to the Chief Building Official, but subject to the following requirements:
 - (i) the undertaking shall be in favour of the City of Toronto and in it the applicant, contractor and owner of the property

containing the building to be demolished shall each indemnify jointly and severally the City, its officers, servants and agents, against all claims of any kind resulting from the demolition,

- (ii) the insurance policy shall:
 - A. be a third-party no-deductible liability insurance policy in an amount approved by the Chief Building Official, but providing not less than ten million dollars (\$10,000,000.) coverage;
 - B. include the City, its officers, servants and agents, and the Chief Building Official as additional named insureds; and
 - C. include a cross-liability clause,
 - (iii) the performance bond, letter of credit or certified cheque shall be in an amount approved by the Chief Building Official, but such amount shall not be less than twenty-five thousand dollars (\$25,000.), to cover the removal of protective work and to cover any damage occasioned to property of the City.
- (4) In addition to the requirements of subsections 4(2) and (3) of this By-law, an application for a demolition permit may be required by the Chief Building Official to be accompanied by any of the other information set out in Schedule “B” of this By-law.
- (5) In addition to the requirements of subsection 4(2) of this By-law, every construction permit application for part of a building shall:
- (a) include an application for the entire project; and
 - (b) include plans and specifications covering the part of the work for which more expeditious approval is desired, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official.
- (6) In addition to the requirements of subsection 4(2) of this By-law, every conditional permit application for the construction of a building shall:
- (a) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;

- (b) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained; and
 - (c) be subject to the applicant entering into an agreement as provided for in subsection 8(3) of the Act.
- (7) In addition to the applicable requirements of subsection 4(2) of this By-law, every change of use permit application shall:
 - (a) describe the building or part thereof in which the occupancy is to be changed; and
 - (b) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code including, floor plans, details of wall, floor and roof assemblies identifying required fire resistance rating and load bearing capacities.
- (8) The Chief Building Official shall, where conditions in subsection 4(5) of this By-law have been fulfilled, issue a permit for part of a building subject to compliance with the Act, the Building Code and any other applicable law.
- (9) The Chief Building Official may, where conditions in subsection 8(3) to 8(5) of the Act and subsection 4(6) of this By-law have been fulfilled, issue a conditional permit for a building subject to compliance with the Act, the Building Code and any other applicable law.
- (10) The Chief Building Official shall not, by reason of the issuance of a permit for which application was made under subsection 4(5) or subsection 4(6) of this By-law, be under any obligation to grant any further permit therefor.
- (11) Where an application for a permit remains incomplete or inactive for six (6) months after it is made, the application may be deemed by the Chief Building Official to have been abandoned and notice thereof shall be given to the applicant.

5. Plans and Specifications.

- (1) Every applicant shall furnish,
 - (a) sufficient plans, specifications, documents and other information to enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, the Building Code and any other applicable law; and

- (b) a site plan referenced to a current plan of survey certified by a registered Ontario Land Surveyor and a copy of such a survey shall be filed with the municipality unless this requirement is waived because the Chief Building Official is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code, and any other applicable law.
- (2) The site plan referred to in subsection 5(1) of this By-law shall include:
 - (i) lot size and dimensions of the property and setbacks to any existing or proposed buildings;
 - (ii) existing and finished ground elevations of the property and elevations of the streets abutting the property;
 - (iii) existing rights of way, easements and municipal services;
 - (iv) dimensions of setbacks of proposed buildings from buildings located on adjacent lots; and
 - (v) dimensions of setbacks of buildings located on adjacent lots from their respective front property lines.
 - (3) Plans submitted under subsection 5(1) of this By-law shall be legible and be drawn to scale upon paper or other suitable and durable material.
 - (4) The Chief Building Official shall determine the number of plans, specifications, documents and other information required to be furnished with an application for permit having regard for the requirements of any Act, regulation or by-law (including this By-law) respecting the examination or circulation of the application.
 - (5) The Chief Building Official may require additional information to be provided at any time prior to the completion of work.
 - (6) On completion of the construction of a building, the Chief Building Official may require a set of as constructed plans, including a plan of survey showing the location of the building.
 - (7) Plans and specifications furnished according to this By-law or otherwise required by the Act become the property of the municipality and will be disposed of or retained in accordance with relevant legislation.

6. Fees.

- (1) The Chief Building Official shall determine the required fees for the work proposed calculated in accordance with Schedule “A” of this By-law and the applicant shall pay such fees.
- (2) No permit shall be issued until the full fees therefor have been paid.
- (3) Upon written request, the Chief Building Official shall determine the amount of fees, if any, that may be refunded in accordance with Schedule “A” of this By-law in the case of:
 - (a) withdrawal of an application,
 - (b) abandonment of an application pursuant to subsection 4(11) of this By-law,
 - (c) refusal to issue a permit, or
 - (d) request for revocation of a permit pursuant to clause 8(10)(e) of the Act.

7. Revocation of Permit

- (1) Prior to revoking a permit under clause 8(10)(b) or clause 8(10)(c) of the Act, the Chief Building Official shall serve the permit holder with or cause the permit holder to be served with written notice of the intention to revoke the permit.
- (2) Notice under subsection 7(1) of this By-law may be served either by personal service or by mailing the notice by registered mail addressed to the permit holder, at the last address the permit holder has communicated to the Chief Building Official in writing; and where notice is served by mailing, the permit holder shall be conclusively deemed for all purposes to have been served with the notice on the third day after the day of mailing.
- (3) If on the expiration of thirty (30) days from the date of service of notice of intention to revoke a permit, the ground for revocation continues to exist, the Chief Building Official may revoke the permit without further notice to the permit holder.
- (4) Upon revocation of a permit the Chief Building Official has the sole discretion to dispose of any plans or any other information submitted with the permit application, or to return same to the permit holder.

8. Deferral of Revocation.

- (1) A permit holder may, within thirty (30) days from the date of service of notice of intention to revoke a permit, request the Chief Building Official in writing to defer the revocation of the permit.
- (2) A request for deferral shall set out the reasons why the permit should not be revoked and the date by which the work will be commenced or resumed.
- (3) Having considered the circumstances of the request and having determined that there have been no changes to the Act and the Building Code and any other applicable law which would have prevented the issuance of the original permit, the Chief Building Official may allow a deferral to a prescribed date, and shall notify the permit holder of the decision.
- (4) A request for deferral of revocation shall be accompanied by the fee therefor set out in Schedule "A" of this By-law.

9. Transfer of Permit.

- (1) Permits are transferrable only upon the current permit holder and the new owner completing a permit application to the requirements of Section 4 of this By-law.
- (2) The fee therefor set out in Schedule "A" of this By-law shall be payable on a transfer of permit to the new owner, who shall thenceforth be the permit holder for the purpose of the Act and the Building Code.

10. Notifications.

- (1) Notices for inspections respecting stages of construction required by the Building Code shall be given by the permit holder to the Chief Building Official at least two (2) business days in advance of each stage of construction specified therein.
- (2) A notice pursuant to this section is not effective until written or oral notice is received by the Chief Building Official.

11. Severability.

Should any section, subsection, clause or provision of this By-Law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

12. Transition.

- (1) This By-law comes into force on the seventh day after the day it is passed.

- (2) Except as provided in subsection 12(3) of this By-law, the By-laws listed in Schedule “C” of this By-law are rescinded on the day this By-law comes into force.
- (3) Notwithstanding subsection 12(1) and subsection 12(2) of this By-law, the By-laws listed in Schedule “C” of this By-law continue to apply to and govern all permits issued and all permit applications made before this By-law comes into force.

ENACTED AND PASSED this 16th day of April, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)

SCHEDULE “A” TO BY-LAW No. 163-1998

CLASSES OF PERMITS AND PERMIT FEES

1. Calculation of Permit Fees

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 Classification of the work proposed and,

A = floor area in m² of work involved.

2. Minimum Fee

A minimum fee of \$ 80.00 shall be charged for all work.

3. Classes of Permits and Permit Fees

A. CONSTRUCTION

BUILDING CLASSIFICATION

SERVICE INDEX (SI)
\$/m² unless otherwise indicated

Group A [Assembly Occupancies] All Recreation Facilities, Schools, Libraries, Places of Worship, Restaurants (Finished), Theatres, Arenas/Gymnasiums/Pools	20.00
Restaurants (Shell)	16.75
Open Public Swimming Pools	5.40
Transit Stations, Subways, Bus Terminals	15.50
All other Group A Buildings	20.00
Group B [Institutional Occupancies] Institutional, Hospitals, Nursing Homes, and other Group B Buildings	21.30
Group C [Residential Occupancies] Single Family Dwellings, Semis, Townhouses, Duplexes, Live/Work Unit	12.00

BUILDING CLASSIFICATIONSERVICE INDEX (SI)\$/m² unless otherwise indicated

All other multiple unit buildings	
Motels above 2 stories and Hotels	19.00
Certified Plans - Housing	
(i) For Certification of plans	6.00
(ii) Permits for Certified Plans	10.20
All other residential Occupancies	12.00
Group D [Business and Personal Service Occupancies]	
Office Buildings (Shell), all other Group D Buildings (shell)	12.60
Office Buildings (Finished), Banks, Medical clinics	15.80
Fire halls and all other Group D buildings (Finished)	
Group E [Mercantile Occupancies]	
Mercantile Occupancies, Retail Stores (Shell)	10.20
Retail Stores (Finished), Department Stores, Supermarkets and All Other Group E Buildings (Finished)	13.40
Group F [Industrial Occupancies]	
Industrial Buildings, Warehouses (Shell less than 7,500 m ²)	8.00
Industrial Buildings (Finished less than 7,500 m ²)	11.00
Industrial Buildings, Warehouses (Shell greater than 7,500 m ²)	6.50
Industrial Buildings (Finished greater than 7,500 m ²)	9.70
Gas Stations, Car Washes	10.00
Parking Garages (U/G, Open Air)	5.25
All Other Group F Buildings	11.00

B. ALTERATIONS AND RENOVATIONS

Interior alterations (Partitions , Finishings etc.)

Group A , B and D	3.25
Group C , E and F	3.00

C. DEMOLITION

All Buildings and Occupancies	0.10
Implosion (In Addition to Service Index)	\$1500.

BUILDING CLASSIFICATION

SERVICE INDEX (SI)
\$/m² unless otherwise indicated

D. DESIGNATED STRUCTURES (OBC 2.1. 2.)

Communication Tower	\$275. / Structure
Crane Runway	\$275./ Structure
Exterior Tank and Support	\$275. / Structure
Pedestrian Bridge	\$275. / Structure
Retaining Wall	8.00 /lineal m
Satellite Dish, Solar Collector	\$275. / Structure

E. STAND ALONE and MISCELLANEOUS WORK

(a) Air Supported Structures	5.70
(b) Balcony Guards (Replacements)	1.50 / lineal m
(c) Balcony Repairs	\$14.00 / Balcony
(d) Basements - Finishing - in Dwellings/TH	4.00
(e) Basements - Unfinished - Non Residential	4.00
(f) Canopy w/o enclosure	4.30
(g) Ceilings (Added or Replacement)	0.40
(h) Demising Walls (no other construction)	4.00 / lineal m
(i) Electromagnetic Locks	\$30.00 each Max. \$300.00
(j) Emergency lighting	\$35.00/storey, Max.\$350.00
(k) Farm Buildings	7.00
(l) Fire alarms	\$50.00/storey, Max.\$500.00
(m) Fire doors retrofit	\$20.00 each, Max. \$300.00
(n) Fireplaces, Wood Stoves	\$80.00 each
(o) Mechanical Service Spaces and Penthouses	7.00
(p) Parking Garage Repairs	
(i) Slab Reconstruction	4.00
(ii) All other repairs	1.50
(q) Portable Classrooms	
(i) Permits for Noncertified Portable Classrooms	\$100.00 / Portable
(ii) For Certification	\$100.00 / Portable
(iii) Permits for Certified Portable Classrooms	\$50.00 / Portable
(r) (i) Repairs or Re-cladding of Walls, Re-roofing (non-structural)	0.50
(ii) Re-roofing with structural work, raise roof structure	4.00
(s) Residential Decks, Porches, Carports	\$80.00 each
(t) Shoring	8.00 / lineal m
(u) Single Family Detached Garages, Accessory Structures	\$80.00 each
(v) Sprinklers	0.40

BUILDING CLASSIFICATIONSERVICE INDEX (SI)
\$/m² unless otherwise indicated

(w)	Standpipes (Retrofit)	\$35.00 each, Max.\$350.00
(x)	Temporary Structures	
	(i) Tent	
	1. To certify tents	\$80. up to two tents \$25. each additional tent
	2. Permits for certified tents	\$80. tent
	3. All Other temporary tents	\$ 1./ m ² up to 225 m ² plus \$.25/m ² for add'l area over 225m ²
	(ii) Trailers, Sales Pavilions & Temporary Buildings	10.00
(y)	Underpinning	8.00 / lineal m
(z)	Window Replacements (except for SFD)	\$2.00 each

F. STAND ALONE MECHANICAL WORK (HVAC & PLUMBING)

- (i) Permit for Heating, Ventilating and
Air Conditioning (HVAC)

Group A & B

Assembly, Institutional, Restaurants 1.25

Group C

Single Family Detached or Attached Dwellings, Townhouses

- Heating and Ventilating only, complete with new ductwork etc	\$125.Flat fee
- Heating, Ventilating and Air Conditioning	\$175.Flat fee
- Boiler/Furnace Replacement	\$100.Flat fee
- A/C unit addition	\$100.Flat fee
Other Group C Buildings	0.90

Group D & E

All Group D & E Buildings 1.00

Group F

Small Buildings (up to 230m ²)	\$150. Flat fee
Laboratories	1.25
Parking garages	0.25
Other Group F Buildings (more than 230m ²)	0.70

BUILDING CLASSIFICATIONSERVICE INDEX (SI)
\$/m² unless otherwise indicated

(ii) HVAC Alterations

Add on System, (Unit Heater, Make-up Air Unit, Exhaust Fan) and/or Ductwork Alterations	\$125. Flat fee
Boiler/Furnace Replacement or A/C unit	\$250. Flat fee

(iii) Special Ventilation Systems

Commercial Kitchen Exhaust, Spray Booth, Dust Collector, etc.	\$300. Flat fee
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(iv) Plumbing and Drainage Systems

FIXTURES/EQUIPMENT/ROOF DRAINS

Single Family Dwelling	\$15.00 each
All other Buildings	\$20.00 each

PIPING

Single Family Detached or Attached Dwellings	
- Water services, Sanitary and Storm buried piping	\$80. Flat fee
- Repairs, Replacement and Additions of buried plumbing and drainage piping, pool drains	\$80. Flat fee

All Other Buildings	
- Inside Sanitary and Storm Piping	1.70 / lineal m
- Outside Water Services, Sanitary and Storm Piping	

(v) Other Plumbing Work

Manholes, Catchbasins, Interceptors and Sumps complete with pumps	\$25. each
Backflow prevention devices (devices requiring testing)	\$60. each
Private Sewage Systems	
-Holding Tank	\$250. Flat fee
-Septic System	\$500. Flat fee

4. Other Charges

- | | | |
|-----|---------------------------------------|---|
| (a) | Additional Review Fee | In order to compensate the City for additional work and expense in plan examination, if new, additional or revised information is submitted for a permit application which applies to some or all of the permit which has already been reviewed, the greater of \$80. or the additional review time spent, measured to the nearest whole hour, multiplied by the hourly rate of \$60. per hour. |
| (b) | Authority to Occupy Before Completion | \$300. minimum charge plus for any examination and inspection time over 5 hours, \$60. per hour. |
| (c) | Conditional Permit Under | Additional fee equal to 10 percent of the full fees for Sec. 8(3) of Building Code Act the entire project with a minimum of \$200. and a maximum of \$2000. |
| (d) | Part Permit | \$200. additional fee for each part permit. |
| (e) | Permission to Defer Revocation | \$80. per permit plus \$60. per hour for any review time over 1 hour. |
| (f) | Permit for Change of Use | \$60. per hour of examination and inspection time, with a \$200. minimum. |
| (g) | Permit to Revise an Issued Permit | \$60. per hour of examination and inspection time. |
| (h) | Special Inspection Fee | \$60. per hour of inspection time. |
| (i) | Transfer of Permit | \$80. per permit. |
| (j) | Routine Compliance Search Fee | \$100. flat fee |

5. OTHER APPLICABLE FEES

Fees for classes of permits or services not described or included in this Schedule shall be based on an hourly charge of \$60. hour to account for processing of the permit and inspections.

6. REFUNDS

Pursuant to subsection 6(3) of this By-law, the amount of fees refundable shall be calculated based on the total required fee, using the following factors:

- (a) 75 percent if application is cancelled prior to the review of the application and 50 percent if cancelled prior to permit issuance;
- (b) 40 percent if permit has been issued and project has been cancelled minus \$80. for each field inspection performed up to the cancellation date;
- (c) In cases where the deposit paid is less than the total required fee calculated using this Schedule, the amount of the refund shall be reduced by the amount owing;
- (d) No refund is due for any Other Charges paid under Section 4 of this Schedule "A" or for certification of plans;
- (e) If the amount of fees refundable as calculated pursuant to section 6 of this Schedule "A" is less than the minimum permit fee applicable to the work, there shall be no refund; and
- (f) The refund shall be made to the then current permit holder at the time the refund request is made.

SCHEDULE “B” to BY-LAW No. 163-1998

DEMOLITION PERMIT APPLICATION INFORMATION

1. Environmental Information

Details and particulars in respect of the proposed demolition which state:

- (a) whether there is compliance with Regulation 347 made under the Environmental Protection Act, R.S.O. 1990, c. E.19;
- (b) whether the present owner has or any past owners had generators or a waste generator number;
- (c) whether there are hazardous or controlled products, as defined in the Workplace Hazardous Materials Information System (WHMIS);
- (d) whether there is a list of designated substances including asbestos as required under section 30 of the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1;
- (e) whether there are any fluid storage tanks, above or below grade, on site;
- (f) whether there are any outstanding orders issued by the Ministry of the Environment or the Ministry of Labour in respect of the premises;
- (g) whether the structure to be demolished is insulated with urea formaldehyde;
- (h) whether the structure contains polychlorinated biphenyls (PCBs) as defined under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, Regulation 362;
- (i) whether the structure contains chlorofluorocarbon (CFC) bearing refrigerant equipment which requires proper handling in accordance with any applicable City by-law respecting CFC's including the following:
 - (i) Article I, Ozone-Depleting Substances, of Municipal Code Chapter 127, Air Pollution, of the former City of Toronto; and
 - (ii) by-laws respecting CFC of the former Cities of Etobicoke, North York, Scarborough and York and the former Borough of East York;
- (j) the nature of the past and present uses of the premises;
- (k) the precise nature of the waste, as defined under the *Environmental Protection Act*, R.S.O. 1990, c. E.19 and regulations made under that Act that will be generated by the demolition of the structure and the method of waste disposal;

- (l) whether there will be compliance with section 13 of the *Environmental Protection Act*, R.S.O. 1990, c. E.19 and with any applicable City by-law respecting noise including the following:
 - (i) Chapter 241, Noise, of the former City of Toronto Municipal Code; and
 - (ii) by-laws respecting noise of the former Cities of Etobicoke, North York, Scarborough and York and the former Borough of East York;
- (m) the method of demolition and whether the method for handling air and dust emissions, recognizing on site sources, complies with sections 6 and 11 of Regulation 346 made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- (n) what the final grading will be;
- (o) the post-closure plans;
- (p) the proposed enclosure of the land;
- (q) the size of the property on which the structure to be demolished is located; and
- (r) whether there will be discharge of contaminated waters resulting from either a dewatering process, storm runoff or other discharge contrary to any applicable City by-law respecting sewers including the following:
 - (i) former Metropolitan Toronto Corporation By-law No. 153-89;
 - (ii) Article III, Sewer Regulation, of Municipal Code Chapter 292, Sewers, of the former City of Toronto; and
 - (iii) by-laws respecting sewers of the former Cities of Etobicoke, North York, Scarborough and York and the former Borough of East York.

2. **Use of Explosives Information**

- (a) evidence that the building is not on a lot in or adjacent to a residential area designated as an “R district” under the applicable zoning by-law;
- (b) a declaration that the contractor shall comply with all applicable law respecting the transportation, storage, handling and use of explosives, including, but not limited to, the *Explosives Act*, R.S.C. 1985, c. E-17, the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, and the Fire Code, and that, in the absence of legislative requirements, the demolition shall be conducted in accordance with CSA (Canadian Standards Association) standard S350-M1980, Code of Practice for Safety in Demolition of Structures;

- (c) a copy of the letter of retention of a professional engineer experienced in the use of explosives during the course of demolition who has been retained to undertake the design and general review of all components of the demolition;
- (d) a report on the demolition plan, prepared by the professional engineer described in clause 2(c) of this schedule, that includes the following:
 - (i) structural design characteristics of the building sought to be demolished;
 - (ii) particulars of the method of demolition describing in detail the dates, times, duties, procedures, safety precautions, explosives, vibration, noise and dust effect of the method on:
 1. the building sought to be demolished;
 2. buildings in the area of influence;
 3. public and private utilities and infrastructure in the vicinity; for example, electricity, sewer, water, telephone, gas, cable, district heating and cooling, streetcar and similar services; and
 4. residents in the area of influence;
 - (iii) the measures employed to isolate the building sought to be demolished from its surroundings; and
 - (iv) the proposal to inform residents in the area of influence of the demolition;
- (e) a precondition survey with pictures prepared by the professional engineer depicting interior and exterior conditions of all buildings, public and private utilities, bridges, underground structures and structural improvements, streets and any similar thing, within the area of influence of the demolition;
- (f) where, in the opinion of the professional engineer, buildings in the area of influence of the demolition may suffer damage as a result of the use of explosives during the course of the demolition, written consent of the owners of the buildings concerned, giving permission for an in-depth inspection of their structures by the professional engineer prior to demolition, and the results of this inspection shall be included in the demolition plan required under clause 2(d) of this schedule;
- (g) a letter from the Ministry of Labour confirming that a notice of the project has been filed and that the demolition procedures have been reviewed for compliance with the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1;

- (h) where considered appropriate by the Chief Building Official, written approval from any of the following:
 - (i) the Chief Administrative Officer, the City Engineer, the Fire Chief, the Medical Officer of Health or any other City official responsible for public works, fire matters, health matters, parks or recreation matters;
 - (ii)
 - 1. Toronto District Heating Corporation;
 - 2. Toronto Economic Development Corporation;
 - 3. Toronto Historical Board;
 - 4. Toronto Hydro-Electric Commission;
 - 5. Toronto Police Services Board;
 - 6. Toronto Transit Commission;
 - (iii) Ministry of Energy and the Environment;
 - (iv)
 - 1. Department of Natural Resources of Canada;
 - 2. Toronto Harbour Commissioners;
 - (v)
 - 1. Bell Canada;
 - 2. Consumers Gas Company;
 - 3. Rogers Cable;
- (i) evidence of the execution of any agreements or undertakings required as part of the written approval required under clause 2(h) of this schedule; and
- (j) evidence of compliance with any other reasonable criteria the Chief Building Official determines to be necessary in respect to the specific property for which the demolition permit is requested.

SCHEDULE “C” TO BY-LAW No. 163-1998

LIST OF BY-LAWS RESCINDED

- (1) By-law No. 90-93 of the former Borough of East York.
- (2) Municipal Code Chapter 103 of the former City of Etobicoke.
- (3) By-law No. 32239 of the former City of North York.
- (4) By-law No. 24387 of the former City of Scarborough.
- (5) Article I, Building Permits, of Municipal Code Chapter 146, Building Construction and Demolition, of the former City of Toronto.
- (6) Municipal Code Chapter 780 of the former City of York.