

**TOWN OF OSLER
BYLAW 2011-03
A BYLAW RESPECTING BUILDINGS**

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The Municipal Council of the Town of Osler in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1. This bylaw may be cited as the Building Bylaw.

INTERPRETATION / LEGISLATION

2. (1) “Act” means *The Uniform Building and Accessibility Standards Act* being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- (2) “Administrative Requirements” means *The Administrative Requirements for Use with the National Building Code*.
- (3) “Authorized representative” means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.
- (4) “Commercial” means all buildings as set out in Table 3.1.2.1 of the *National Building Code* and all other buildings not identified specifically in this bylaw.
- (5) “Local authority” means the Town of Osler.
- (6) “Regulations” means regulations made pursuant to the Act.
- (7) “Residential” means all one, two or three unit dwellings.
- (8) Definitions contained in the *National Building Code* and *The Uniform Building and Accessibility Standards Act* and Regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (1) This bylaw applies to matters governed by the Act and Regulations, including the *National Building Code of Canada*, and the Administrative Requirements.
- (2) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- (3) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting “occupancy permits” shall not apply except as and when required by the local authority or its authorized representative.

GENERAL

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (2) No owner or owner's agent shall work or authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.
- (3) The granting of any permit that is authorized by this bylaw shall not:
 - (a) entitle the grantee, his successor or assigns, or anyone on his behalf to erect any building that fails to comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit;
 - (b) make either the local authority or its authorized representative liable for damages or otherwise by reason of the fact that a building, the construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit.

BUILDING PERMITS

5. (1) Every application for a permit to construct, erect, place, alter, repair, renovate, change occupancy or reconstruct a building shall be in Form A, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by the local authority or its authorized representative plans and/or specifications need not be submitted.
- (2) If the work described in an application for a building permit, to the best of the knowledge of the local authority or its authorized representative, complies with the requirements of this bylaw, the local authority, upon receipt of the prescribed fee, shall issue a permit in Form B and return one set of submitted plans to the applicant.
- (3) The local authority may, at its discretion, have plan review, inspection and other services for the purpose of enforcement of the Act and Regulations provided by building officials designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.
- (4) The local authority may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the local authority.

- (5) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be calculated based on the Inspections Fees set out in the agreement with the Building Inspector (Schedule A attached).
- (6) In the event that construction commences without an approved Permit the permit fee referred to in Section (5) above and set out in Schedule A attached shall be doubled.
- (7) The local authority may estimate the value of construction for the work described in an application for building permit, for the purpose of evaluating a permit fee, based on established construction costs, owner's statement of costs or constructor's contract values, or similar methods selected by the local authority.
- (8) Approval in writing from the local authority or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- (9) All permits issued under this section expire:
 - (a) six months from date of issue if work is not commenced within that period, or
 - (b) if work is suspended for a period of six months, or,
 - (c) twelve months from the date of issue of the permit, unless extended by the local authority or its authorized representative in response to a written request from the applicant.
- (10) In the event that a permit expires without the approval set out in (8) above the applicant will be required to pay the full amount of the permit fee to extend the permit time for an additional year.
- (11) The local authority may, at its discretion, rebate a portion of a permit fee where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

DEMOLITION PERMITS

6. (1) (a) The fee for a permit to demolish a building shall be \$100.00.
 - (b) (i) In addition, the applicant shall deposit with the local authority a \$3000.00 security bond to cover the cost of restoring the site after the building has been demolished to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.
 - (ii) If the applicant who demolishes the building restores the site to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or a portion thereof, shall be refunded.
- (2) Every application for a permit to demolish a building shall be in Form C.
- (3) Where a building is to be demolished and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes

outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form D.

- (4) At least 24 hours prior to demolition, the applicant must:
 - (a) arrange with the Town of Osler to have the water and sanitary sewer service connections discontinued at the water and sewer mains and
 - (b) arrange with the gas, electric and telephone companies or other utilities to discontinue their services.
- (5) Demolition permits expire six months from the date of issue except that permit may be renewed for six months upon written application to the local authority.

REMOVING, RELOCATION OR PLACEMENT OF BUILDING PERMITS

7. (1) (a) The fee for a permit to remove and/or relocate a building shall be \$100.00.
 - (b) i) In addition, the applicant shall deposit with the local authority a \$3000 security in cash or bond to cover the cost of restoring the site after the building has been moved or removed to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.
 - ii) If the applicant who moves or removes the building restores the site(s) to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.
- (2) Every application for a permit to remove and/or relocate a building shall be in Form C.
- (3) Before issuing a permit for the removal and/or relocation, the local authority must be satisfied that:
 - (a) the structure of the building is such that the removal and/or relocation can be safely effected;
 - (b) that no person other than a licensed building mover will remove or relocate the building;
 - (c) that the building shall be moved along a route that, if by reason of its height, is the least likely to occasion damage to municipal facilities;
 - (d) that there are no arrears or taxes outstanding with respect to building or land on which building is or will be situated;
 - (e) that when the building is placed on its new site and completed, it will conform with all applicable bylaws;
 - (f) that the architectural design of the building will not adversely affect the general design of the buildings in the neighbourhood to which the building is to be moved; and
 - (g) that the prescribed fee and deposit has been received.
- (4) (a) Where a building is to be removed from the jurisdiction of the local authority, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the local authority

upon receipt of the fee and deposit prescribed, shall issue a removal permit in Form D.

- (b) Where a building is to be relocated from its site and set upon another site in the local authority, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, and the building when placed on its new site and completed, to the best of the knowledge of the local authority or its authorized representative, will conform with the requirements of this bylaw, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D. In addition, the local authority, upon receipt of the fee prescribed in Section 5(5), shall issue a permit for the placement of the building in Form B.
 - (c) Where a building is to be relocated from a *site external to the local authority and set upon a site within the local authority*, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the land on which the building is to be situated, and the building when placed on its new site and completed, to the best of the knowledge of the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the placement of a building in Form D.
- (5) At least 24 hours prior to the removal and/or relocation, the applicant must:
- (a) arrange with the Town of Osler to have the water and sanitary sewer service connections discontinued at the water and sewer mains and
 - (b) arrange with the gas, electric and telephone companies or other utilities to discontinue their services.
- (6) All permits issued under this section expire six months from the date of issue except that a permit may be renewed for six months upon written application to the local authority.

ENFORCEMENT OF BYLAW

8. (1) If any building or part thereof or addition thereto is constructed, erected, placed, altered, repaired, renovated or reconstructed in contravention of any provision of this bylaw, the local authority or its authorized representative may take any measures as permitted by Part V of the Act for the purpose of ensuring compliance with this bylaw including, but not limited to:
- (a) entering a building,
 - (b) ordering production of documents, tests, certificates, etc. relating to a building,
 - (c) taking material samples,
 - (d) issuing notices to owners that order actions within a prescribed time,
 - (e) eliminating unsafe conditions,
 - (f) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and

- (g) obtaining restraining orders.
- (2) If any building, or part thereof, is in an unsafe condition due to its faulty construction, dilapidated state, abandonment, open or unguarded condition or any other reason, the local authority or its authorized representative may take any measures allowed by subsection (1).
- (3) The owner of a building for which a permit has been issued or for which actions are being taken in compliance with an order shall give notice in writing to the local authority as required in Section 17.2 of the Act including, but not limited to:
 - (a) on start, progress and completion of construction,
 - (b) of change in ownership prior to completion of construction, and
 - (c) of intended partial occupancy prior to completion of construction.

CONTROL OF GRADE ELEVATIONS

- 9. (1) When issuing a building permit for new construction or alterations involving new foundation, the local authority or its authorized representative in conjunction with the town engineers, shall define the finished grade elevation, the future sidewalk elevation (if required) and the benchmark reference for the development.
- (2) A letter from a registered legal surveyor is required to confirm that the back of lot elevations match those on the lot grading plan provided by the Town.

SPRINKLERED FIRE PROTECTION

- 10. Notwithstanding the requirements of the UBAS Act and regulations, all buildings over three storeys in building height shall be sprinklered or alternative fire protection measures are put in place that meet the requirements set out by Council in consultation with the Osler Fire Chief.

SPECIAL CONDITIONS

- 11. (1) Notwithstanding the requirements of the Regulations, an architect or professional engineer registered in the province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the local authority or its authorized representative.
- (2) An up-to-date plan or survey of the site described in a permit or permit application prepared by a registered land surveyor shall be submitted by the owner where required by the local authority or its authorized representative.
- (3) It shall be the responsibility of the owner to ensure that change in property lines and/or change in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.
- (4) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts, and regulations.

(5) All buildings with sump pumps installed to handle drainage of weeping tile will be required to have the sump pump discharge to the rear, if the laneway is paved, or to the front to utilize the existing curb and gutter or storm sewer system, whichever is in place.

(6) In the case of a wood foundation the applicant must provide an engineered plan.

PENALTY

12. (1) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.

(2) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.

REPEAL OF BYLAW

13. Bylaw No. 1-76 and No. 4-80 are hereby repealed.

EFFECTIVE DATE OF BYLAW

14. This bylaw shall come into force on the date of final approval by the Minister.

Enacted pursuant to Section 14 of
*The Uniform Building and Accessibility
Standards Act*

Read a first time this 22nd day of February, 2011

Read a second time this 22nd day of March, 2011

Read a third time this 22nd day of March, 2011

Mayor

SEAL

Chief Administrative Officer

SCHEDULE A – FEES FOR BUILDING PERMITS

Town of Osler Inspection Rates Effective January 1, 2015

Inspection Fees & Charges

Residential: Wagner Inspection Services (WIS) charges an inspection fee of \$960 for a five-part inspection program (first part consists of two billing units for the Plan Review (Drawing) and then one billing unit each for four on-site inspections) for all new residential buildings that are one or two family dwellings and do not exceed 139 m² of developed living space. Dwellings greater than 139 m² of developed living space (m² includes walk-outs and finished basements) are charged \$160 per each additional 50 m² or part thereof. The fees for other residential building projects are listed below.

Commercial: All non-residential buildings, residential buildings that are not one or two family dwellings, and single dwellings with a footprint larger than 600 m², will be charged at \$4.50 per \$1,000 construction cost (although minimum fees do apply). The number of inspections required is dependent upon the size, usage (restaurant, school, etc.), and method of construction (prefab, wood, concrete block, etc.) WIS would assess the number of inspections required at the time of the plan review prior to issuance of a permit. This number is typically is between 5 and 15 inspections, except for larger projects. This fee/\$1,000 may be reduced for projects over 20 million dollars (please inquire, if applicable.)

(1 residential billing unit = \$160.00)

1) Residential Dwellings	PBI Fee	Inspections
a) Developed living space (up to 139 m ²) (6 units)	[2Dwg, Fdn, Frame, Other, Occupancy]	960.00\$
b) Undeveloped basement	incl.	
c) Attached garage	incl.	
d) Deck (if completed when the home is completed)	incl.	
e) Additional fee per each 50 m ² of developed living space (incl. basement development)	160.00\$	
* Post-Move (up to 139 m ²) (5 units) [2Dwg, Fdn, Anchor, Occup] 800.00\$		
(Items b) to e) above apply) - Framing included, if req'd. Only 4 units if no deck/att garage/bsmt dev.		
Mobile Home (3 units)	[Dwg, Anchor, Occup]	480.00\$

2) Residential Building Projects

a) Addition (4 units)	[Dwg, Fdn, Frame, Final]	640.00\$
b) Attached Garage (insulated) (3 units)	[½Dwg, Fdn, Frame, ½Final]	480.00\$
c) Attached Garage (not insulated) (2 units)	[½Dwg, Fdn, ½Final]	320.00\$
d) Detached Garage (insulated) (2 units)	[½Dwg, Frame, ½Final]	320.00\$
e) Detached Garage up to 900 ft ² (not insulated) (1 unit)	[½Dwg, ½Final]	160.00\$
f) Detached Garage >900 ft ²	[½Dwg, Frame, ½Final]	320.00\$
g) Renovation or secondary suite (2 units)	[½Dwg, Frame, ½Final]	320.00\$
h) Deck (1 unit)	[½Dwg, ½Final]	160.00\$
i) Accessory Building (insulated) (2 units)	[½Dwg, Frame, ½Final]	320.00\$
j) Accessory Building (not insulated) (1 unit)	[½Dwg, ½Final]	160.00\$
k) Foundation Replacement (3 units)	[½Dwg, Fdn, Anchor, ½Final]	480.00\$
l) Optional Service (e.g. Insulation & Vapour Barrier inspection for new dwellings and insulated building projects)	160.00\$	

Notes for 1 & 2 above:

- If additional inspections are required (e.g. re-inspection of infractions, progress inspection, any changes to the original permit, stop work order, affidavit review, etc.) an extra fee of \$160.00 will be charged.
- If owner/agent does not call WIS for the next required inspection, the missed inspection(s) will be charged for.
- Travel costs are \$.50/km for inspections outside of the municipality on Pre-move inspections only.
- GST is payable and not included in these rates.

3) Houses to be Moved from Within or Outside of the Municipality

Pre-move inspection 250.00\$

Post-move inspection (* 4 or 5 units - Post-Move in #1 above for details)

Notes:

- Travel fee to do a pre-move inspection will be assessed at \$0.50/km return from Hague, SK.
- GST is payable and not included in these rates.

(1 minimum fee commercial billing unit = \$180.00)

4) Commercial / Industrial / Institutional / Multi-Unit Residential

\$4.50 / \$1,000 construction cost All Buildings (* minimum fees apply)

* **Minimum fees:**

a) Principal Building (larger than 20 m ²) (5 units)	[2Dwg, Fdn, Frame, Final]	900.00\$
b) Addition (4 units)	[Dwg, Fdn, Frame, Final]	720.00\$
c) Renovation (3 units)	[Dwg, Frame, Final]	540.00\$
d) Accessory Building (insulated) (up to 20 m ²) (3 units)	[Dwg, Frame, Final]	540.00\$
e) Accessory Building (not insulated) (up to 20 m ²) (2 units)	[Dwg, Final]	360.00\$

Notes:

- If extra inspections are required on minimum fee projects, \$180.00 per inspection will be charged.
- GST is payable and not included in these rates.



Application #: _____

**FORM A
APPLICATION FOR BUILDING & DEVELOPMENT PERMIT**

I _____, hereby make application for a permit to:
 _____ construct _____ alter _____ reconstruct _____ develop or _____ change the use of
 a building according to the information below and to the plans and documents attached to this application.

Address of Building or Development or Change of Use: _____

Legal Description: Lot _____ Block _____ Plan _____

Applicant: _____ Telephone: _____

Mailing Address: _____ Email: _____

Owner: _____ Telephone: _____

Contractor: _____ Telephone: _____

Site Area of Building/Development (Length/Width/Total Area): _____

Intended Use of Proposed Structure(s): _____ Foundation: wood _____ cement _____

Dimensions of Proposed Structure: _____ Height: _____

Please list all existing structures on the site with the dimensions, ie. Houses, garages, sheds, decks, and other structures.

Existing Buildings	Area	Length	Width	Height

Estimated Development Dates: Start: _____ Completion: _____

Utilities: Heating _____ Lighting _____ Plumbing _____

Business Use: () YES () NO Business Description: _____

Estimated Value of Construction (excluding land value) \$ _____

Site Plan Attached: () YES () NO Building Plans Attached: () YES () NO

OFFICE USE: Percent of Land Occupied by Existing and Proposed Buildings _____ Fee for Building Permit \$ _____ Roll Number _____

I hereby agree to comply with the Building Bylaw and Zoning Bylaw of the Town of Osler and acknowledge that it is my responsibility to ensure compliance with these and any other applicable bylaws, provincial acts and regulations regardless of any plan review or inspections that may or may not be carried out by the Town of Osler or its authorized representative. I agree to do all construction work solely in accordance and compliance with the information and plans provided by me in this application, and will obtain all other work permits required in conjunction with my development.

Date

Signature of Owner or Owner's Agent



Permit # : _____

FORM B – BUILDING & DEVELOPMENT PERMIT

APPLICANT: _____
MAILING ADDRESS: _____
PROPERTY CIVIC ADDRESS: _____
PROPOSED DEVELOPMENT: _____

DECISION:
Your application for a : _____ Permitted Use or Form of Development, or
_____ Discretionary Use or Form of Development
has been: _____ Approved
_____ Approved Subject to Conditions, as listed below.
_____ Refused for the reasons listed below

CONDITIONS OR REASONS (if required)

Date: _____ Development Officer: _____

RIGHT TO APPEAL:

Please be advised that under Sections 219, 58, and 242 (2) of *The Planning and Development Act, 2007*:

An affected person may appeal a decision issued by the municipality where:

- A development permit has been issued but they believe that the permit has been issued in contravention of the bylaw
- A development permit has been issued with standards and conditions that the Applicant considers to be excessive
- A development permit has been refused
- An order has been issued by the municipality to cease development. An order may be issued if a developer or landowner has proceeded without the appropriate permit or if a developer or landowner is not meeting the conditions of the permit.
- The Applicant believes that the Development Officer has misapplied the Zoning Bylaw in the issuing of this permit {Section 219(1)(a)}

Your appeal must be sent in writing within 30 days of the date of this notice and accompanied by a \$50.00 filing fee, to:

Secretary, North Corman Park District Development Appeals,
Town of Osler, Box 190, Osler, SK, S0K 3A0



Application #: _____

**FORM C
APPLICATION FOR A PERMIT TO DEMOLISH,
REMOVE, OR RELOCATE A BUILDING**

I, _____, make application for a permit to demolish a building now situated on:

_____ (Civic address) _____ (Applicant Mailing Address)

Legal Description: Lot _____ Block _____ Plan No _____; Email: _____

The demolition will commence on: _____, 20_____

and will be completed on: _____, 20_____ **OR**

I, _____ hereby make application for a permit to remove and/or relocate a building now situated on: _____

(Civic address)

Legal Description: Lot _____ Block _____ Plan No _____

Out of the municipality _____ or to _____ (Civic Address)

Legal Description: Lot _____ Block _____ Plan _____

Building Dimensions: Length _____ Width _____ Height _____

Building Mover: _____

Date of Move: _____, 20_____

The building will be moved using the following route:

The site work (filling, final grading, landscaping, etc.) which will be done after the building is demolished or moved includes:

I agree to comply with the Building Bylaw of the Town of Osler and to be responsible for any damage done to any property as a result of the demolition or moving of the said building, and to deposit such sum as may be required by Section 6(1)(b) and 7(1)(b) of the Building Bylaw. I acknowledge that it is my responsibility to ensure compliance with any other applicable bylaws, acts and regulations, and to obtain all required permits and approvals prior to demolishing, removing, relocating or placing a building.

Date

Signature of Owner or Owner's Agent



Permit #: _____

**FORM D
PERMIT TO DEMOLISH, REMOVE, OR RELOCATE A BUILDING**

Permission is hereby granted to:

_____ ,

to _____ Demolish _____ Remove _____ Relocate within Town

a building now situated on :

(Civic address)

Legal Description: Lot _____ Block _____ Plan No _____

and move to:

(Civic address)

Legal Description: Lot _____ Block _____ Plan No _____

in accordance with the application dated _____, 20_____

This permit expires six months from the date of issue.

This permit is issued subject to the following conditions:

Any deviation, omission or revision to the approved application requires approval of the Town of Osler or its authorized representative.

Permit Fee \$ _____ Deposit (Refundable) \$ _____

Once the applicant who demolished, moves, removes or places the building restores the site(s) to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.

Date

Signature of Authorized Municipal Representative