

BY-LAW NUMBER 2019-2

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

**BEING** a By-Law to adopt a Policy Statement entitled “Building Permit Fee Reduction Policy for Accessibility Projects.”

**WHEREAS** Section 9 of the *Municipal Act S.O. 2001*, Chapter 25 states that a Municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other act;

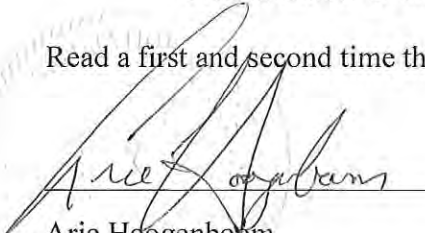
**AND WHEREAS** the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality’s capacity rights, powers and privileges under section 9, shall be exercised by by-law;


**AND WHEREAS** the Township of Rideau Lakes deems it necessary to establish a policy for the waiving or reducing of building permit fees under certain conditions related to accessibility;

**NOW THEREFORE** the Council of The Corporation of the Township of Rideau Lakes enacts as follows:

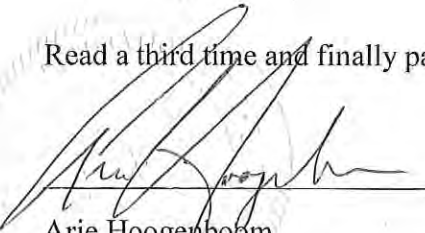
1. That the Policy Statement, as attached hereto as Schedule ‘A’ and entitled “Building Permit Fee Reduction Policy for Accessibility Projects” be approved and adopted.
2. That Schedule ‘A’ to this By-Law may be updated from time to time as deemed desirable by Resolution of Council.
3. That any other By-Laws, Resolutions, Motions or actions of Council that are in contravention of this By-Law are hereby repealed.


Read a first and second time this 7<sup>th</sup> day of January, 2019.

  
Arie Hoogenboom  
Mayor

  
Mary Ellen Truelove  
Clerk

Read a third time and finally passed this 7<sup>th</sup> day of JANUARY, 2019.

  
Arie Hoogenboom  
Mayor

  
Mary Ellen Truelove  
Clerk



Policy Number: DS-18-2
Sub Department: Building

**Policy Name: Building Permit Fee Reduction Policy for Accessibility Projects**

Developed by: Brittany Mulhern, Manager of Development Services      Date: November 2018

Reviewed by: Michael Dwyer, CAO      Date: November 2018

Approved by:      Date:

Resolution Number:      Effective:

Cross Reference:      Revisions:

---

**Policy Statement and Rational:**

This policy shall provide clear direction to staff, the public and proponents who are seeking the reduction of a Building Permit fee for accessibility projects. It will ensure a consistent approach to requests and detail under which circumstances they will be considered.

**Scope:**

This policy shall apply to all requests for fee reduction for Building Permit applications. This policy will not apply to any other fee payable, such as a development charge or Planning Act application.

**Definitions:**

*Accessibility Project: A structure or change to a structure intended to remove a built environment barrier for a person with a disability. The project shall demonstrate that it will specifically address the needs of persons with physical or cognitive disabilities. Examples include, but are not limited to, the construction of ramps, elevators or lifts, renovating a washroom facility, and expanding doorway widths.*

**Policy, Procedure and Implementation:**

**Base Criteria**

1. Fees must be paid in full at the time of the building permit application.
2. Request for fee reduction must be made in writing using the approved form and submitted with the building permit application or within 60 days of the permit being issued.

## Schedule A

- Within the approved form the request will include information about other support being provided if applicable.
3. The request will be assessed by the Manager of Development Services or their delegate, with technical support from the Chief Building Official or Deputy Chief Building Official.
  4. The Manager of Development Services shall have the decision approved by the CAO.

### **Building Permit Application Fees**

5. Where the base criteria outlined above is met, a fee reduction in the amount of 50% of the applicable fee may be applied. The fee reduction shall only apply to the portion of fees associated to the accessibility project.
6. If approved, 50% of the fee up to a maximum of \$500, will be returned to the applicant via cheque within 30 days of request approval.

### **Exemptions**

7. No fee reduction will be provided where the works subject to the permit fee were commenced without a permit in contravention of the Building Code Act and the Township's Building By-law. This includes any applicable administrative fee for works commenced without a permit.
8. No fee reduction will be provided where the use of a building structure or land where said use has occurred is in contravention of the applicable Zoning By-law or Site Plan Control By-law.
9. No fee reduction will be provided to any applicant that has been issued a building permit in the past which has not been closed but has expired.
10. No fee reduction will be provided to any applicant where taxes are in arrears in the Township of Rideau Lakes for any property under the control of the applicant.
11. No fee reduction will be provided where the works are being completed in response to an Unsafe Order or an Order Not to Occupy where the works necessary to remedy the Order were previously known to the applicant before said Orders were issued.

### **Administration**

12. Through the adoption of this policy Council provides authority to the Manager of Development Services or the Chief Administrative Officer to implement and administer this policy on Council's behalf.
13. Council may amend this policy by resolution.

### **Dispute**

14. In any case where an applicant disputes the implementation of this policy they shall place their concerns in writing and supply them to the Manager of Development Services.
15. The Manager shall place the concern on the next available Municipal Services Committee agenda.
16. The Municipal Services Committee shall make a recommendation to Council regarding the request for a fee reduction consideration outside of this policy framework or where there is a dispute as to its application.