

BYLAW NO. 9958

The Building Bylaw, 2024

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BYLAW NO. 9958
The Building Bylaw, 2024

The Council of the City of Saskatoon enacts:

PART I
Preliminary Matters

Short Title

1. This Bylaw may be cited as *The Building Bylaw, 2024*.

Definitions

2. (1) In this Bylaw:
 - (a) “**Act**” means *The Construction Codes Act*;
 - (b) “**alteration**” means a change to any matter, thing or occupancy that is regulated by the Act, including renovations, repairs, additions and the intentional destruction or removal of part of a building;
 - (c) “**applicant**” means:
 - (i) the owner of a building or property, or the authorized representative of the owner, who applies for a building or occupancy permit; or
 - (ii) the person to whom a building permit is transferred;
 - (d) “**authorized**” means authorized in writing;
 - (e) “**demolition**” means the intentional destruction or removal of the entirety of a building;
 - (f) “**ground oriented dwelling unit**” means a building containing a dwelling unit or units with no dwelling unit located above another dwelling unit and with separate direct access to the exterior at ground level;

- (g) “**NBC**” means the edition of the National Building Code of Canada declared to be in force pursuant to section 3 of *The Building Code Regulations*;
 - (h) “**NECB**” means the edition of the National Energy Code of Canada for Buildings declared to be in force pursuant to section 3 of *The Energy Code Regulations*;
 - (i) “**NFC**” means the edition of the National Fire Code of Canada declared to be in force pursuant to section 3 of *The Fire Safety Regulations*;
 - (j) “**occupancy permit**” means a permit issued by the City that gives the owner of a building permission to occupy the building for its intended use, including an occupancy permit authorizing the occupancy of an existing dwelling unit under Part VI;
 - (k) “**prescribed form**” means a form prescribed by, and available from, the City;
 - (l) “**public place**” means any public property owned or controlled by the City, including streets, sidewalks, boulevards, medians and parks;
 - (m) “**seasonal building**” means a building that is used for not more than 6 months at a time on an annual basis, including structures such as seasonal greenhouses and ice cream stands;
 - (n) “**temporary building**” means a building or structure placed on a site for a limited period of time that is used in connection with construction work on a construction site;
 - (o) “**underground storage tank**” means a vessel for flammable or combustible liquids having a capacity regulated by the NFC and designed to be installed in a fixed location underground.
- (2) Unless otherwise defined in this Bylaw, definitions in the Act, *The Building Code Regulations*, *The Energy Code Regulations*, the NBC and the NECB apply, with any necessary modification, to the interpretation of this Bylaw.

Purpose

3. The purpose of this Bylaw is to regulate:
- (a) building standards, occupancies and demolitions through a permitting process as provided for in the Act;

- (b) encroachments and the use of public places;
- (c) construction standards for signs;
- (d) the legalization of existing suites; and
- (e) the numbering of sites and buildings.

PART II **Administration**

Designation and Appointment

- 4. (1) For the purposes of this Bylaw, the NBC and the NECB, every person employed by the City in the Building Standards Department is designated to exercise the City's functions as the authority having jurisdiction.
- (2) For the purposes of subsection 16(2) of the Act, every person who holds a valid building official licence and is employed by the City in the Building Standards Department is appointed as a building official.

Administrative Requirements

- 5. The Administrative Requirements described in Article 2.2.1.1. of Division C of the NBC apply to construction within the City in accordance with the provisions thereof.

PART III **Building and Occupancy Permits**

Requirement for a Building Permit

- 6. (1) Subject to subsection (2), no person shall do any of the following without a building permit issued pursuant to this Bylaw:
 - (a) construct, erect, place, alter, demolish, relocate, use or occupy any building, including a seasonal building, or part of a building;
 - (b) install or remove an underground storage tank;
 - (c) move any building onto or off a site.

- (2) A building permit is not required for:
 - (a) the repair or alteration of a building that, as determined by the City, will not create a hazard and where matters affecting health and safety are not involved;
 - (b) a single storey accessory building not more than 10 metres squared in building area provided it does not create a hazard and where matters affecting health and safety are not involved; or
 - (c) a temporary building.

Temporary Buildings

7. A temporary building shall be removed from a site immediately upon completion of the construction work on that site.

Building Permit Applications

8.
 - (1) An applicant for a building permit shall submit an application to the City in the prescribed form.
 - (2) In addition to the requirements contained in the NBC and the NECB, every application shall identify and describe details of the work, use and occupancy of the building to be covered by the building permit.
 - (3) An application for a building permit will be accepted for review once all required information and documentation has been submitted to the City.
 - (4) Where, in order to expedite work, approval of a portion of a project is desired prior to the issuance of a building permit for the entire project, an application together with plans and specifications covering the portion of the project for which immediate approval is desired shall be filed with the City.
 - (5) The City may destroy the building permit application and supporting documents 180 days following permit review if the required fee has not been paid or information required to continue processing the application has not been submitted to the City.
 - (6) Work under the scope of a building permit shall not commence until the building permit has been issued.

Plans and Specifications

9. (1) Every applicant shall submit plans, drawings, specifications, testing certificates, engineering reports and other information required by the City with each application.
- (2) Any documents submitted that are incomplete or not required for a building permit application or issued building permit may be destroyed by the City.
- (3) Any documents submitted supporting cancelled applications will be destroyed following the cancellation.

Revisions to Building Permits

10. (1) Upon receiving a written application from an applicant to revise the construction for which a building permit has been issued, the City may approve or deny the application.
- (2) If the revision mentioned in subsection (1) is substantial, as determined by the City, the applicant may be required to apply for a new building permit and the appropriate fee will be charged for the new building permit in accordance with Schedule "A".

Construction Value for the Purpose of Building Permits

11. (1) The construction value to be shown on a building permit shall be the total monetary worth of the construction, as submitted by the applicant and accepted by the City, including:
 - (a) the cost of all painting, papering, roofing, electrical work, plumbing, permanent or fixed heating equipment, elevator equipment, fire sprinkler equipment and any permanent equipment that is constructed as part of the building;
 - (b) all labour costs, professional fees and other construction fees;
 - (c) the cost of all materials and other devices necessary for the completion of the work; and
 - (d) in cases where a building is being moved onto or off a site, the cost of:
 - (i) excavation at the new site;

- (ii) cleaning and leaving the former site in the condition specified in this Bylaw; and
 - (iii) alterations or repairs to the building.
- (2) No portion of any building, including mechanical, electrical and plumbing work, shall be excluded from the valuation for a building permit by reason of any other permit required by any legislation, regulation, bylaw or government agency.
- (3) The final determination of construction value shall be made by the City.

Fees

- 12. (1) The City may charge the applicable permit, inspection, review and other fees set out in Schedule "A".
- (2) No building permit shall be issued until:
 - (a) the applicable fees, as set out in Schedule "A", have been paid in full; or
 - (b) in cases where the City permits payment by invoice, the City has issued an invoice that includes:
 - (i) the applicable fees, as set out in Schedule "A";
 - (ii) the date by which the invoice must be paid; and
 - (iii) the interest rate to be applied if the invoice is not paid by the date specified on the invoice.
- (3) The owner is responsible for accurately reporting the construction value shown on the building permit and, where the actual value of the project differs substantially from the projected value as shown on the building permit, the following shall apply:
 - (a) where the actual value is less than the projected value, the excess permit fee may be refunded in accordance with the provisions of section 18;
 - (b) where the actual value is greater than the projected value, the owner shall pay the additional amount of the permit fee to the City.

- (4) Where work for which a building permit is required has commenced prior to the issuance of the building permit, an additional fee shall be paid in an amount equal to 100% of the permit fee or \$10,000.00, whichever is less.

Building Permit Issuance

13. A building permit may be issued if the work described in the permit application and documents submitted in support of the application are in accordance with the provisions of the Act, the NBC, the NECB, this Bylaw and the *Zoning Bylaw*.

Refusal to Issue a Building Permit

14. (1) The City may refuse to issue a building permit:
 - (a) for any reason listed in *The Building Code Regulations*;
 - (b) if issuance would authorize any building or site work that requires any other approval from the City which has not been granted; or
 - (c) to any person who has failed to:
 - (i) obtain a building permit previously approved for a given site; or
 - (ii) pay any fee required pursuant to this Bylaw.
- (2) Reasons for refusal to issue a building permit shall be provided in writing.

Building Permit Expiry

15. (1) Subject to section 16, a building permit expires:
 - (a) in the case of a building permit for the construction of a ground oriented dwelling unit, 2 years after the date of issuance;
 - (b) in the case of a building permit for the demolition of a ground oriented dwelling unit, residential garage or other accessory building serving a ground oriented dwelling unit, 60 days after the date of issuance; and
 - (c) for all other building permits, 2 years after the date of issuance unless otherwise approved by the City.

- (2) Notwithstanding the provisions of subsection (1), but subject to section 16, a building permit shall expire:
 - (a) if work authorized by the permit has not commenced within 180 days of the date of issue of the permit; or
 - (b) if work authorized by the permit has commenced but is suspended or abandoned for a period of 180 days.
- (3) If work that is subject to a building permit has not been completed prior to the expiry of the building permit, the owner to whom the building permit was issued, or a person authorized to act on behalf of the owner, shall apply to the City to do one of the following before the building permit expires:
 - (a) revoke the permit in accordance with clause 17(1)(a);
 - (b) extend the term of the permit in accordance with section 16;
 - (c) revise the permit in accordance with section 10.

Building Permit Extensions

16. (1) The City may extend a building permit if the permit has not been revoked.
- (2) A request for extension of a building permit shall be in writing accompanied by the required extension fee, as set out in Schedule "A", and shall contain a reasonable timeline for completion, as determined by the City.
- (3) The City, in determining whether to allow a building permit extension, may take into consideration extenuating circumstances, including the following:
 - (a) the complexity of the construction scope;
 - (b) unusually adverse weather;
 - (c) broad labour shortages;
 - (d) issues relating to the supply of materials.

Building Permit Revocation

17. (1) The City may revoke a building permit:
 - (a) if the applicant requests in writing that it be revoked, provided the work for which the building permit was required has not commenced;
 - (b) if there is a contravention of any term or condition under which the building permit was issued;
 - (c) if written notification of a change in ownership of the site relating to the building permit is not provided to the City; or
 - (d) for any reason listed in *The Building Code Regulations*.
- (2) Reasons for the revocation of a building permit shall be provided to the applicant in writing within 5 business days after the date of revocation.

Refunding Building Permit Fees

18. (1) Where a building permit is revoked or cancelled, the applicant may request a refund of the building permit fee in writing.
- (2) Refunds will be calculated in accordance with the provisions of Schedule "B".
- (3) Refunds shall be made to the owner or to such other recipient as directed in writing by the owner.
- (4) Refunds shall not be issued if:
 - (a) the use, occupancy, relocation, removal, construction or demolition of the building which is the subject of the permit has commenced; or
 - (b) the permit fee was not paid in full in accordance with the provisions of Schedule "A".

Closing and Reinstating Building Permits

19. (1) If the City is satisfied that all work that is the subject of a building permit has been satisfactorily completed, the City may close the permit.

- (2) The City may identify on a closed building permit any minor deficiencies with the work that, in the opinion of the City, remained outstanding at the time the building permit was closed.
- (3) A person whose building permit was closed may apply to the City requesting that the building permit be reinstated to remedy minor deficiencies provided that:
 - (a) no changes are made to the documents that were submitted with the original application;
 - (b) a timeline acceptable to the City is specified for completion of the work necessary to remedy the deficiencies;
 - (c) the re-inspection fee set out in Schedule “A” is paid for each required outstanding inspection; and
 - (d) the reinstatement fee set out in Schedule “A” is paid.

Transfer of a Building Permit

- 20. (1) Upon receiving an application from an applicant in the prescribed form, the City may approve or deny the transfer of a building permit.
- (2) The application mentioned in subsection (1) must:
 - (a) include a copy of the most recent inspection report relating to the construction of the building; and
 - (b) be signed by the proposed transferee.
- (3) The transfer of a building permit pursuant to subsection (1) does not change the expiry date of the permit.

Conditions of a Building Permit

- 21. (1) The applicant shall post at the construction site:
 - (i) a sign, visible from the street, clearly identifying the civic numbering and street name of the site; and

- (ii) the building permit and contact information of the site's general contractor in a conspicuous place visible from the exterior and publicly accessible.
- (2) Approved plans shall be located on site and produced upon request of the City.
- (3) The applicant shall be responsible for:
 - (a) keeping the construction site in a clean and tidy condition;
 - (b) providing containers or secure areas for waste material; and
 - (c) the cost of repair and clean-up of any damage to City property that occurs as a result of the work covered by the permit.
- (4) For the purposes of clause (3)(c):
 - (a) **"City property"** means all property owned by the City, including all road allowances, trees, land and easements, with all works, utilities, structures and appurtenances therein and thereon;
 - (b) **"damage"** includes the placement, dropping or deposit of any dirt, debris, materials, objects or substances and excessive soil compaction or ruts caused by storage of materials or driving of vehicles or equipment.

Demolition Building Permit Regulations

- 22.
- (1) All demolition work shall be carried out in a safe and professional manner in accordance with *The Occupational Health and Safety Regulations, 2020*.
 - (2) No person undertaking a demolition shall dispose of waste material in a manner contrary to *The Waste Bylaw, 2022*.
 - (3) All concrete slabs, footings and foundations shall be removed to a minimum of 300 millimetres below final grade.
 - (4) Except when new construction is to proceed within 30 days of completion of the demolition, all excavations shall be filled to level grade.
 - (5) Demolition work shall not be considered as complete until the demolition site is free of all debris.

Inspection Schedules

23. (1) The inspection schedule for buildings other than ground oriented dwelling units shall be as determined by the City.
- (2) For ground oriented dwelling units, the City may require inspections as follows:
- (a) a footing inspection after the forms have been removed and granular fill has been placed;
 - (b) a pre-backfill inspection after the removal of forms and application of exterior damp proofing, weeping tile and granular cover has been placed;
 - (c) a framing or superstructure inspection after the completion of framing and sheathing, installation of all exterior doors, windows and roof membrane, including installation of flashing, fire stopping, bracing, blocking, chimney and duct work, rough wiring and plumbing and gas venting;
 - (d) a vapour barrier inspection after insulation and the vapour barrier are placed but before they are concealed by any other work;
 - (e) a pre-occupancy or final inspection after the building is completely constructed and ready for occupancy but prior to actual occupancy;
 - (f) an inspection at any other time the City considers necessary for the proper administration of the Act, the NBC, the NECB or this Bylaw.

Additional Building Standards

24. The building standards set out in Schedule "C" are standards in addition to those prescribed by section 5 of the Act.

Occupancy Permit

25. (1) For the purposes of *The Building Code Regulations*, an interim or final occupancy permit may be required prior to occupancy of a building or part of a building at the discretion of:
- (a) the City;
 - (b) the Fire Chief of the Saskatoon Fire Department; or

- (c) the building owner.
- (2) Applications for an interim or final occupancy permit shall be made to the City in the prescribed form.
- (3) No interim or final occupancy permit shall be issued until the applicable fee set out in Schedule “A” has been paid.

PART IV Encroachments

Definitions

26. In this Part:

- (a) “**awning**” means a retractable or fixed frame:
 - (i) canvas-like, non-rigid material affixed to a frame and attached to a building wall; or
 - (ii) rigid, multi-sided structure that is not structurally tied into a building;
- (b) “**canopy**” means a rigid, multi-sided structure that is structurally tied into a building;
- (c) “**encroachment**” means permanent building construction of any kind on, over, under or into the surface of any public place or part thereof and may include awnings, canopies, overhead passageways, viaducts, underground areas, coal chutes and ash hoists;
- (d) “**General Manager**” means the General Manager of the Community Services Division or their designate.

General

- 27. (1) Subject to subsection 28(1), the City shall not issue a permit for the construction or alteration of any building or structure the plans of which show an encroachment until approval of such encroachment is granted by the General Manager.

- (2) Applications for approval of an encroachment, except for those encroachments mentioned in clauses 28(1)(a) and (b), shall be made to the City in the prescribed form.
- (3) Subject to subsection 28(2), the encroachment application fee set out in Schedule "A" shall be paid at the time of application.
- (4) Encroachment agreements are required for encroachments approved by the General Manager.
- (5) Neither the approval of an encroachment nor an encroachment agreement creates a vested right in the subject area and the City may at any time, at the owner's expense, order the removal of any encroachment, the filling in of any area and the replacement of pavement or sidewalk.
- (6) The temporary use of any public place, or part of a public place, in connection with the construction, demolition or maintenance of any building or structure is subject to approval by the City and the City may at any time, at the owner's expense, order the removal of any such temporary use.

Approval of Encroachments

28. (1) The General Manager may approve the following encroachments:
 - (a) existing encroachments that were previously approved by Council or the General Manager and that only require a transfer or assignment to new owners;
 - (b) encroachments of 300 millimetres or less;
 - (c) awnings that comply with section 29, canopies that comply with section 30, and overhead passageways and viaducts that comply with section 31.
- (2) Subject to subsection 29(3):
 - (a) no encroachment application fee or encroachment annual fee shall be paid for the encroachments mentioned in subsection (1); and
 - (b) no encroachment agreements are required for the encroachments mentioned in clauses (1)(b) and (1)(c).

Awnings

29. (1) The City shall not approve a proposed awning that is an encroachment unless the plan is drawn in conformity with the following requirements:
- (a) awnings constructed with electrified signs attached to or contained in the face or sides shall not exceed 900 millimetres in height;
 - (b) the maximum horizontal projection of an awning over a public street shall be 3000 millimetres, provided that no portion of the awning shall be located closer than 600 millimetres to the curb line, measured horizontally;
 - (c) the vertical distance from the sidewalk to:
 - (i) the lowest point of the awning shall be not less than 2600 millimetres; and
 - (ii) any soft fringes or valences shall be not less than 2400 millimetres;
 - (d) no part of an awning shall be more than 5000 millimetres above the sidewalk without the approval of the Saskatoon Fire Department;
 - (e) frames for awnings shall be of metal construction;
 - (f) no awning shall have a flat or dihedral roof.
- (2) Except as provided in subsection (3), awnings shall be subject to a one-time fee as set out in Schedule "A", to be paid at the time of application.
- (3) An encroachment agreement may be required for an awning at the discretion of the General Manager and, in such case, the encroachment application fee and encroachment annual fee shall apply as set out in Schedule "A".

Canopies

30. The General Manager shall not approve a proposed canopy that is an encroachment unless the plan is drawn in conformity with the following requirements:
- (a) canopies constructed with electrified signs attached to or contained in the face or sides shall not exceed 900 millimetres in height;

- (b) the maximum horizontal projection of a canopy over a public street shall be 3000 millimetres, provided that no portion of the canopy shall be located closer than 600 millimetres to the curb line, measured horizontally;
- (c) the vertical distance from the sidewalk to the lowest point of the canopy shall be not less than 2600 millimetres;
- (d) the roof of the canopy shall drain toward the building into an outlet draining onto the owner's property or connected to a storm sewer below the frost level.

Overhead Passageways and Viaducts

31. (1) The General Manager shall not approve a proposed overhead passageway or viaduct that is an encroachment unless the plan is drawn in conformity with the following requirements:
- (a) construction of steel, reinforced concrete or other non-combustible material;
 - (b) insertion of sufficient appliances to carry electric light, telephone or telegraph wires under or over the projections to the satisfaction of the City;
 - (c) lighting of the under clearance of the projection at night to the satisfaction of the City;
 - (d) minimum height above the level of the street or lane to the satisfaction of the City.
- (2) Buildings designated for business purposes on either side of a street or lane may be connected by an overhead passageway or viaduct and such construction shall comply with all terms and conditions the General Manager may impose.

Underground Areas

32. Any person utilizing the space under a public place adjacent to any building shall comply with *The Underground Encroachment and Sidewalk Safety Bylaw, 2012*.

Coal Chutes and Ash Hoists

33. (1) The City shall not issue a permit for the construction of coal chutes or ash hoists in, on or over a sidewalk.
- (2) No person shall reconstruct any existing coal chute or ash hoist.

Maintenance of Encroachments and Other Items

34. (1) Every encroachment and every area, construction, hoarding, fencing or structure on, under or above a public place shall be kept in good repair by the owner of the property in connection with which such encroachment, construction or structure exists.
- (2) Except as provided in subsection (3), no person shall write, paint or place posters, papers or handbills on, or in any way deface, a hoarding or fencing.
- (3) The City may issue a permit to an applicant for the temporary use of hoarding or fencing for decorative, artistic or informative purposes.

Encroachment Annual Fees

35. Except where otherwise provided in this Part or at the discretion of the General Manager, an annual encroachment fee, calculated in accordance with Schedule "A", shall be paid to the City.

PART V Construction Standards for Signs

Definitions

36. In this Part:
- (a) "**billboard**" means a billboard as defined in the Sign Regulations;
- (b) "**digital sign**" means a digital sign as defined in the Sign Regulations;
- (c) "**freestanding sign**" means a freestanding sign as defined in the Sign Regulations;
- (d) "**roof sign**" means a roof sign as defined in the Sign Regulations;

- (e) “**sign**” means a sign as defined in the Sign Regulations;
- (f) “**Sign Regulations**” means the *Sign Regulations* attached as Appendix “A” to the *Zoning Bylaw*.

Overhanging Signs

37. (1) The provisions of this section apply to signs that extend over any public place.
- (2) Signs must be side-guyed with 6.0 millimetres steel cable or its equivalent.
 - (3) Turn buckles or other approved means of adjustment must be incorporated in all wire cable supporting or bracing signs.
 - (4) Side-guy supports must be fastened with expansion bolts or their equivalent in a solid brick wall or stone wall by a machine screw in an iron front or a lag screw in solid woodwork.
 - (5) Bolts and screws must not be fastened to window frames.
 - (6) Lag screws in solid woodwork must not be smaller than 6.0 millimetres in diameter and must enter such woodwork at least 7.5 centimetres.
 - (7) Machine screws in an iron front shall not be less than 12.0 millimetres in diameter and must enter clear through the ironwork.
 - (8) Expansion bolts must be at least 9.0 millimetres in diameter and shall enter brick or stone walls at least 6.5 millimetres.
 - (9) Signs weighing less than 113 kilograms with less than 4.6 metres squared of face area on 1 side must:
 - (a) have not less than 2 individual attachments to the building or supporting pole;
 - (b) have a main support in the form of not less than a 9.0 millimetre steel cable or its equivalent attached to an expansion bolt or its equivalent that:
 - (i) extends at least 23.0 centimetres into the main wall of the building; or

- (ii) is bolted through the wall and attached to a steel plate that is not on the inside of the wall; and
 - (c) not have wooden wedges that are used to fix bolts.
- (10) Signs weighing 113 kilograms or more and signs with a face area on 1 side of 4.6 metres squared or more must be structurally designed by an engineer.

Roof Signs

38. (1) Roof signs, including the frame, with a face area on 1 side exceeding 1.9 metres squared must be structurally designed by an engineer.
- (2) Roof signs, including the frame, with a face area on 1 side of 1.9 metres squared or less must:
- (a) be bolted through the roof and through timber or other roof construction placed under the roof; and
 - (b) have a roof supporting system that is structurally adequate to support the roof sign and frame.

Freestanding Signs

39. Freestanding signs with a face area on 1 side exceeding 1.9 metres squared must be:
- (a) structurally designed and endorsed by an engineer; or
 - (b) designed in accordance with Freestanding Sign Charts as developed by an engineer.

Billboards and Digital Signs

40. Billboards and digital signs must be structurally designed by an engineer.

All Signs

41. All signs, including billboards, that are required to be designed by an engineer must be constructed and erected in accordance with the design specifications.

Electrified Signs

42. (1) Electrified signs must have the sign weight and date of erection marked on the outside edge of the sign in such a manner as to be clearly readable from the ground.
- (2) Electrified signs must be of metal construction or approved non-combustible material.
- (3) An electrical permit from the Saskatchewan Power Corporation must be obtained prior to connecting an electrified sign to an electrical power supply.
- (4) Illuminated signs or displays must be manufactured to meet the standards as described by a certified testing laboratory such as Canadian Standards Association, Underwriters Laboratories Canada or equivalent.

Dangerous or Defective Signs

43. Any sign, including a billboard, that is in a dangerous or defective condition, as determined by the City, shall be immediately removed or repaired as the City may direct.

PART VI Existing Secondary Suites and Second Dwelling Units

Definitions

44. In this Part:
- (a) **“dwelling unit”** means a dwelling unit as defined in the *Zoning Bylaw*;
- (b) **“existing dwelling unit”** means a dwelling unit that:
- (i) was constructed prior to January 1, 1999; and
- (ii) on the date an application is submitted for an occupancy permit, is used as a dwelling unit or, where that use is discontinued, such discontinued use does not exceed 6 consecutive months;

- (c) “**secondary suite**” means a secondary suite as defined in the *Zoning Bylaw*.

Application

45. This Part applies to the following types of existing dwelling units:

- (a) secondary suites;
- (b) second dwelling units added to one unit dwelling units.

Administration

46. The Community Standards Department is responsible for the administration of the provisions of this Part pursuant to *The Planning and Development Act, 2007*.

Application of the NBC to Existing Dwelling Units

- 47. (1) This section sets out guidelines for applying the NBC to existing dwelling units to which this Part applies.
- (2) Access to an existing dwelling unit must be gained without passage through a service room.
- (3) Each existing dwelling unit must be separated from another dwelling unit (walls and ceiling) by a fire separation having a fire-resistance rating of not less than 30 minutes.
- (4) Each service room must be separated from all adjacent areas by a fire separation having a fire-resistance rating of not less than 30 minutes (walls only) and must have a solid core door complete with a latch and closer.
- (5) An interior stairway used for the purpose of exiting an existing dwelling unit must be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 30 minutes.
- (6) Doorways providing egress from an existing dwelling unit to an exit or a means of exit must be equipped with a door and frame having a fire-resistance rating of not less than 20 minutes.
- (7) For the purposes of subsection (6), a 45-millimetre-thick solid core door and 38-millimetre solid wood casings are acceptable and the door must be equipped with a latch and a closer.

- (8) The rise, run and tread depth, width and head room of stairs forming part of an interior stairway used for the purpose of exiting an existing dwelling unit must reasonably conform to the NBC, and the stairs must have a handrail installed on at least 1 side.
- (9) Any exit corridor forming part of a means of egress from an existing dwelling unit must have a minimum ceiling height of 1.95 metres.
- (10) Projections or obstructions into an exit corridor must not reduce the ceiling height to less than 1.80 metres.
- (11) Each room in an existing dwelling unit must have a minimum ceiling height of 1.95 metres over not less than 75% of the room area and projections or obstructions in a room must not reduce the ceiling height to less than 1.80 metres.
- (12) Smoke alarms and carbon monoxide detectors in existing dwelling units must be installed and located in accordance with *The Building Code Regulations*.
- (13) Each existing dwelling unit must have at least 2 outside windows openable from the inside without the use of tools or special knowledge and each bedroom in an existing dwelling unit must have at least 1 openable window.
- (14) Windows mentioned in subsection (13) must provide unobstructed openings with areas not less than 0.35 metres squared and with no dimension less than 380 millimetres.
- (15) Each bathroom in an existing dwelling unit must have mechanical or natural ventilation.
- (16) Each bathroom in an existing dwelling unit must be fully enclosed and equipped with a door capable of being locked from the inside.
- (17) A separate source for fresh combustion air must be provided in every service room.

Equivalents

48. Section 47 is not intended to limit the appropriate use of equivalents where it can be shown that the objectives of the NBC will be met, namely for the:
 - (a) protection of the lives of the occupants in the event of fire;

- (b) structural sufficiency of the building; and
- (c) health of the occupants.

Application of *The Plumbing Code Regulations*

- 49. (1) Every existing dwelling unit to which this Part applies shall be equipped with plumbing facilities as required in the NBC.
- (2) Every plumbing system shall be designed and installed in conformance with *The Plumbing Code Regulations*.

Occupancy Permits

- 50. (1) An occupancy permit is required to allow the occupancy of any existing dwelling unit to which this Part applies.
- (2) To obtain an occupancy permit, the applicant shall submit an application to the City in the prescribed form.
- (3) Every application shall:
 - (a) identify and describe the occupancy to be covered by the permit for which the application is made;
 - (b) show the occupancy of all parts of the building;
 - (c) be accompanied by the required occupancy permit fee; and
 - (d) state the name, address and telephone number of the applicant.
- (4) If an existing dwelling unit to which this Part applies conforms to the provisions of sections 47 and 49, the City shall issue an occupancy permit for the dwelling unit.
- (5) If an existing dwelling unit to which this Part applies conforms to the provisions of section 47, but does not conform to section 49, the City may issue a qualified occupancy permit with a plumbing advisory for the dwelling unit provided:
 - (a) the deficiencies in the plumbing system do not constitute an unsafe condition; and
 - (b) the non-conformity consists of either:

- (i) a failed pressure test; or
 - (ii) an undersized sewer line.
- (6) The City may refuse to issue an occupancy permit for an existing dwelling unit to which this Part applies if:
- (a) the dwelling unit does not conform to the guidelines in section 47;
 - (b) the deficiencies in the plumbing system constitute an unsafe condition; or
 - (c) the dwelling unit does not comply with the requirements of the *Zoning Bylaw*.
- (7) The fee to be charged for the issuance of an occupancy permit for an existing dwelling unit to which this Part applies shall be as set out in Schedule "D".

Offences

51. No person shall permit the occupancy of any existing dwelling unit owned by that person to which this Part applies, unless the person has obtained an occupancy permit from the City.

PART VII Numbering of Sites and Buildings

Numbering of Sites and Buildings

52. (1) The City may number, renumber or alter the numbering of all sites and buildings of any kind, including those already numbered.
- (2) Upon the issuance of a building permit, the City shall designate the number or series of numbers corresponding to the site and building authorized by such permit.
- (3) The owner or occupant of a building shall cause the designated number or numbers to be at all times prominently displayed on the front of the building so as to be clearly visible from the street.

- (4) The owner or occupant of a building with more than 1 dwelling unit or rental unit that has a separate exterior entrance door shall cause the building number or numbers of each unit to be prominently displayed on the front of the building so as to be clearly visible from the street.
- (5) The owner or occupant of any building, other than a building containing 4 or less dwelling units, serviced by a rear lane or alley shall also cause the building number or numbers to be prominently displayed on or near the rear-most structural element of the building so as to be clearly visible from the rear lane or alley.
- (6) Site and building numbers shall be of sufficient size and placed so as to be clearly visible from the street, rear lane or alley, as the case may be.
- (7) The owner or occupant of any site consisting of multiple buildings shall cause the building number or numbers to be prominently displayed near the entrance or entrances of the site so as to be clearly visible from the street.
- (8) The owner or occupant of a site or building shall ensure that the site or building number or numbers are not obscured by vegetation or any other matter.
- (9) If the owner or occupant of a site or building does not install the designated site or building numbers as required, the City may serve notice on the owner or occupant requiring installation within 30 days of the date of service and failure to comply with the notice to install may result in the imposition of the fee set out in Schedule "A".
- (10) The numbering of sites and buildings shall be as follows:
 - (a) east and west from:
 - (i) Lorne Avenue;
 - (ii) Idylwyld Drive; and
 - (iii) Central Avenue;
 - (b) north and south from:
 - (i) 22nd Street;
 - (ii) Aird Street; and
 - (iii) College Drive, east of Circle Drive;

- (c) east of the South Saskatchewan River:
 - (i) odd numbers on the north and east sides of the streets, avenues and other major arterials; and
 - (ii) even numbers on the south and west sides of the streets, avenues and other major arterials;
- (d) west of the South Saskatchewan River:
 - (i) odd numbers on the south and west sides of the streets, avenues and other major arterials; and
 - (ii) even numbers on the north and east sides of the streets, avenues and other major arterials.

PART VIII Compliance and Offence

No Relief of Obligation to Comply with NBC and NECB

53. No owner, owner's contractor or employee, or previous owner is relieved from the obligation to carry out any work in accordance with the NBC and NECB that is within the scope of section 6 of the Act, section 38 of *The Building Code Regulations* and section 7 of *The Energy Code Regulations* by reason only of:
- (a) the issuance of a permit;
 - (b) the review of drawings and specifications;
 - (c) the making of inspections; or
 - (d) the absence or omission of any of the things mentioned in subsections (a) to (c).

Offence

54. Every person who contravenes any provision of this Bylaw or the terms and conditions of a permit issued pursuant to this Bylaw is guilty of an offence and liable on summary conviction:
- (a) pursuant to section 39 of the Act for Parts II and III of this Bylaw; and

- (b) pursuant to section 338 of *The Cities Act* for Parts IV to VII of this Bylaw.

Bylaw No. 9455 Repealed

55. Bylaw No. 9455, *The Building Bylaw, 2017*, is repealed on the date this Bylaw comes into force.

Coming into Force

- 56. (1) Parts I to III, sections 53 and 55, and clause 54(a) of this Bylaw come into force upon receiving the approval of the Minister of Government Relations.
- (2) Parts IV to VII and clause 54(b) of this Bylaw come into force upon the provisions mentioned in subsection (1) coming into force.

Read a first time this 31st day of January, 2024.

Read a second time this 31st day of January, 2024.

Read a third time and passed this 31st day of January, 2024.

"Charlie Clark"
Mayor

"Adam Tittlemore" "SEAL"
City Clerk

APPROVED IN PART
In accordance with Clause 17(6)(C) of
The Construction Codes Act

Building and Technical Standards
Ministry of Government Relations
February 12, 2024
Date

Schedule "A"

Fees

	2024	2025
Residential Building Permit Fees (one and two-unit dwellings, townhomes and row houses)		
All floor areas, excluding basement development	\$ 1.09/ft ²	1.13/ft ²
Basement development or alterations of any floor area	\$ 0.38/ft ²	0.39/ft ²
Garage (attached or detached)	\$ 0.33/ft ²	0.34/ft ²
Deck	\$ 0.14/ft ²	0.15/ft ²
Roof over deck or carports	\$ 0.14/ft ²	0.15/ft ²
Apartments (Part 9 of the NBC)		
All floor levels, including basement	\$ 1.09/ft ²	1.13/ft ²
Alteration of any floor area	\$ 0.38/ft ²	0.39/ft ²
Addition of decks and balconies to existing construction	\$ 0.14/ft ²	0.15/ft ²
Garage/accessory building (attached or detached)	\$ 0.33/ft ²	0.34/ft ²
All Other Construction Not Noted Above		
Cost per \$1,000 of construction	\$10.75	\$10.75
Other Building Permit Fees		
Minimum building permit fee	\$167.00	\$172.00
Building permit extension fee	\$167.00	\$172.00
Building permit reinstatement fee	\$167.00	\$172.00
Occupancy Permit Fees		
Interim occupancy permit fee	\$892.00	\$919.00
Final occupancy permit fee	\$423.00	\$436.00
Plan Review Fees		
Construction and design plan review fee	\$469.00	\$483.00
Water and sewer plan review fee	\$691.00	\$712.00
Inspection Fees		
Re-inspection fee	\$167.00	\$172.00
Special inspection fee	\$167.00	\$172.00

	2024	2025
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Miscellaneous Service Fees

Performance bond for moving a building	\$ variable	\$ variable
Returned item fee	\$20.00	\$20.00
Request for change of address	\$55.00	\$55.00
Improper numbering of site or building fee	\$100.00	\$100.00
Property information disclosure	\$20.00	\$20.00
Weekly building permit report	\$140.00	\$140.00
Printing building permit drawings – per page fee	\$2.50	\$2.50

Encroachment Fees

Awning encroachment one-time fee per awning	\$150.00	\$150.00
Encroachment application fee	\$100.00	\$100.00
Coal chute or ash hoist annual fee per coal chute or ash hoist	\$50.00	\$50.00
Canopy or subsection 29(3) awning annual fee (minimum \$50.00 each)	\$1.60/m ²	\$1.60/m ²
Above-grade areas annual fee (minimum \$50.00 each)	\$3.25/m ²	\$3.25/m ²
Underground areas annual fee (minimum \$50.00 each)	\$3.25/m ²	\$3.25/m ²
Overhead passageways and viaducts annual fee (minimum \$50.00 each)	\$2.00/m ²	\$2.00/m ²

Schedule “B”

Building Permit Refunds

1. (1) The City may issue applicants with refunds in the following amounts:
 - (a) where the refund request is received and approved within 14 days of the building permit issuance date, a full refund of the building permit fee paid;
 - (b) where the refund request is received and approved within 6 months of the building permit issue date, plus any extensions granted pursuant to section 16, a refund of up to 75% of the building permit fee paid;
 - (c) where the refund request is received and approved within 2 years of the building permit issue date, plus any extensions allowed pursuant to section 16, a refund of up to 50% of the building permit fee paid.
- (2) An administrative fee of \$300.00 shall be subtracted from each refund mentioned in subsection (1).

Schedule “C”

Standards in Addition to the NBC and *The Building Code Regulations*

Landing

1. A landing is required at the top of an interior stair that serves the primary entrance to a dwelling unit.

Bedroom Window Opening

2. A bedroom window opening shall maintain not less than 760 millimetres egress height to an open exterior space that:
 - (a) is protected from fire exposure; and
 - (b) has access to an open public thoroughfare.

Handrails

3.
 - (1) Type I: Handrails with a circular cross section shall have an outside diameter of not less than 32 millimetres and not more than 50 millimetres. If the handrail is not circular, it shall have a perimeter dimension of not less than 100 millimetres and not more than 155 millimetres with a maximum cross-section dimension of 55 millimetres. Edges shall have a minimum radius of 0.25 millimetres.
 - (2) Type II: Handrails with a perimeter greater than 155 millimetres shall provide a graspable finger recess area on both sides of the profile. The finger recess shall begin within a distance of 19 millimetres measured vertically from the tallest portion of the profile and achieve a depth of at least 8 millimetres within 22 millimetres below the widest portion of the profile. This required depth shall continue for at least 10 millimetres to a level that is not less than 45 millimetres below the tallest portion of the profile. The minimum width of the handrail above the recess shall be 32 millimetres to a maximum of 70 millimetres. Edges shall have a minimum radius of 0.25 millimetres.

Eavestroughs

4. (1) Eavestroughs shall be provided for ground oriented dwelling units and detached accessory buildings serving ground oriented dwelling units.
- (2) Downspouts shall be provided for all eavestroughs.

Secondary Suite Exit Width

5. Width of at least 860 millimetres is required to be provided from the exterior exit door of the suite to an open public thoroughfare.

Schedule "D"

**Occupancy Permit Fees
Existing Secondary Suites and Second Dwelling Units**

Fee

Occupancy Permit Fee

\$1,750.00