

BUILDING CONTROL **PROCEDURES**

THE REGIONAL MUNICIPALITY OF SUDBURY

Procedures and Bldg Code Interpretation

1

1



Interoffice Correspondence

November 15, 1991

TO: INSPECTORS

FROM: B. A. FRANSEN

SUBJECT: BUILDING PERMIT ISSUANCE PROCEDURES

GUIDELINES

Clarification of work that is deemed not to be construction as defined in the Building Code Act and is exempt from the requirements to obtain a permit.

SCOPE

A building permit is not required for the following:

1. Wooden decks, with no roof, where the finished deck level is 600 mm (24") or less above finished grade.
2. Sky lights, provided not more than one rafter, joist, or other similar structure member is cut or removed.
3. Non-combustible cladding, excluding brick veneer.
4. Window and door replacement.
5. Add-on cooling systems, air cleaners, plenum heaters and in-line humidifiers.

....cont'd





Interoffice Correspondence

November 15, 1991

TO: INSPECTORS
FROM: B. A. FRANSEN
SUBJECT: BUILDING PERMIT ISSUANCE PROCEDURES

GUIDELINES

Clarification of work that is deemed not to be construction as defined in the Building Code Act and is exempt from the requirements to obtain a permit.

SCOPE

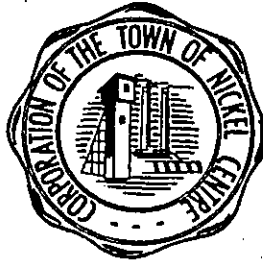
A building permit is not required for the following:

1. Wooden decks, with no roof, where the finished deck level is 600 mm (24") or less above finished grade.
2. Sky lights, provided not more than one rafter, joist, or other similar structure member is cut or removed.
3. Non-combustible cladding, excluding brick veneer.
4. Window and door replacement.
5. Add-on cooling systems, air cleaners, plenum heaters and in-line humidifiers.

....cont'd



190 CHURCH STREET
P.O. BOX 70
GARSON, ONT. P0M 1V0



PHONE 693-2771
FAX 693-2710



Printed on recycled paper

CORPORATION OF THE TOWN OF NICKEL CENTRE

April 11, 1991

The Regional Municipality of Sudbury,
Bag 3700,
Station 'A',
Sudbury, Ontario.
P3A 5W5

Attention: Mr. Bernie Fransen,
Chief Building Inspector.

Dear Sir:

Please find listed below comments which will now be on all "Roads and Drainage Applications" by Nickel Centre for all new homes in subdivisions or where lot grading plans are part of the overall scheme.

"The builders shall contact a qualified or subdivision engineer to provide an acceptable written document regarding the basements and lot grading elevations"

"The Town of Nickel Centre also requires, as soon as basements are complete and back-filling can be done so as not to damage concrete work, rough lot grading to within 9" of final lot grade. Written approval from Nickel Centre is required to waive this provision. No other work beyond the basements completion should be allowed to commence without the above requirements being satisfied".

I trust you agree and can enforce these provisions and await your reply.

Yours truly,

Robt. J. Henderson
Robt. J. Henderson,
Project Superintendent.

1991.04.17.
C.C. Inspectors
Roger
Hi:
PROCEDURES
Bonus

APR 11 1991
4



DEVELOPMENT CHARGES CERTIFICATE

Pursuant to Subsection 10(5) of The Development Charges Act, S.O. 1989, Chapter 58

TO: The Treasurer of the _____

RE: Building Permit Application Number: _____

for the Construction of: _____

for the following property:

? { Municipal Address: _____

Street Address: _____

Roll No.: _____

Applicant's Name: _____

THIS IS TO CERTIFY THAT ALL APPLICABLE LAW WITHIN THE MEANING OF THE BUILDING CODE ACT, EXCEPT THE PAYMENT OF DEVELOPMENT CHARGES, HAS BEEN COMPLIED WITH FOR THE ABOVE BUILDING PERMIT. WE WILL BE IN A POSITION TO ISSUE THE PERMIT UPON RECEIPT OF YOUR CERTIFICATE THAT ALL REQUIRED PAYMENTS TO YOUR MUNICIPALITY FOR DEVELOPMENT CHARGES HAVE BEEN MADE.

DATE:

CHIEF BUILDING OFFICIAL
THE REGIONAL MUNICIPALITY OF SUDBURY

TO: THE CHIEF BUILDING OFFICIAL
THE REGIONAL MUNICIPALITY OF SUDBURY

THIS IS TO CERTIFY THAT ALL APPLICABLE DEVELOPMENT CHARGES FOR THE MUNICIPALITY AND FOR THE BOARDS OF EDUCATION HAVE BEEN RECEIVED AND IT WOULD NOW BE IN ORDER FOR THE ABOVE BUILDING PERMIT TO ^{Be} ISSUED.

DATE:

AREA MUNICIPAL TREASURER



Interoffice Correspondence

July 29, 1991

TO: ALL STAFF
FROM: B. A. FRANSEN
SUBJECT: CALCULATION OF BUILDING PERMIT FEES

As you are aware, Building Permit fees depend on the cost to construct a building.

For your information, the cost will include all of the expenditures to develop the property from the bottom of the footings to the completion of the building.

The cost that will not be included in the calculation of the Building Permit fee, include as follows:

1. Cost of the land
2. Cost of earth work
3. Cost of landscaping

All other work will be included in the calculation of the cost to construct.

B. A. FRANSEN, P. ENG.,
DIRECTOR, BUILDING CONTROLS,
BAF/dn



Interoffice Correspondence

July 29, 1991

TO: BUILDING INSPECTORS ✓
PLANS EXAMINER
JIM WILKIN

FROM: B. A. FRANSEN

SUBJECT: COMMENTS RESPECTING MOVING BUILDINGS
ONTO EXISTING PROPERTIES

Persons should be advised that a Building Permit is required before they move a building onto an existing/vacant property. There are a number of approvals that have to be acquired before the building can be moved and these may include the requirements of the Sudbury & District Health Unit.

The Ontario Building Code reads as follows:

2.1.1.7 EXISTING BUILDINGS

- (1) Except as provided in Part 11, where an existing building is extended or subject to material alteration or repair, the Code is applicable only to the design and construction of the extensions and those parts of the building that are subject to the material alteration or repair.
- (2) Where an existing previously occupied building is moved from the original location to be installed elsewhere, or is dismantled at the original location and moved to be reconstituted elsewhere, the Code applies only to changes to the design and construction of the building required as a result of moving the building.

By virtue of the aforementioned Code requirements, each of the projects involving existing buildings will be dealt with on its own merit.

cont'd....

CONCLUSION:

Inspectors should be advising applicants that they may move buildings onto vacant existing lots only after they have acquired a Building Permit.



B. A. FRANSEN, P. ENG.,
DIRECTOR, BUILDING CONTROLS
BAF/dn
cc: R. O'Malley



City of Sudbury
Ville de Sudbury

SAG/SAC 5000, STATIONS/SUCCURSALE "A", 200 RUE BRADY STREET, SUDBURY, ONTARIO P3A 5P3

(705) 674-3141

FAX: (705) 673-3096

1991-07-11

Mr. Bernie Fransen
Regional Building Controls Dept.
Regional Municipality of Sudbury

Dear Sir:

Re: Development Charges By-law 91-150
City of Sudbury

Attached for your information is a certified copy of By-law 91-150 regarding development charges which By-law was passed by City Council at its meeting of July 10th, 1991.

Yours truly,

W.F. Dean
City Solicitor

WFD/dmd
Attach.

RECEIVED

JUL 12 1991

BUILDING CONTROLS
DEPARTMENT

BY-LAW 91-150

**BEING A BY-LAW OF THE CORPORATION OF THE CITY OF SUDBURY
RESPECTING DEVELOPMENT CHARGES**

WHEREAS the City of Sudbury has and will continue to experience growth through Development;

AND WHEREAS Development requires the provision of physical and other services by the City;

AND WHEREAS Council desires to ensure that the Capital Cost of meeting the growth related demands for, or the burden on municipal services does not place a financial burden on the City or its existing taxpayers while, at the same time, ensuring new taxpayers contribute no more than the Net Capital Cost attributable to providing the current level of municipal services;

AND WHEREAS the Development Charges Act, 1989, S.O. 1989, c. 58 permits Councils to pass by-laws for the imposition of Development Charges if Development of land within the City is for uses which would increase the need for municipal services and any one or more of the actions set out in sub-section 3(1) of the Act as required for such Development;

AND WHEREAS the City has undertaken a study of, among other matters, services, expected growth, growth related facilities and the costs thereof;

AND WHEREAS Council had before it a report entitled the "Development Charges Study, City of Sudbury Draft Final Report" submitted by Morehouse Economic Planning Consultants (a division of MEPC Consultants Inc. and hereinafter referred to as "Morehouse") dated March, 1990, (the "Study");

AND WHEREAS the Study was disseminated to the public and Council gave notice to the public and held a meeting pursuant to Section 4 of the Act on May 1st, 1990, at which information was provided to the public concerning the Development Charges proposal of the City and Council heard comments and representations from the public (the "First Public Meeting");

AND WHEREAS following the First Public Meeting, Morehouse reconsidered the Study in light of the public representations among other matters;

AND WHEREAS Council had before it a further report from Morehouse dated May, 1991 (the "Report");

AND WHEREAS Council gave to the public an opportunity to review the Report and also give notice to the public in accordance with Section 4 of the Act of its intention to consider the Report and, if thought appropriate, enact a by-law under Section 3 of the said Act (the "Second Public Meeting");

AND WHEREAS Council held the Second Public Meeting on May 28, 1991, and Council received the comments and representations of the public concerning the Report and the proposed by-law to be enacted under the Act;

AND WHEREAS Council gave to the public a further opportunity to review the Report and also gave notice to the public in accordance with Section 4 of the Act of its intention to consider the Report and, if thought appropriate, enact a by-law under Section 3 of the said Act (the "Third Public Meeting");

AND WHEREAS Council held the Third Public Meeting on June 25, 1991, and Council received the comments and representations of the public concerning the Report and the proposed by-law to be enacted under the Act;

AND WHEREAS Council enacted the following resolution:

"THAT the City Solicitor be authorized to prepare a Development Charges By-law incorporating the recommendations of the Morehouse Report and the recommendations of the report dated June 18th, 1991, from the Commissioner of Finance and Administration, and further that this by-law be presented for approval at the Council meeting of July 10th, 1991, with the by-law becoming effective August 1, 1991";

AND WHEREAS Morehouse updated the Report to incorporate the changes authorized by Council, which "Final Report" is dated June, 1991;

NOW THE COUNCIL OF THE CORPORATION OF THE CITY OF SUDBURY HEREBY ENACTS AS FOLLOWS:

1. In this by-law, and including the recitals, capitalized words have the following meaning:

- (a) "Act" means the Development Charges Act, 1989, S.O. 1989, c. 58;
- (b) "Board of Education" has the same meaning as that specified in sub-section 29(1) of the Act;
- (c) "Building Code Act" means the Building Code Act, R.S.O. 1980, c. 51, as amended;
- (d) "Capital Cost" means costs incurred or proposed to be incurred by the City or a local board thereof directly or under an agreement,
 - (i) to acquire land or an interest in land,
 - (ii) to improve land,
 - (iii) to acquire, construct or improve buildings and structures;

- (iv) to acquire, construct or improve facilities including,
 - (A) rolling stock, furniture and equipment, and
 - (B) materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, 1984 S.O. 1984, c. 57, and
- (v) to undertake studies in connection with any matter under the Act and any of the matters in clauses (i) to (iv),

required for the provision of services designated in this by-law within or outside the City, including interest on borrowing for those expenditures under clauses (i), (ii), (iii) and (iv) that are growth-related;

- (e) "City" means The Corporation of the City of Sudbury;
- (f) "Council" means the Council of the City;
- (g) "Development" includes redevelopment;
- (h) "Development Charge" means a charge imposed with respect to Net Growth Related Capital Costs against land in the City under this by-law;
- (i) "Dwelling Unit" means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and prepare and serve meals;
- (j) "Education Development Charge" means a development charge imposed under a by-law passed under Section 30 of the Act respecting growth related net education capital costs incurred or proposed to be incurred by a Board of Education;
- (k) "First Intensity Residential" means those lands on which are or will be constructed one- or two-unit dwellings or one or two Dwelling Units;
- (l) "Front Ending Agreement" means an Agreement made under Section 21 of the Act;
- (m) "Gross Floor Area" means the total area of all floors above grade of a Dwelling Unit measured between the outside surfaces or exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the Dwelling Unit from another Dwelling Unit or other portion of a building;
- (n) "Growth Related Net Capital Cost" means the portion of the Net Capital Cost of services that is reasonably attributable to the need for such Net Capital Cost that results or will result from Development in all or a defined part of the City;

- (o) "Local Services" means those services, facilities or things which are under the jurisdiction of the City and are within the boundaries of, abut or are necessary to connect lands to Services and an application has been made in respect of the lands under Sections 40, 50 or 52 of the Planning Act;
- (p) "Net Capital Cost" means the Capital Cost, less capital grants, subsidies and other contributions made to the City or that the Council of the City anticipates will be made, including conveyances or payments under Sections 41, 50 and 52 of the Planning Act in respect of the Capital Cost;
- (q) "Official Plan" means the Official Plan of The Regional Municipality of Sudbury for the City of Sudbury Planning Area and any amendments thereto;
- (r) "Owner" means the owner of land or a person who has made application for an approval for the Development of land upon which a Development Charge is imposed;
- (s) "Planning Act" means the Planning Act, 1983, S.O. 1983, c. 1, as amended;
- (t) "Rate" means the interest rate established weekly by the Bank of Canada for Treasury Bills having a term of 30 days;
- (u) "Region" means The Regional Municipality of Sudbury;
- (v) "Regulation" means any regulation made pursuant to the Act;
- (w) "Residential Use" means land or buildings or structures of any kind whatsoever used, designed or intended to be used as living accommodations for one or more individuals;
- (x) "Second Intensity Residential" means those lands on which are or will be constructed three-, four-, five-, or six-unit dwellings or three, four, five or six Dwelling Units;
- (y) "Semi-Detached Dwelling" or "Row Dwelling" means a residential building consisting of one Dwelling Unit having one or two vertical walls, but no other parts, attached to another structure;
- (z) "Senior Citizens' Housing Units" means any Residential Use declared by resolution of Council to be senior citizens' housing;
- (aa) "Services" means those services designated in Schedule "A" to this by-law or specified in an agreement made under Section 21 of the Act;

- (ab) "Servicing Agreement" means a servicing agreement, subdivision agreement, condominium agreement or other similar agreement entered into between an Owner and the City before this By-law was enacted;
- (ac) "Single Detached Dwelling Unit" means a residential building consisting of one dwelling unit and not attached to another structure;
- (ad) "Subsidized Housing Units" means any Residential Use declared by resolution of Council to be subsidized housing;
- (ae) "Third Intensity Residential" means those lands on which are or will be constructed more than six-unit dwellings or six Dwelling Units;

2. (a) This by-law applies to all lands in the City of Sudbury, whether or not the land or use thereof is exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1980, c. 31 except that this by-law does not apply to those areas described in Schedule "C" to this by-law.

(b) Notwithstanding subsection 2(a) above, this by-law does not apply to the Development of land that is owned by and used for the purposes of:

- (i) a Board of Education;
- (ii) the City or any local board thereof; and
- (iii) the Region or any local board thereof.

3. (a) Subject to subsection 3(b), Council hereby determines that the Development of land, buildings or structures for a Residential Use have required or will require the provision, enlargement, expansion or improvement of the Services.

(b) Subject to subsections 3(c) and (d) below, no Development Charge is payable where the Development:

- (i) is an enlargement of an existing Dwelling Unit,
- (ii) creates one or two additional Dwelling Units in an existing Single Detached Dwelling, or
- (iii) creates one additional Dwelling Unit in any existing residential building other than a Single Detached Dwelling.

(c) Notwithstanding subsection 3(b) above, a Development Charge shall be imposed where:

- (i) the total Gross Floor Area of the additional one or two Dwelling Units exceeds the Gross Floor Area of the existing Single Detached Dwelling, and
- (ii) in determining the Gross Floor Area of the existing Single Detached Dwelling, the Gross Floor Area shall be the maximum Gross Floor Area in the three years preceding an application for a building permit in respect of the additional one or two Dwelling Units.

(d) Notwithstanding subsection 3(b) above, a Development Charge shall be imposed if the additional Dwelling Unit has a Gross Floor Area greater than:

- (i) in the case of the Semi-Detached or Row Dwelling, the Gross Floor Area of the existing Dwelling Unit, and
- (ii) in the case of any other residential building, the Gross Floor Area of the smallest Dwelling Unit contained in the residential building; and
- (iii) in determining the Gross Floor Area of the Semi-Detached or Row Dwelling or of the smallest Dwelling Unit in a residential building, the Gross Floor Area shall be the maximum Gross Floor Area in the three years preceding the application for a building permit in respect of the one additional Dwelling Unit.

(e) Subject to subsection 3(f) below, and to any other terms and conditions imposed by Council, Development of land for either Subsidized Housing Units or Senior Citizens' Housing Units shall be required to pay fifty percent (50%) of the Development Charge imposed on such Development by this by-law for so long as the principal use of the land remains Subsidized Housing Units or Senior Citizens' Housing Units or both. Combined Seniors and Subsidized Housing Units shall be entitled to only one reduction of fifty percent (50%).

(f) The Treasurer shall not accept payment of a Development Charge reduced under subsection 3(e) unless the Owner has agreed, in an agreement made under Sections 40, 50 or 52 of the Planning Act that if the land for which the reduction was made under subsection 3(e) is used in the future for a purpose other than Subsidized Housing Units or Senior Citizens' Housing Units, then the Owner, before any approval is given for such change in use, shall pay:

- (i) the balance of the Development Charge that otherwise would have been payable but for subsection 3(e); and
- (ii) the difference between the aggregate of the Development Charge paid under subsection 3(e) and clause 3(f)(i) and any Development Charge applicable at the time of such change in use.

(g) Notwithstanding subsection 3(e) above, where the Development of land includes a mix of market and Seniors or Subsidized Housing Units, that portion of the Development not composed of Subsidized Housing Units or Senior Citizens' Housing Units shall be subject to one hundred percent (100%) of the Development Charge imposed by Section 4, and subsection 3(e) shall apply to that portion of the Development comprised of Subsidized Housing Units or Senior Citizens' Housing Units or both.

4. To defray the Growth Related Net Capital Cost of providing, enlarging or expanding the services shown in Schedule "A", Council hereby imposes Development Charges upon the following Categories of Residential Uses of land, buildings and structures:

First Intensity Residential:	\$4,360.00
Second Intensity Residential:	\$3,343.00
Third Intensity Residential:	\$2,633.00

5. (a) The Development Charge shall be calculated as of the date a building permit under the Building Code Act is issued in respect of the building or structure for the use to which the Development Charge applies.

(b) If the Treasurer of the City has received a certificate from the Chief Building Official of the Region that the building or structure for which a Development Charge is payable under subsection 5(a) complies with all applicable law within the meaning of the Building Code Act, then, provided the Treasurer has received payment of any Development Charge of the Region and the City and any Education Development Charge as may be applicable, the Treasurer shall certify to the said Chief Building Official that the Development Charge has been paid.

(c) If a Development requires more than one of the actions mentioned in clauses 3(1)(a) to (g) of the Act and a Development Charge has been paid in respect of one such action, a further Development Charge shall be payable in respect of the subsequent action where the subsequent action has the effect of increasing the need for Services.

(d) Notwithstanding subsection 5(a) above, where a Development requires an approval mentioned in clauses 3(1)(a) to (f) inclusive of the Act, after the issuance of a Building Permit and no Development Charge has been paid, then the Development Charge shall be paid prior to the approval required by clauses 3(1)(a) to (f).

6. Nothing in this by-law prevents Council from requiring, as a condition of approval under Section 40, 50 or 52 of the Planning Act that the Owner, at his or her own expense, install such Local Services as Council may require or that local connections to storm drainage facilities be installed at the Owner's expense.

7. Notwithstanding Section 4, the Development Charge payable shall be in accordance with Schedule "B".

8. (a) Council, by written agreement, may permit an Owner to commute all or part of the Development Charge by the provision of one or more services in lieu, provided such services in lieu are at a standard that is equal to but not greater than the standard for the equivalent Service for which a Development Charge is payable hereunder. Such agreement shall provide further for a credit equal to the reasonable cost to the Owner of providing the service in lieu, provided that the credit shall not exceed the amount determined when the Development Charge is multiplied by the applicable percentage in subsection 10(c).

- (b) Council, by written agreement, also may permit an Owner to:
 - (i) provide Local Services;
 - (ii) construct Services in advance of otherwise being required; or
 - (iii) construct Services of a greater size or capacity than would be required otherwise.

Such an agreement shall provide further for a credit to the Owner who provided such Local Services or advanced or oversized Services equal to the reasonable cost to the Owner of providing such Local Services or advanced or oversized Services, provided the credit shall not exceed the amount determined when the Development Charge is multiplied by the applicable percentage in subsection 10(c) and provided further the Owner owns the land to which the Development Charge is applicable on the date each building permit is sought.

(c) Any dispute as to the reasonable cost of providing the services in lieu under subsection 8(a) or the services mentioned in subsection 8(b) shall be referred to Council whose decision shall be final and binding.

9. A copy of this by-law shall be registered in the by-law register in the Land Registry Office against all lands in the City.

10. (a) This by-law shall be administered by the Treasurer and the Director of Development, Property and Traffic Services of the City.

(b) Council directs the Treasurer to create a reserve fund separate from the other reserve funds of the municipality. The Treasurer shall deposit the Development Charges paid under this by-law into the appropriate subaccount of the reserve fund created by subsection 10(c) and shall pay from the appropriate subaccount any amounts necessary to defray the Net Capital Cost of the Services.

(c) Council further directs the Treasurer to divide the reserve fund created hereunder into the following separate subaccounts to which Development Charge payments and interest earned thereon shall be credited in the percentages shown opposite the name of the subaccount:

<u>Account Name</u>	<u>Percentage</u> (%)
Parks	8.8
Recreation	44.9
Library Services	8.7
Fire Protection	1.3
Transit	7.6
Roads and Sidewalks	20.4
Storm Drainage	5.6
Public Works	
Building	2.7

(d) The amounts contained in the reserve fund established under Section 10 of this by-law shall be invested in accordance with subsection 165(2) of the Municipal Act, R.S.O. 1980, c. 302, as amended, and any income received from such investment shall be credited to the subaccounts in the said reserve fund in the proportions provided for in subsection 10(c) of this by-law.

(e) Any costs incurred by virtue of clause 1(d)(v) shall be charged to the subaccounts in the said reserve in the proportions provided for in sub-section 10(c) of this by-law.

(f) The Treasurer of the City shall furnish to Council, in each year on or before the 31st day of March, a statement in respect of the reserve fund established hereunder containing the information required under the Regulation.

11. If, before the coming into force of this by-law, an Owner or former Owner, pursuant to a Servicing Agreement:

- (a) has paid a charge related to a Development of land within an area to which this by-law applies; or
- (b) has provided services in lieu of payment of all or part of a charge in relation to a Development of land within an area to which this by-law applies;

then the Owner or former Owner shall be given a credit against the Development Charge payable hereunder equal to the amount paid in subsection 11(a) or the reasonable cost of the services in lieu in subsection 11(b) as the case may be, provided such credit shall not exceed the Development Charge payable for the development.

12. (a) If this by-law is amended or repealed by Council or the Ontario Municipal Board, the Treasurer shall determine within 30 days of the amendment or repeal whether any Owner has overpaid in respect of the Development Charge payable hereunder immediately prior to the repeal or amendment of this by-law and if such an overpayment has been made, the Treasurer shall calculate the amount of such overpayment.

(b) Any overpayment determined under subsection 12(a), shall be paid to the Owner who made the payment or on whose behalf the payment was made within 30 days of the date of the repeal or amendment of this by-law.

(c) If the Owner cannot be found or the last address of the Owner is unknown then the repayment obligation under subsection 12(b) is at an end.

(d) The refund payable under subsection 12(b) shall be paid with interest calculated from the date upon which the overpayment was collected to the date on which the refund is made. Such interest shall be paid at the Rate in effect from time to time from the date of enactment of this by-law as adjusted in subsection 12(e).

(e) The Rate in effect on the date of enactment of this by-law shall be adjusted on the first business day of January, 1992, to the Rate to be applicable on that day and thereafter the Rate shall be adjusted four times each year on the first business days of April, July, October and January to the Rate applicable on the day of the adjustment.

13. (a) By-law 89-62 is hereby repealed effective on the date this by-law comes into force.


(b) Notwithstanding subsection 13(a), any agreement made under Section 50 or 52 of the Planning Act before the date this by-law comes into force shall remain in full force and effect and be enforceable according to its terms.

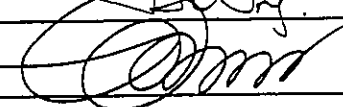
14. Council, from time to time and at any time, may enter into Front Ending Agreements under the Act.

15. This by-law shall continue in force and effect for a term not to exceed five (5) years from the date of its coming into force.

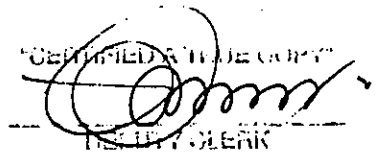
16. This by-law comes into force and takes effect on the 1st day of August, 1991.

READ THREE TIMES AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL THIS 10TH DAY OF JULY, 1991.



Mayor


Clerk


"CERTIFIED TRUE COPY"

CLERK

SCHEDULE "A"

TO BY-LAW 91-150

SERVICE	% OF GROWTH IN SERVICES ATTRIBUTABLE TO RESIDENTIAL USE
FIRE PROTECTION SERVICES	
Kelly Lake Road/Lorne Street Fire Hall	69
STORM DRAINAGE	
Blyth/Colby Storm Sewer Phase 3	69
Hawthorne Dr. Claudia Court Outlet	69
Alder Street Area Sewer System (Phase 2)	69
Galway Court Sewer System	69
Berkley Court Storm Sewer	69
Blyth/Colby Storm Sewer Phase 4	69
Redfern St. Storm Sewer Phase 2	69
Marcel St. Storm Sewer	69
Lake Point Crt. Storm Sewer	69
Baycrest Area Storm Sewer System	69
Kaireen St. Storm Sewer	69
Nepahwin Ave. Storm Sewer Outlet	69
Mountain St./Leslie St. Storm Sewer Upgrading	69
Nolin St. Storm Sewer	69
Manor Rd. Storm Sewer Outlet	69
Fourth Avenue Storm Sewer	69
Blyth/Colby Storm Sewer Phase 5	69
Brenda Dr. Storm Sewer	69
North Shore Dr. Storm Sewer	69
Dublin St. Storm Sewer	69
Muriel Cres./Louisa Dr. Storm Sewer	69
Alexander Area Storm Sewer System (Phase 2)	69
Sable Street Area Storm Sewer	69
Harrison Dr. Area Sewer System	69
Blythe/Colby/Field Area Drainage System (Phase 1)	69
Alder Street Area Sewer System (Phase 1)	69
ROADS AND SIDEWALKS	
Churchill Ave. (Gemmell to Hawthorne) (Phase 2)	69
Holland Road Reconstruction	69
Lamothe St. Reconstruction	69
Hawthorne Dr. Reconstruction	69
Mountain St. Upgrading	69
Alexander St. Reconstruction	69
Algonquin Road Reconstruction (Phase 1)	69
Charlotte Street	69
McKim Street	69
Algonquin Road Reconstruction (Phase 2)	69
Attlee Ave. Upgrading	69
Hawthorne Drive Upgrading Phase 1	69
South Bay Road Upgrading	69
Lauzon Ave. Reconstruction	69
Hudson St. Reconstruction	69
Wilfred St. Reconstruction	69
Third Ave. Reconstruction	69
Kirkwood Dr./Ramsey Lake Rd. Upgrading	69
Hawthorne Dr. Upgrading Phase 2	69
Sunnyside Rd. Upgrading	69
South Shore Road Upgrading	69

Schedule "A" to By-law 91-150 cont'd

SERVICE	% OF GROWTH IN SERVICES ATTRIBUTABLE TO RESIDENTIAL USE
Riverside Upgrading	69
Wembley Dr. Upgrading - Phase 1	69
Nepahwin Ave. Reconstruction	69
Weller St. Reconstruction	69
Mooney St. Reconstruction	69
Neelon Ave. Reconstruction	69
Mildred St. Reconstruction	69
South Bay Rd. Upgrading	69
Huntington/Courtland Upgrading	69
Hunter St. Reconstruction	69
Fourth Ave. Reconstruction	69
Armstrong St. Reconstruction	69
Lansing Ave. Upgrading	69
Algonquin - Phase 3	69
Brenda Dr. Reconstruction	69
Wembley Dr. Upgrading - Phase 2	69
Douglas St. Upgrading (Regent to Albinson)	69
Soloy Drive (Beatrice to Attlee)	69
Tanguay Ave. (Levis to South End)	69
Westmount Ave. (Barrydowne to Attlee)	69
Bancroft Dr. (Levesque to Moonlight)	69
Dublin St. Reconstruction	69
Attlee Ave. Reconstruction	69
Josephine St. Reconstruction	69
Carmelo Ave. Reconstruction	69
Grandview Blvd. Upgrading	69
Caron St. Road Improvement	69
Lavoie St. Reconstruction	69
Hawthorne St. Reconstruction	69
Agnes St. Bridge	69
Walford Road Reconstruction	69
Lillian Blvd. Reconstruction	69
Madelaine Ave. Reconstruction	69
Madison Ave. Reconstruction (Phase 1)	69
Sidewalks	
Grandview Blvd.	69
Kingsway	69
Paris St.	69
Regent (Martindale/Bouchard)	69
Bouchard St.	69
Falconbridge Rd. (Barrington to Auger)	69
Falconbridge Rd. (Extendicare to Barrington)	69
Lamothe St. (Lasalle Secondary to Prestige Place)	69
Ramsey View Court (Regent to Centennial)	69
Brady St. (Douglas St. to Northbury Hotel) (Phase 1)	69
Brady St. (Douglas St. to Riverside) (Phase 2)	69
Elm St. (Ethelbert to Brodie)	69
Falconbridge Rd. (Auger to Nickel District School)	69
Boland Ave. (Lambton to Paris)	69

SERVICES	% OF GROWTH IN SERVICES ATTRIBUTABLE TO RESIDENTIAL USE
Fieldhouses Community Centres Ball Diamonds Tennis Courts Outdoor Skating Rink Ski Hill Day Camp Soccer/Football Field Indoor Pools Wading Pools Beaches Playgrounds/ Tot Lots (56.5 acres) Park Offices (Kathleen St.) Floodlighting	100 100 100 100 100 100 100 100 100 100 100 100 100 100 100
PARKS Bell Park Upgrading & Waterfront Development Bell Park/Science North Pedestrian Walkway South End Passive Park Development North End Passive Park Development East End Passive Park Development Nepahwin Park Facility Parkland Acquisition Bell Grove Park Upgrade Bell Park City-Wide Parks Major (Fields) Minor (Fields) Passive Neighbourhood Tot Lot Total Parkland	100 100 100 100 100 100 100 100 100 100 100 100 100 100 100 100
LIBRARY SERVICES Needs Assessment Survey Library Facilities Expansion New Branch Library New Main Branch Main Copper Cliff Branch Books and Material	100 100 100 100 100 100 100

Handwritten signatures and initials.

SCHEDULE "B"

TO BY-LAW 91-150

Notwithstanding Section 4 of the By-law:

1. From the date this By-law comes into force, to and including the 31st day of December, 1991, the Development Charge payable hereunder for:

(i) First Intensity Residential shall be \$1,090.00 per unit;

(ii) Second Intensity Residential shall be \$1,090.00 per unit;

(iii) Third Intensity Residential shall be \$1,090.00 per unit.

2. From the 1st day of January, 1992, to the 31st day of December, 1993, the Development Charge payable hereunder for:

(i) First Intensity Residential shall be \$2,180.00 per unit;

(ii) Second Intensity Residential shall be \$1,670.00 per unit;

(iii) Third Intensity Residential shall be \$1,320.00 per unit.

3. From the 1st day of January, 1994, to the 31st day of December, 1994, the Development Charge payable hereunder for:

(i) First Intensity Residential shall be \$3,270.00 per unit;

(ii) Second Intensity Residential shall be \$2,510.00 per unit;

(iii) Third Intensity Residential shall be \$1,970.00 per unit.

4. From and after the 1st day of January, 1995, the Development Charge payable shall be as set out in Section 4 of the By-law.

91-150

*Bylaw
Amend.*

SCHEDULE "C"

TO BY-LAW 91-150

The exemption provided for in Section 2(a) and this Schedule for the areas of the City described below is intended as an interim exemption for no more than five (5) years only and it is not intended to be continued in future by-laws.

1. All lands within Plan of Subdivision 53M-1195.
2. All lands within Plan of Subdivision 53M-1196.
3. All lands within Plan of Subdivision 53M-1197.
4. All lands within Plan of Subdivision M-998
5. All lands within Plan of Subdivision M-1014.
6. Lots 25 to 130 inclusive of Plan of Subdivision M-1003.
7. Lots 1 to 40 inclusive of Plan of Subdivision M-1061.

THIS IS SCHEDULE "C" to BY-LAW 91-150 OF THE CORPORATION OF THE CITY OF SUDBURY

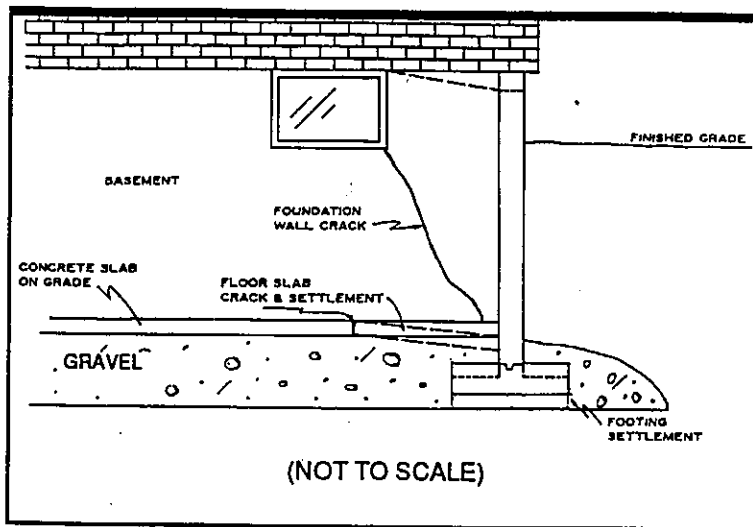
Per:  Mayor

Per:  Deputy Clerk

Building Smart

TECHNICAL ADVICE FOR THE BUILDING INDUSTRY

PROPER SOIL SUPPORT A VITAL CONSIDERATION BEFORE CONSTRUCTION



Soil settlement can severely damage houses after construction. Such damage is the result of very soft soil existing undetected at a depth below the house foundations.

These problems can be avoided by ensuring that house foundations are constructed on

soil capable of providing adequate support.

This issue of *Building Smart* looks at the bearing (support) capability of the soils in Ontario. Look for future issues on avoiding foundation drainage problems and frost damage. The foundation should be



ABOVE: Geological maps like this from Energy Mines and Resources Canada provide valuable information.

LEFT: Typical house foundation distress pattern caused by poor soil support.

compatible with the soil at the construction site. Compatibility can be assured through a teamwork approach involving the builder, the building inspector, local consultants and the Ontario New Home Warranty Program.

Maps helpful

Some assistance in determining soil type and conditions at the site is available from Energy Mines and Resources Canada, which publishes maps of the surface geology for most urban centers and surrounding rural areas.

Information is also available from Agricultural Soils Maps, from your local building inspection department or from geotechnical consultants.

Another potential source of information is the soils investigation which may have been done for the servicing of the development. ▼



Consequence of soil settlement: Severe foundation damage.

