

# **GTH Building and Occupancy Permit Bylaw**

September 27, 2013  
Bylaw #2013-02

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## **1. Title**

- 1.1 This Bylaw may be cited as the "Building Bylaw."

## **2. 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 any amendments.
- 2.2 "Administrative Requirements" means the *Administrative Requirements for Use with The National Building Code*.
- 2.3 "Authorized Representative" means a building official appointed by the GTHA pursuant to subsection 5(4) of the *Act*.
- 2.4 "Construction Value" means the total cost to the owner for the building construction in its completed form and includes the cost of design, all building work, materials of construction, building systems, labour and profit of the contractor and subcontractors. It does not include land, connections to infrastructure, process equipment to be contained within the building, and furnishings.
- 2.5 "GTH" means the Global Transportation Hub.
- 2.6 "GTHA" means the Global Transportation Hub Authority and includes its authorized representative.
- 2.7 "Regulations" means regulations made pursuant to the *Act*.
- 2.8 Other definitions contained in the *Act* and *Regulations* shall apply in this Bylaw.

## **3. Scope of the Bylaw**

- 3.1 This Bylaw applies to matters governed by the *Act* and the *Regulations*, including the *National Building Code of Canada*.
- 3.2 Notwithstanding Section 3.1, references and requirements in the Administrative Requirements respecting matters regulated by the *Act* and *Regulations* shall not apply.
- 3.3 Notwithstanding Section 3.1, references and requirements in the *Administrative Requirements* respecting "occupancy permits" shall not apply except as and when required by GTHA.

## **4. General**

- 4.1 A building permit is required whenever work regulated by the *Act* and *Regulations* is to be undertaken.
- 4.2 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.
- 4.3 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, or
  - b) make the GTHA 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.

## **5. Building Permits**

- 5.1 Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be on forms prescribed by GTHA, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by the GTHA plans and/or specifications need not be submitted.
- 5.2 If the work described in an application for building permit, to the best of the knowledge of the GTHA, complies with the requirements of this Bylaw, the GTHA, upon receipt of the prescribed fee, shall issue a permit and return one set of submitted plans to the applicant.
- 5.3 The GTHA may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the GTHA.
- 5.4 The building permit fee shall be in accordance with the fee schedule established, and periodically updated, by the GTHA. Building permit fees may be based on construction value or other factors, including the costs of contracted building officials. The building permit fee also includes the occupancy permit fee.
- 5.5 Approval in writing from the GTHA is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- 5.6 Construction should proceed promptly after approval of the building permit and proceed diligently to completion. All permits issued under this section expire:
  - a) 6 months from date of issue if work is not commenced within that period, or
  - b) if work is suspended for a period of 6 months, or
  - c) if work is suspended for a period of longer than 6 months by prior written agreement of the GTHA.
- 5.7 The GTHA 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.
- 5.8 Should a permit be issued for part of a building, the holder of such a permit may proceed without assurance that the permit for the entire building will be granted.
- 5.9 The GTHA may revoke a permit if, after written notice is given to the permit holder that
  - a) the construction deviates from approved construction;
  - b) there is contravention of any condition under which the permit was issued;
  - c) the permit was issued in error; or
  - d) the permit was issued on the basis of incorrect information.

## **6. Demolition or Removal Permits**

- 6.1 The fee for a permit to demolish or remove a building shall be prescribed by the GTHA.
- 6.2 In addition, the applicant shall deposit with the GTHA the sum prescribed by the GTHA to cover the cost of restoring the site after the building has been demolished or removed to such condition that it is, in the opinion of the GTHA, not dangerous to public safety.
- 6.3 If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the GTHA, the sum deposited, or portion thereof, shall be refunded.
- 6.4 Every application for a permit to demolish or remove a building shall be on a form prescribed by the GTHA.
- 6.5 Where a building is to be demolished and the GTHA 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 GTHA, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition prescribed by the GTHA.

- 6.6 Where a building is to be removed from the GTH, and the GTHA 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 GTHA, upon receipt of the fee and deposit prescribed, shall issue a permit.
- 6.7 Where a building is to be removed from its site and set upon another site in the GTH, and the GTHA 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 GTHA, will conform with the requirements of this Bylaw, the GTHA, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal.
- 6.8 In addition, the GTHA, upon receipt of the fee prescribed in Section 5.4, shall issue a permit for the placement of the building prescribed by the GTHA.
- 6.9 All permits issued under this section expire 6 months from the date of issue except that a permit may be renewed for 6 months upon written application to the GTHA.

## **7. Occupancy Permits**

- 7.1 No owner shall occupy or allow the occupancy of any building, or part thereof, unless the owner has obtained an occupancy permit from the GTHA.
- 7.2 An occupancy permit is required to allow the occupancy of a building or the phased occupancy of parts thereof; or when the occupancy of a building or part thereof is changed.
- 7.3 Every application for an occupancy permit shall be on a form prescribed by the GTHA.
- 7.4 Where a building is ready to be occupied, the GTHA shall issue a permit for occupancy.
- 7.5 Should a permit be issued for part of a building, the holder of such a permit may proceed without assurance that the permit for the entire building will be granted.

## **8. 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 GTHA 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.
- 8.2 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 GTHA may take any measures allowed by Subsection 8.1.
- 8.3 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 GTHA 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 occupancy prior to completion of construction.

## **9. Special Conditions**

- 9.1 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 GTHA.
- 9.2 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 GTHA.
- 9.3 It shall be the responsibility of the owner to ensure that changes in property lines and/or change in ground elevations will not bring the building or an adjacent building into contravention of this Bylaw.
- 9.4 It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

## **10. Penalty**

- 10.1 Any person who contravenes any of the provisions of this Bylaw shall be liable to the penalties provided in Section 22 of the *Act*.
- 10.2 Conviction for a breach of any provision of this Bylaw shall not relieve the owner from compliance therewith.