

## Building Permit Requirements

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### Custom Built Homes

#### Pre-application Approvals Checklist

Before finalizing the design ensure that the house you wish to build either meets the requirements of or is not affected by the following regulations or requirements.

**ZONING** Review the relevant zoning by-law with a zoning plans examiner to confirm the use, size and setback limitations that affect your property.

**SITE PLAN CONTROL  
HERITAGE PLANNING  
DISTRICT** Certain areas of the City are designated as SITE PLAN CONTROL or HERITAGE PLANNING DISTRICTS to ensure that a particular existing character of the neighbourhood is retained. Check with the zoning plans examiner to determine whether your lot falls into one of these areas and, if so, what approval procedure is required.

<u>CONTACTS:</u>	ZONING	8850 McLaughlin Road Unit #1	905-874-2090
	SITE PLAN CONTROL	3 <sup>RD</sup> floor, Planning, City Hall	905-874-2053
	HERITAGE PLANNING	3 <sup>RD</sup> floor, Planning, City Hall	905-874-2050

**CONSERVATION  
AUTHORITY** If any part of the lot is within an area regulated by a conservation authority a land use permit may be required. This may affect the building location and/or grading of the lot.

<u>CONTACTS:</u>	TRCA (Toronto & Region Conservation Authority)	416-661-6600
	CVCA (Credit Valley Conservation Authority)	905-670-1615

#### Preparing the Building Permit Submission

The following approvals must be obtained before a permit application can be submitted.

**SITE PLAN** 3 copies of a grading and drainage plan prepared by a professional engineer or a surveyor (OLS) must be submitted to Development Engineering Division for approval. The details of how the plan must be prepared and what should be included on the plan are outlined in the enclosed guidelines.

<u>CONTACT:</u>	Development Engineering	3 <sup>rd</sup> floor, City Hall	905-874-3372
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**ARCHITECTURAL CONTROL  
(areas not subject to Site Plan  
Control or within a Heritage  
District)** Submit 1 copy of a site plan (for location reference only) and 2 copies of house elevations (facades) to the City's control architect for review and approval. The elevations, stamped approved by the control architect, must be included as part of the building permit submission.

<u>CONTACT:</u>	Urban Design	3 <sup>rd</sup> floor, City Hall	905-874-2050
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**PRIVATE SEWAGE SYSTEM** If the lot is not serviced by municipal sanitary sewers, the location and design of the private sewage system must be submitted as part of the building permit submission. The location of the tile bed and tank must be provided on the site plan (see 'site plan' above) Design detail and documentation requirements are outlined on the enclosed "Building Permit Requirements for a Sewage System".

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## Building Permit Requirements

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### Custom Built Homes (continued)

#### Building Permit Application

The following documents and fee are required for a complete permit application submission. Only a **complete** application will be accepted.

1. **Completed building permit application** consisting of:
  - Application form "Permit to Construct or Demolish"
  - Schedule 1: Designer Information
  - Schedule 2: Designer Information for septic system (where applicable)
  - Applicable Law Checklist
2. **Two (2) copies of the site plan** stamped approved by Engineering and Development Services.
3. **Two(2) copies of complete architectural plans** and specifications
 

Note: 1) If roof or floor trusses are specified, 2 copies of the engineer's stamped truss drawings and specifications must be provided  
2) Designs for structural slabs and any other design elements outside of the scope of Div, B, Part 9 of the OBC must be stamped by a professional engineer and 2 copies provided.
4. **Two (2) copies of HVAC** layout and calculations
5. **Completed Statement of Design and site evaluation** report for the septic system (if privately serviced lot). The septic system must be shown on the site plan.
6. **Permit Fee** deposit of \$1500.00 per dwelling unit (Permit fees are \$16.78/ m<sup>2</sup> based upon gross floor area, the minimum fee is \$1889.06.) GFA is exclusive of garage and unfinished basement. The balance of fees owing is due at the time of building permit issuance.

#### Building Permit Issuance

The applicant will be contacted by telephone at the completion of the review and advised of the balance of permit fees owing and any outstanding items or issues including:

DEVELOPMENT CHARGE PAYMENT	A copy of the receipt as proof of payment of development charges must be provided prior to the issuance of a building permit. Contact the Finance Department at 905-874-2255 to confirm the amount payable, or if development charges were paid by a previous owner, to obtain confirmation of this payment and whether any additional fees are outstanding. <u>Note:</u> A credit may be applicable for dwelling units previously demolished on the property or where a demolition permit has been issued and demolition will occur no later than four months after the issuance of the permit.
WATER	Municipal – The water service connection approval and inspection is part of the permit process. A "meter" fee is however required by the Region of Peel. (905-791-7800) Well – If water is to be supplied by a well, proof of potable water must be supplied. Water samples can be tested at the Region of Peel, 44 Peel Centre Drive, Brampton. To speak to a Public Health Inspector call (905)-799-7700.
ENCLOSURES	<ol style="list-style-type: none"> <li>1. Grading and Drainage Approval for a Custom Built Home</li> <li>2. Standard Detail 409 – Grading and Drainage</li> <li>3. Building Permit Requirements for a Sewage System</li> <li>4. Statement of Design – Sewage System.</li> </ol>

**Permits**  
Tel. 905-874-2401

**Book Inspections**  
[www.brampton.ca/inspections](http://www.brampton.ca/inspections)

**Zoning Services**  
[ZoningInquiries@brampton.ca](mailto:ZoningInquiries@brampton.ca)

## **2017 HVAC Requirements for Production Residential CM or RR and Custom Home Applications**

New certified model applications and applications for custom homes submitted after January 1, 2017 shall include, but not be limited to the following information:

1. A furnace serving a dwelling unit shall be equipped with a brushless direct motor (OBC Div B, 12.3.1.5).
2. HVAC load calculations shall meet the energy efficiency performance as described in OBC Div B, 12.2.1.2(3). Please identify the selected energy efficiency compliance option to be used or SB-12 – Prescriptive Package or Performance path or other acceptable compliance methods (Energy Star or NRCan “2012 R2000 Standards”)
3. The HVAC design shall comply with good engineering practice as described in OBC Div B, 9.33.1.1 and 9.33.2.2. (Please note OBC Div B, 6.2.1.1 – acceptable methods of calculation are ASHRAE, CAN/CSA-F326-M or HRAI or CSA-F280-12).
4. Should ASHRAE method of calculation be used, please include the following in the submission package for each custom home or certified model including all optional floor plans:
  - a. Floor plans with clearly identified energy efficiency compliance option and full detailed wall section from foundation to roof for standard, look-out and/ or walk-out basement conditions.
  - b. Heat loss / gain calculations.
  - c. Ventilation design summary sheet based on total room count– only principal fan heat loss shall be added to structure heat loss.
  - d. Duct design – please ensure return air from upper floor is not less than supplied air.
5. Should CSA-F280-12 method of calculation be used, please include the following in the submission for package for each custom home or certified model including all optional floor plans:
  - a. Floor plans with clearly identified energy efficiency design package and full wall section from foundation to roof for standard basement, look-out and/or walk-out basement conditions.
  - b. Heat Loss and Gain Calculation Summary sheet.
  - c. Heat loss / gain calculations.
  - d. Calculation of ventilation contribution to heat loss if extra credit is claimed for HRV effectiveness.
  - e. Ventilation Design Summary sheet based on total room count – only principal fan heat loss shall be added to structure heat loss.
  - f. Air Infiltration Residential Load Calculator (Supplemental tool for CAN/CSA-F280 or equivalent).
  - g. Residential Foundation Thermal Load Calculator (Supplemental tool for CAN/CSA-F280 or equivalent) for standard basement, or Residential Slab on Grade Thermal Load Calculator (Supplemental tool for CAN/CSA-F280 or equivalent) for look-out and/ or walk-out basement condition, whichever is applicable.
  - h. Duct design – please ensure the return air from upper floor is not less than supplied air.

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### **Permits**

Tel. 905-874-2401  
Fax 905-874-2499

### **Inspections**

Tel. 905-874-3700  
Fax 905-874-3763

### **Zoning Services**

Tel. 905-874-2090  
Fax 905-874-2499

## Building Permit Requirements

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### Custom Built Homes (all lots in assumed subdivisions)

#### Grading and Drainage Approval Requirements

- Approval for site plans is obtained at the Planning Design and Development Department, Engineering and Development Services Division, City Hall, 3<sup>rd</sup> floor.
- Submit 3 copies of a grading and drainage plan prepared by a professional engineer or surveyor (OLS). Areas serviced by private, on-site sewage disposal systems must have the tank and tile bed location illustrated on the site plan.
- The grading and drainage plan shall comply with the City of Brampton standard drawings and design criteria and particularly shall comply with the attached typical house grading plan Std. 409.
- Two copies of the stamped approved plan will be returned to the applicant. These plans must be included in the building permit application submission.

#### House Plan Grading and Drainage Design Requirements

##### GENERAL NOTES: (to appear on the grading plan)

1. At all entrances to the site, the road curb and sidewalk will be continuous through the driveway, the driveway grade will be compatible with the existing sidewalk, and a curb depression will be provided for each entrance.
2. Sidewalk to be removed and replaced as per O.P.S.D. 310.010.
3. Downspouts to discharge onto the ground via splash pads. Downspouts shall not discharge across walkways.
4. Driveway grades should not be less than 2% and not greater than 8%.
5. Lawn and swales shall have a minimum slope of 2% and a maximum slope of 6%.
6. Where grades in excess of 6% are required, the maximum slope shall be 3:1. Grade changes in excess of 1.0m are to be accomplished by use of a retaining wall. Retaining walls higher than 0.6m shall have a fence installed on the high side.
7. All disturbed areas must be seeded or sodded. Topsoil to be at least 100mm.
8. The minimum clear distance between the edge of the driveway and a utility structure is 1.2m.
9. Grade differences between housing units shall be minimized, especially where new developments abut existing developments. The vertical distance between the ground level at the rear wall of houses which back onto each other shall not be greater than that achieved by striking a 3% grade between the units.
10. Driveway portion within the municipal boulevard must be paved.
11. The service connection trench within the traveled portion of the road allowance shall be backfilled with unshrinkable fill.
12. Wherever possible, a 0.6m separation shall be provided between the driveways.
13. In the event that the grading has to extend to the adjacent property, a written approval from the owner of that property shall be obtained and endorsed by the City of Brampton Planning Design and Development Department, Engineering and Development Services Division, City Hall, 3<sup>rd</sup> floor.
14. All surface drainage shall be self contained, collected and discharged at a location to be approved prior to the issuance of a building permit. Drainage of abutting properties shall not be adversely affected.
15. The gradient from the finished first floor elevation of the proposed house to the centerline of the frontage road shall have a minimum slope of 2% and a maximum slope of 6%.
16. All the construction work for this project shall comply with the Standard Drawings and Specifications of the City of Brampton and the Ontario Provincial Standards and Specifications.

##### Permits

Tel. 905-874-2401  
Fax 905-874-2499

##### Inspections

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##### Zoning Services

Tel. 905-874-2090  
Fax 905-874-2499

# BUILDING YOUR OWN HOME IN ONTARIO?



What you need to know if you live in **Niagara Falls, Sarnia** and **Belleville**:

## BEFORE YOU START — KNOW YOUR RIGHTS

All builders in Ontario must provide a seven year statutory warranty on every home they build. This coverage includes:

- Protection on deposits
- Protection against financial loss for contract homes
- Compensation for delays in closing or occupancy
- Protection against unauthorized substitutions
- One and two year warranties for certain defects in work and materials and
- A seven year warranty for major structural defects

In addition to providing a warranty, anyone in the province of Ontario who plans to build a home for the purpose of sale or sells a new home must be registered with Tarion.

Every registered builder is listed on the Ontario Builder Directory, searchable on Tarion.com. This directory shows a 10-year history for each builder, and displays if a builder has had their license revoked or refused. Any builder that is not listed in this directory is not a registered builder in Ontario, and may be building illegally.

**By building your own home, your home will not qualify for the statutory warranty.**

Owner-built homes are not enrolled with Tarion and do not have a statutory warranty. This means that by building your own home, you are responsible for defects in construction that may arise when building your own home.

**Owner builders are not required to register with Tarion, but they must first obtain a Letter of Confirmation from Tarion to build their own home.** If the owner sells the home without first legitimately residing in the home, he or she must register with Tarion. Further, the owner will be responsible for warranty coverage on the home. If the owner fails to register with Tarion and enrol the home before the home is sold, the owner may be subject to prosecution and face significant fines and/or imprisonment.

Becoming a registered builder requires an interview, testing on knowledge of the Ontario Building Code, and the posting of security to Tarion. These requirements, along with the mandatory warranty coverage, are in place to protect new home buyers from purchasing substandard homes.



To learn more, visit [tarion.com](http://tarion.com)

# BUILDING YOUR OWN HOME IN ONTARIO?



## When do I need a Letter of Confirmation to build my own home?

A Letter of Confirmation is required when building a new home prior to obtaining a building permit in the following circumstances:

- You are building a home on land that you own AND
- You exercise significant control over the construction of all or part of the home AND
- You (or a tenant) will live in the home

**NOTE:** An owner-built home is NOT a contract home constructed under a contract between a builder and an owner of land where the builder provides for the construction of a home on the land. Contact Tarion to ensure your builder is registered with Tarion and your new home is covered under the warranty.

## What are you responsible for by building your own home?

By building your own home, you are taking on the role of a builder. By acting as the builder your responsibilities include:

- Workplace safety and insurance, which includes being responsible for the workers on your site.
- Obtaining the correct city permits for the different stages in construction such as hydro and electrical work.
- Selecting, contracting directly with, terminating contracts with or directly paying subcontractors, trades or suppliers.
- Reviewing, revising, approving, supervising or directing work or materials.

## Requirements for owner-builders

To build your own home, you must first obtain a Letter of Confirmation from Tarion, which allows you to build your own home in Ontario without registering as a builder, and means that your home will not qualify for the Tarion warranty.

Once a Letter of Confirmation is granted, a homeowner can then complete a building permit application to build their own home in Ontario.

To learn more, visit [tarion.com](http://tarion.com)



# BUILDING YOUR OWN HOME IN ONTARIO?



## How to obtain a Letter of Confirmation from Tarion to build your own home

To be eligible to obtain a Letter of Confirmation, you must include the following information:

- ✓ A complete and signed application form (signed by all land owners)
- ✓ A submission of proof of land ownership
- ✓ A copy of the Project Management contract, if applicable

### Next Steps:

Go to [www.tarion.com/ownerbuilder](http://www.tarion.com/ownerbuilder) to complete your application. If you require assistance, contact us at [ownerbuilder@Tarion.com](mailto:ownerbuilder@Tarion.com) or 1-877-696-6497 ext. 3284

## FAQs

### Q: Is there a fee to apply for a Letter of Confirmation?

A: There is no fee to apply for or receive a Letter of Confirmation.

### Q: What happens if I receive a "Letter of Confirmation with Concerns"?

A: If Tarion has reason to believe that the applicant may not legitimately be building the home for themselves, and may instead sell this home, the applicant will receive a Letter of Confirmation with Concerns. Under these circumstances, Tarion will be monitoring this property for illegal vending activities. Any owner builder that sells a home without being registered with Tarion may be subject to illegal building fines and prosecutions.

### Q: What if I want to sell my owner-built home?

A: If a homeowner receives a Letter of Confirmation to build his/her own home, but decides to sell the home instead, the homeowner must register with Tarion. Further, the owner will be responsible for warranty coverage on the home. If the owner fails to register with Tarion and enrol the home before the home is sold, the owner may be subject to prosecution and face significant fines and/or imprisonment.

### Q: How many Letters of Confirmation can I apply for at one time?

A: An owner-builder can only apply for one Letter of Confirmation at a time.

### Q: How many owner-built homes can I build?

A: Although there is no limit to the number of subsequent owner-built homes a homeowner can build, the homeowner must legitimately reside in the home after completion. Should Tarion feel that the regulations are not abided by, an investigation may be conducted.

To learn more, visit [tarion.com](http://tarion.com)

# BUILDING YOUR OWN HOME IN ONTARIO?



## Q: Can I rent my owner-built home?

A: Yes. An owner-built home can be rented.

## Q: Who can apply for a Letter of Confirmation?

A: The applicant may be an individual or a corporation who owns the land the home is to be built on, and intends to have the home legitimately occupied prior to any sale.

## Q: How long does it take to obtain a Letter of Confirmation?

A: Consideration of an application may take approximately three to five days following the receipt of your completed application package with all necessary documentation.

## Are you hiring a contractor to build your new home?

Are you hiring a contractor to build your new home? Be suspicious of a builder who says things like:

- **“You don’t need a Tarion warranty because I offer my own.”**
  - Every builder in Ontario is required to be registered with Tarion and provide their clients with the statutory warranty.
- **“I could enroll the home in the warranty program, but it would cost you around \$10,000.”**
  - Home enrolment fees range from \$385 - \$1500.
- **“We don’t need to enrol custom homes.”**
  - Every builder in Ontario must warrant their homes.



*Beware of builders who claim that they have a special exemption or that they don’t need a Tarion warranty because they offer their own. **Being licensed and providing a Tarion Warranty isn’t optional – it’s the law!***

## QUESTIONS?

For questions about obtaining a Letter of Confirmation to build your own home, e-mail us at [ownerbuilder@Tarion.com](mailto:ownerbuilder@Tarion.com), call us at **1-877-696-6497 ext. 3284** or visit [www.tarion.com/ownerbuilder](http://www.tarion.com/ownerbuilder)

To learn more, visit [tarion.com](http://tarion.com)



# Letter of Confirmation Application Form

**SUBMIT THIS FORM AND REQUIRED DOCUMENTS TO TARION'S LICENSING & UNDERWRITING DEPARTMENT AT 5160 YONGE STREET, 12<sup>TH</sup> FLOOR, TORONTO, ONTARIO M2N 6L9, OR VIA THE CONTACT US LINK AT WWW.TARION.COM, OR BY EMAIL AT OWNERBUILDER@TARION.COM. PLEASE CLEARLY PRINT ALL INFORMATION AND KEEP A COPY OF THIS APPLICATION FOR YOURSELF.**

**For guidance on how to complete this form, please refer to the Information Sheet for Application for Letter of Confirmation. If you have any questions or require assistance with this application, please contact us via the Contact Us link at [www.tarion.com](http://www.tarion.com), by email at [ownerbuilder@tarion.com](mailto:ownerbuilder@tarion.com), or at 1-877-696-6497, ext. 3284.**

**THIS APPLICATION MUST BE COMPLETED BY ALL THE APPLICANTS/LAND OWNERS.**

All information provided on this Application Form must be accurate and be given as if it were a sworn declaration. Providing false information on this form is an offence under the Ontario New Home Warranties Plan Act and offenders are subject to prosecution. It is also an offence to sell a new home without first becoming registered under the Ontario New Home Warranties Plan Act and without enrolling the home with Tarion. Offenders will be subject to prosecution regardless of whether or not they hold a Certificate of Exemption for that home.

## **SECTION A: Applicant Information (to be completed by ALL applicants)**

<input type="text"/>	<input type="text"/>
Applicant Name(s) (as it appears on title for the land in question)	Applicant Name(s) (as it appears on title for the land in question)
<input type="text"/>	<input type="text"/>
Applicant's Ontario Driver's License	Applicant's Ontario Driver's License
<input type="text"/>	<input type="text"/>
Applicant Name(s) (as it appears on title for the land in question)	Applicant Name(s) (as it appears on title for the land in question)
<input type="text"/>	<input type="text"/>
Applicant's Ontario Driver's License	Applicant's Ontario Driver's License

**Contact Person (person who will be handling this application on behalf of all the applicants)**

Are you the landowner?  Are you an agent for the landowner?  Are you the contractor/builder?

<input type="text"/>	<input type="text"/>	<input type="text"/>
Name	Phone Number	Email address

**Contact Details for Applicant(s)**

<input type="text"/>	<input type="text"/>	
Street Number	Street Name	
<input type="text"/>	<input type="text"/>	<input type="text"/>
City/Town	Province	Postal Code
<input type="text"/>	<input type="text"/>	
Phone Number	Fax Number	
<input type="text"/>		<input type="text"/>
Email address(es)		

**SECTION B: Address of the Home You Will Be Building (to be completed by ALL applicants)**

**Address of home you will be building (the home that the Certificate of Exemption Request is for) THIS SECTION MUST BE COMPLETED IN FULL**

<input type="text"/>	<input type="text"/>	
Street Number	Street Name	
<input type="text"/>	<input type="text"/>	<input type="text"/>
City/Town	Province	Postal Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
Lot	Plan	Municipality

**SECTION C: Cost, Schedule and Applicant Details (to be completed by ALL applicants)**

What is the estimated total cost for the construction of this home – this includes all work and materials (and may include any contract/management fees)?	\$	<input type="text"/>
What is the estimated completion date for this home?		<input type="text"/>
Have you applied for a Letter of Confirmation before? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when?		<input type="text"/>

## SECTION D: Owner-Built Homes

Do you, the Applicant(s):		
Understand the definitions and information noted in the Information Sheet of this Application regarding Owner-Built homes?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Understand that selling this home prior to occupancy will make you a Vendor and/or Builder as per the <i>Ontario New Home Warranties Plan Act</i> and you will be responsible for all warranty on this home and must register with Tarion as a Vendor and/or Builder?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Understand if you sell this home prior to occupancy and without being registered as a Vendor or Builder with Tarion, you may be subject to charges and prosecution?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have you hired someone to oversee or manage this project? <i>If you are working with a manager, please attach a copy of the agreement you have with them to this application.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Will the manager be responsible for hiring the trades?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Will you be responsible for hiring the trades?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Will you be making major decisions in the construction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide details:		
Will you providing materials for construction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes what materials? (Please attach additional sheets if necessary)		
Will you be living in the home upon completion?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If not, who will be?		
Would it be possible to live in the dwelling throughout the year?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If not, please explain why not. (Please attach additional sheets if necessary)		
Are you applying for a Permit under section 9.36 of the <i>Ontario Building Code</i> ?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are you using any part of an existing foundation in this new construction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
*How much of the existing foundation are you using? _____ %		
*For information on how to calculate the percentage of foundation, please refer to Appendix 1 of the Information Sheet.		

## SECTION E: Acknowledgements for All Applicants

I/We, \_\_\_\_\_, do solemnly swear, that all of the information contained within this application is true to the best of my/our knowledge. I/We understand that if I/we knowingly provide information that is not true, that is an offense under section 22 of the ONHWP Act.

- I/We agree to the foregoing solemn declaration
- I/We swear that all of the information provided in this document is the truth
- I/We have had the opportunity to access and review the requirements and information regarding the Application for a Letter of Confirmation
- I/We am/are the agent(s) or legal owner(s) of the property which is subject to this application for a Letter of Confirmation
- I/We have read and understood all questions in this Application
  
- I/We understand and agree that I/we have provided full, complete and accurate information to Tarion regarding the Application for a Letter of Confirmation for the home noted above
- I/We understand that there may be consequences for providing any false or misleading information to Tarion
- (If the application is on behalf of a corporation) I/We have the authority to bind the corporation

Date:

Year

Month

Day

## Checklist for the Letter of Confirmation Request

- Fully executed and signed Application for a Letter of Confirmation (must be signed by all land owners)
- Copies of executed contracts with project manager, if applicable
- Proof of land ownership (copy of title or GEO search)
- For Homes Built on Existing Foundation only – Certification from Engineer regarding existing foundation

# Application for Letter of Confirmation Information Sheet

The application for a Letter of Confirmation and all required documents should be submitted to Tarion's Licensing & Underwriting Department at 5160 Yonge Street, 12th Floor, Toronto, Ontario M2N 6L9, via the Contact Us link at [www.Tarion.com](http://www.Tarion.com), or by email at [ownerbuilder@Tarion.com](mailto:ownerbuilder@Tarion.com).

**You must meet the requirements outlined below, submit the completed application and all required documentation before a Letter of Confirmation may be issued.**

## What is a Letter of Confirmation?

In the Province of Ontario, anyone acting as a Vendor/Builder (referred to as "Builder") of a new home must be registered and must enrol the home with Tarion. The *Ontario New Home Warranties Plan Act* stipulates that they are also responsible for all on-going warranty obligations on the home.

Effective July 1, 2015, applicants for a building permit to build a new home, in certain municipalities (Barrie, Belleville, Centre Middlesex, Niagara Falls, Sarnia and Sudbury) will need to provide either their Tarion registration number or a Letter of Confirmation (LoC) to the municipality before a Building Permit will be issued.

The LoC will provide two key pieces of information:

1. Tarion has determined the applicant does not need to be registered with Tarion and;
2. this home meets the home exemption requirements.

An "Owner/Builder" who seeks a permit for the construction of a new home would have to provide an LoC to the building department when submitting the building permit application.

An applicant *may* receive an LoC if they are building:

- a home on their own land that will be occupied prior to any sale
- a home built to part 9.36 of the Ontario Building Code

These types of homes may not meet the requirements of the Ontario New Home Warranties Plan Act (the "Act"), and therefore would not be eligible for any of the provincially mandated warranties. For clarity, these warranties include:

- Protection for deposits;
- Protection against Financial Loss for Contract Homes;
- Compensation for delays in closing or occupancy;
- Protection against unauthorized substitutions;
- One and two year warranties for certain defects in work and materials; and,

- A seven year warranty for major structural defects.

For homes substantially or entirely built by a Builder, as defined by the Act, there is an automatic warranty required by law. For homes that are exempt and a LoC has been issued there is no warranty coverage under the Act so long as the home remains outside the legislation after the LoC has been issued.

The following may be eligible for an LoC:

### **Owner-Builder**

An Owner-Builder would apply when:

- i. The owner builds the home him/herself on land that he/she owns; or
- ii. The owner hires someone else to build the home on the owner's land but the owner exercises significant control over the construction of all or part of the home;

and, in both cases, the owner (or his/her tenant) then resides in the home.

Exercising control over construction includes, for example:

- Selecting, contracting directly with or terminating contracts with subcontractors, trades or suppliers; and/or
- Reviewing, revising, approving, supervising or directing work or materials.

Whether the control exercised by the owner is significant depends on the nature, value and quantity of the work or materials controlled or contributed by the owner. For example, installing interior finishes will not disqualify the home from warranty coverage but would exclude from coverage those finishes and any defects relating to those finishes. On the other hand, controlling the construction of the foundation – an essential element of the home – may be significant enough to make the home an owner built home. Owner built homes are not covered under the statutory warranties.

If the owner sells the home without first legitimately residing in the home, the home will no longer be considered an owner built home and the home will be entitled to statutory warranty coverage from the vendor. Under these circumstances the homeowner(s) will be required to become registered with Tarion.

**Be advised that it is an offence to sell a new home without being a registered builder or vendor and enrolling the home with Tarion.**

Owners who wish to list the home for sale must first register with Tarion and meet all of Tarion's registration requirements. Further, the owner will be responsible for warranty coverage on the home. If the owner fails to register with Tarion and enrol the home before the home is sold, the owner may be subject to charges and prosecution under the Act.

### **Completing the Application for a Letter of Confirmation**

Complete the attached application form and submit it along with the required documents. Incomplete applications will not be considered.



The application form requires the applicant to provide their name and contact details as well as the names of all the owners of the land. All applications must include the full municipal and legal address for the home proposed to be built. ALL applicants must complete all sections of this application.

All owners of the subject property must read and acknowledge the declarations regarding the application (section E).

In addition to the foregoing, each Applicant must also provide the following:

1. Copy of Project Management contract, if applicable; and
2. Submission of proof of land ownership (copy of title or GEO search); and

Consideration of an application may take **approximately** three to five days following the receipt of your **completed** application package **with all necessary documentation**.

Should you have any questions or require assistance contact us via the Contact Us link at [www.Tarion.com](http://www.Tarion.com), by email at [ownerbuilder@Tarion.com](mailto:ownerbuilder@Tarion.com) or at 1-877-696-6497 ext. 3284.

## **Appendix 1**

### **Existing Foundation**

When over 40% of the foundation of a home is pre-existing, as determined by linear measurement (footprint), the home does not qualify for coverage under the Act.

“Foundation” means an arrangement of various “foundation units” through which the loads from a building are transferred to supporting soil or rock. A “foundation unit” refers to any one of the structural parts of a permanent foundation, such as footings, foundation walls, block, piers and pier type foundations constructed of cement products such as concrete, concrete block, wood or any other approved material.

“Foundation” does not include parts of the system that are not load bearing, such as non-load bearing partition walls, weeping tiles, damp proofing, waterproofing, and parging. Nor does it encompass load bearing structures that form part of the above ground construction such as columns, beams, posts and above ground load bearing walls.

# Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the *Building Code Act, 1992*.

For use by Principal Authority			
Application number:	Permit number (if different):		
Date received:	Roll number:		
Application submitted to: <b><u>THE CORPORATION OF THE CITY OF BRAMPTON</u></b> (Name of municipality, upper-tier municipality, board of health or conservation authority)			
A. Project information			
Building number, street name	Unit number	Lot/con.	
Municipality	Postal code	Plan number/other description	
Project value est. \$		Area of work (m <sup>2</sup> )	
B. Purpose of application			
<input type="checkbox"/> New construction <input type="checkbox"/> Addition to an existing building <input type="checkbox"/> Alteration/repair <input type="checkbox"/> Demolition <input type="checkbox"/> Conditional Permit			
Proposed use of building		Current use of building	
Description of proposed work			
C. Applicant			
Applicant is: <input type="checkbox"/> Owner   or <input type="checkbox"/> Authorized agent of owner			
Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax		Cell number
D. Owner (if different from applicant)			
Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax		Cell number

<b>E. Builder (optional)</b>				
Last name		First name	Corporation or partnership (if applicable)	
Street address			Unit number	Lot/con.
Municipality		Postal code	Province	E-mail
Telephone number		Fax		Cell number
<b>F. Tarion Warranty Corporation (Ontario New Home Warranty Program)</b>				
i. Is proposed construction for a new home as defined in the <i>Ontario New Home Warranties Plan Act</i> ? If no, go to section G.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii. Is registration required under the <i>Ontario New Home Warranties Plan Act</i> ?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii. If yes to (ii) provide registration number(s): _____				
<b>G. Required Schedules</b>				
i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.				
ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.				
<b>H. Completeness and compliance with applicable law</b>				
i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted). Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the <i>Building Code Act, 1992</i> , to be paid when the application is made.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> .			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
iv) The proposed building, construction or demolition will not contravene any applicable law.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>I. Declaration of applicant</b>				
I _____ declare that:				
(print name)				
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.				
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.				
_____		_____		
Date		Signature of applicant		

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.

## Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

<b>A. Project Information</b>			
Building number, street name	Unit no.	Lot/con.	
Municipality	Postal code	Plan number/ other description	
<b>B. Individual who reviews and takes responsibility for design activities</b>			
Name	Firm		
Street address	Unit no.	Lot/con.	
Municipality	Postal code	Province	E-mail
Telephone number	Fax number		Cell number
<b>C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]</b>			
<input type="checkbox"/> House	<input type="checkbox"/> HVAC – House	<input type="checkbox"/> Building Structural	
<input type="checkbox"/> Small Buildings	<input type="checkbox"/> Building Services	<input type="checkbox"/> Plumbing – House	
<input type="checkbox"/> Large Buildings	<input type="checkbox"/> Detection, Lighting and Power	<input type="checkbox"/> Plumbing – All Buildings	
<input type="checkbox"/> Complex Buildings	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> On-site Sewage Systems	
Description of designer's work			
<b>D. Declaration of Designer</b>			
<p>I _____ declare that (choose one as appropriate):</p> <p style="text-align: center;">(print name)</p> <p><input type="checkbox"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.</p> <p style="padding-left: 40px;">Individual BCIN: _____</p> <p style="padding-left: 40px;">Firm BCIN: _____</p> <p><input type="checkbox"/> I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code.</p> <p style="padding-left: 40px;">Individual BCIN: _____</p> <p style="padding-left: 40px;">Basis for exemption from registration: _____</p> <p><input type="checkbox"/> The design work is exempt from the registration and qualification requirements of the Building Code.</p> <p style="padding-left: 40px;">Basis for exemption from registration and qualification: _____</p> <p>I certify that:</p> <ol style="list-style-type: none"> <li>1. The information contained in this schedule is true to the best of my knowledge.</li> <li>2. I have submitted this application with the knowledge and consent of the firm.</li> </ol> <p style="margin-top: 20px;"> <span style="border-bottom: 1px solid black; display: inline-block; width: 200px;"></span> <span style="border-bottom: 1px solid black; display: inline-block; width: 500px; margin-left: 100px;"></span> </p> <p style="margin-top: 5px;"> <span style="display: inline-block; width: 200px; text-align: center;">Date</span> <span style="display: inline-block; width: 500px; text-align: center;">Signature of Designer</span> </p>			

**NOTE:**

1. For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) (c) of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
2. Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practice, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

## Schedule 2: Sewage System Installer Information

<b>A. Project Information</b>			
Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/ other description	
<b>B. Sewage system installer</b>			
Is the installer of the sewage system engaged in the business of constructing on-site, installing, repairing, servicing, cleaning or emptying sewage systems, in accordance with Building Code Article 3.3.1.1, Division C?			
<input type="checkbox"/> Yes (Continue to Section C)		<input type="checkbox"/> No (Continue to Section E)	<input type="checkbox"/> Installer unknown at time of application (Continue to Section E)
<b>C. Registered installer information (where answer to B is "Yes")</b>			
Name		BCIN	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax	Cell number	
<b>D. Qualified supervisor information (where answer to section B is "Yes")</b>			
Name of qualified supervisor(s)		Building Code Identification Number (BCIN)	
<b>E. Declaration of Applicant:</b>			
<p>I _____ declare that:</p> <p style="text-align: center;">(print name)</p> <p><input type="checkbox"/> I am the applicant for the permit to construct the sewage system. If the installer is unknown at time of application, I shall submit a new Schedule 2 prior to construction when the installer is known;</p> <p><u>OR</u></p> <p><input type="checkbox"/> I am the holder of the permit to construct the sewage system, and am submitting a new Schedule 2, now that the installer is known.</p> <p>I certify that:</p> <ol style="list-style-type: none"> <li>1. The information contained in this schedule is true to the best of my knowledge.</li> <li>2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.</li> </ol> <p>_____</p> <p style="text-align: center;">Date <span style="margin-left: 200px;">Signature of applicant</span></p>			

**CITY OF BRAMPTON - BUILDING DIVISION**

**SECTION G. DOCUMENTS ESTABLISHING COMPLIANCE WITH APPLICABLE LAW (OBC Div. A - 1.4.1.3.)**

Permit Application No.  _____	Project Location  _____ # _____ street _____ unit/suite
-------------------------------------	---

**Explanation:**

Applicable Law - Applicable law is other regulations for which approval must be obtained before a building permit can issue. A complete list of Acts and Regulations that are "Applicable Law" is set out in Article 1.4.1.3 of Division A of the Ontario Building Code.

**Instructions:**

The most common Acts and Regulations are listed below with the documentation that must be provided before a building permit can issue. Check those that apply to your permit application and complete the declaration. The customer service plans examiner will assist you with any questions you may have about the regulations listed. The documents noted must be provided before a building permit can issue.

**Details and Contact Information**

A list of agencies and contact information is available at the Building Division or on the City of Brampton website

**APPLICABLE LAWS (Note: This list provides only the most common approvals)**

ACT	Description	REQUIRED DOCUMENTS (Provide copy)	Required Yes/No	Received
Planning Act s.41	(Site Plan Control)	Site plan approved drawings		
Planning Act s.34	(Zoning By-law)	Final & binding amendment		
Planning Act Pt. V1	(Division of Land)	Registered Plan or Deed		
Planning Act s.45	(Minor Variance)	Final Decision from City Clerk		
Planning Act s.33	(Demolition of Residential Property)	Council Approval		
Ontario Heritage Act ss.27 (3), 30(2), 33, ss.34.40.1 & 40.2		Heritage Permit		
Ontario Heritage Act s.34.5 and s. 34.7.(2)		Ministry of Culture approval		
Development Charges Act s.28 and s.53, Education Act s.257.83 & 257.93	(Financial Contribution)	Confirmation of payment from City of Brampton Finance Department		
Planning Act s.42(6)	(Cash in Lieu of Parkland)	Confirmation of payment from City of Brampton Finance Department		
Conservation Authorities Act	(Flood plain or fill regulated area)	Construction and Fill Permit		
Day Nurseries Act, Reg. 262 s.5	(Daycare centre with more than 5 children)	Approval from Ministry of Children and Youth Services		
Education Act s.194	(Demolition of all or part of a school)	Approval from Ministry of Education		
Environmental Protection Act s.168.3.1 & 168.6(1) change of use of land	(Industrial or commercial to agricultural, residential or park)	File Record of Site Condition (RSC) and/or provide Certification of Property use (CPU)		
Public Transportation Act s.34 and s. 38 10	(Construction within 45m of the road or within 395m of an intersection of Hwys, 410 or 407)	Building and Land Use Permit issued by MTO		
<b>Other:</b>				

**APPLICANT'S DECLARATION**

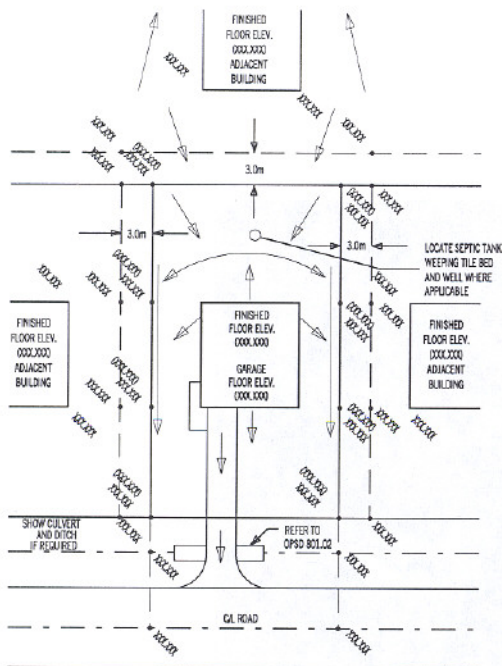
I, \_\_\_\_\_ (print name) certify that the applicable laws designated on the above noted chart are, to the best of my knowledge, all of the "applicable law" for which this application for a permit must comply before a permit is issued.

\_\_\_\_\_ Date

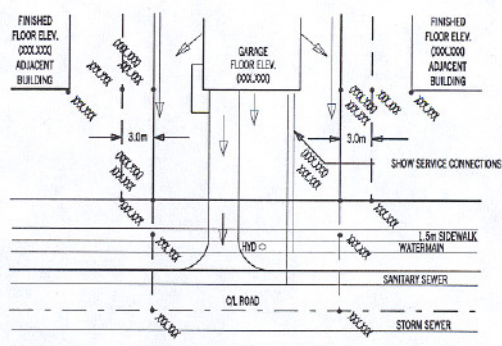
\_\_\_\_\_ Signature

**FOR OFFICE USE ONLY**





STREET NAME  
TYPICAL RURAL PLAN



STREET NAME  
TYPICAL URBAN PLAN

### CRITERIA

- (1) HOUSE PLAN MUST BE IN METRIC AND INCLUDE THE FOLLOWING - TITLE BLOCK, LEGEND, SCALE, KEY PLAN, NORTH ARROW, LEGAL DESCRIPTION AND MUNICIPAL ADDRESS IF AVAILABLE
- (2) WATER SERVICE CONNECTION OR WELL LOCATION MUST BE SHOWN
- (3) SANITARY SERVICE CONNECTION OR SEPTIC BED MUST BE SHOWN
- (4) ALL DRAINAGE MUST BE CONTAINED ON SITE. GRADING MUST BE DIRECT DRAINAGE TO A CITY R.O.W. OR EASEMENT OR WATERCOURSE AS DIRECTED BY THE COMMISSIONER
- (5) WHERE SITE IS ADJACENT TO A WATERCOURSE, THE PERTINENT CONSERVATION AUTHORITY MUST BE CONTACTED TO DETERMINE WHETHER A SPECIAL FILL PERMIT IS REQUIRED
- (6) ALL TREES ON THE PROPERTY MUST BE SHOWN
- (7) ALL UTILITY STRUCTURES (TO BE) LOCATED ON, OR IN FRONT OF SITE, MUST BE SHOWN
- (8) LAWN AND SWALES SHALL HAVE A MINIMUM SLOPE OF 2% AND MAXIMUM SLOPE OF 6%
- (9) SUFFICIENT GROUND ELEVATIONS ON ADJACENT LANDS TO BE SHOWN TO DETERMINE EXISTING DRAINAGE PATTERNS THE MINIMUM INFORMATION REQUIRED SHOULD INCLUDE:
  - a) FINISHED FLOOR ELEVATIONS OF ALL ADJACENT BUILDINGS
  - b) EXISTING GROUND SURFACE ELEVATIONS FOR 5 AND 10 METRES OUTSIDE THE PROPERTY BOUNDARY AT 20m INTERVALS
- (10) DRIVEWAY GRADES SHOULD NOT BE LESS THAN 2% AND NOT GREATER THAN 8%
- (11) WHERE GRADES IN EXCESS OF 6% ARE REQUIRED, THE MAXIMUM SLOPE SHALL BE 3:1 IN ANY CASE, GRADE CHANGES IN EXCESS OF 1.0m ARE TO BE ACCOMPLISHED BY USE OF RETAINING WALL, RETAINING WALLS HIGHER THAN 0.6m SHALL HAVE A FENCE INSTALLED ON HIGH SIDE
- (12) DOWNSPOUTS TO DISCHARGE ONTO GROUND ON SPLASH PADS. DOWNSPOUTS SHALL NOT DISCHARGE ACROSS WALKWAYS
- (13) THE MINIMUM CLEAR DISTANCE BETWEEN THE EDGE OF DRIVEWAY AND A UTILITY STRUCTURE IS 1.2m
- (14) BRICKLINE TO BE 150mm TO 200mm ABOVE FINAL GRADE AT HOUSE
- (15) ALL DISTURBED AREAS MUST BE SEEDED OR SODDED. TOPSOIL TO BE AT LEAST 100mm THICK
- (16) BELOW GRADE WALKOUTS AND REVERSE GRADED DRIVEWAYS WILL NOT BE PERMITTED
- (17) AN APPROVED SILTATION CONTROL METHOD MUST BE PROVIDED DURING CONSTRUCTION.
- (18) LEGEND = xxx.xxx DENOTES EXISTING GRADE (xxx.xxx) DENOTES PROPOSED GRADE

**CITY OF BRAMPTON**  
WORKS and TRANSPORTATION DEPARTMENT

REVISION: 3 REV. DATE: 93-06-16  
DATE: 90-11-01

# HOUSE PLAN REQUIREMENTS

CHECKED:  
APPROVED:  
SCALE: N.T.S. DWG. No. 409

## Building Permit Requirements

### Sewage System - Class 2, 3, 4 or 5, New or Replacement

#### Building Permit Application

The following information is required at submission. Incomplete applications **cannot** be accepted.

**1. Completed building permit application consisting of:**

- Application form "Permit to Construct or Demolish"
- Schedule 1: Designer Information
- Schedule 2: Sewage System Installer Information Form.
- Completed and signed Applicable Law Checklist
- Completed Statement of Design completed by designer and signed by owner

**2. Three sets of plans drawn to scale which must include:**

- **Site Plan and Legal Property Survey**

Show the location and dimensions of the existing and proposed buildings, driveways and parking areas. Identify any bodies of water. Identify any wells on the property or neighboring properties and the construction of the wells (i.e. dug well, drilled well with water tight casing etc.) Illustrate all property lines, easements or rights-of-way. A copy of a legal survey must accompany the site plan. Show the location and type of proposed sewage system and its components in relation to all existing and proposed buildings, parking areas, location of test pits.

- **Plan and Section drawings**

Septic Plan

- Illustrate the size and location of the septic tank and pump chamber (if required) on the site plan. Illustrate the location of the tile bed, indicating the length, spacing and number of tile runs and the dimensions of the extended contact area (if required). Provide dimensions from the tanks and the tile runs to adjacent buildings, property lines, wells, ponds and water courses.

Section

- Provide a cross section of the leaching bed illustrating the cut of the native soil, width and depth of trenches, filter stacks or filter medium and the slope and elevation of the finished grade.

Calculations

- Provide detailed calculations used for the design of the septic system

**3. Three copies of:**

- Site Evaluation - The owner or authorized agent is responsible for conducting a hydrogeological evaluation of the site and submitting a report which includes the following:
  - Date evaluation was done, name, address, telephone number and signature of person who prepared the evaluation.
  - Location of any unsuitable, disturbed or compacted areas.
  - Depth to bedrock and to zones of soil saturation.
  - Location and description of existing aquifers and ground water movement and the location of areas exposed to the potential for flooding
  - A soils analysis which includes soil classification, grain size curves, highest ground water elevation and estimated percolation rates (T-times) of the native soil in minutes per centimeter.

**4. Permit fee of \$629.69 applies to our **Standard 10 Day Permit Application Service****

