



Prince Edward Island

**The City of
Summerside**

**Building Bylaw.
SS-09(Rev. 2009)
and
Regulation SS-09-01**

**Approved: May 2009
As Amended: April 24, 2015**



This document, is an office consolidation of this Bylaw

Current to May 19, 2015

It is intended for information and reference purposes only.

This document is *not* the official version of the Bylaw.

We have tried to ensure these versions of the bylaws are as accurate as possible;

however, where accuracy is critical, please consult official sources.

**If you find any errors or omissions in this consolidation, please contact -
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Building Bylaw

A bylaw respecting the construction, alteration, demolition, relocation, and occupancy of buildings in the City of Summerside.

Be it enacted and it is hereby enacted by the City Council of the City of Summerside, pursuant to Section 21 of the *City of Summerside Act, Stats, P.E.I. 1994, Cap.59* and amendments thereto:

1. **Name**

This bylaw may be referred to as the *Summerside Building Bylaw*.

1.1 **Consolidation**

This revision of the bylaw consolidates all previous amendments.

1.2 **Schedules**

The following schedules contained in the *Summerside Building Bylaw Regulation #SS-09-01* can be amended by resolution of Council:

<i>Schedule A</i>	<i>Fees</i>
<i>Schedule B</i>	<i>Codes</i>
<i>Schedule C</i>	<i>Culvert Fees</i>
<i>Schedule D</i>	<i>Energy Efficient and Sustainable Appliances and Fixtures</i>
<i>Schedule E</i>	<i>Barrier Free Access</i>

[amended 24 April 2015]

<i>Schedule F</i>	<i>Alternative Compliance Methods for Existing Buildings</i>
<i>Schedule G</i>	<i>Professional Design Certificate</i>
<i>Schedule H</i>	<i>Professional Inspection Certificate</i>
<i>Schedule I</i>	<i>Business Improvement Area (BIA) Map</i>

2. **Definitions**

In this Bylaw:

act means the City of Summerside Act, Stats, P.E.I. 1994, Cap. 59;

alter means to renovate or improve an existing building, but excludes building additions;

building means a structure that is greater than 20 square metres in area that consists of a wall, roof and floor or any of them or a structural system serving the function thereof or a deck;

building inspector means any person designated by the chief administrative officer to have the administration or enforcement of this bylaw, or any aspect thereof;

building code means that edition of the National Building Code of Canada adopted and/or amended by council under this bylaw;

business improvement area means that area of the downtown designated from time to time by Summerside Downtown Inc. as a business improvement area, as shown on Schedule I; [amended 24 April 2015]

change of use means any change in building use that would result in either re-classification of the building or part thereof from one major occupancy to another pursuant to the building code or the life safety code, or in a changed hazard contents rating pursuant to the life safety code, as applicable;

chief administrative officer means the chief administrative officer appointed by city council pursuant to the act;

city means the City of Summerside as established by the City of Summerside Act, Stats, P.E.I. 1994, Cap. 59;

city council means the duly elected council of the city;

construct means to add to, alter, erect, install, relocate, repair or replace any building or part thereof;

demolish means the removal of any building or material part thereof, including foundations;

heritage building means a building designated as a heritage property in accordance with the Summerside Heritage Conservation Bylaw SS-20;

judge means a Judge of the Provincial Court of Prince Edward Island;

life safety code means that edition of the National Fire Protection Association (NFPA) 101, Life Safety Code (LSC) adopted by council under this bylaw;

person includes any individual, association, corporation, contractor, commission, public utility, firm, partnership, or organization of any kind, and includes both principal and agent in an agency situation;

permit means permission or authorization in writing from the Building Inspector to perform work regulated by this Bylaw and the Building Code and in the case of an occupancy permit, to occupy any building or part thereof;

planning act means the Planning Act, R.S.P.E.I. 1988, Cap.P-8;

professional designer means a Professional Engineer or Architect licensed to practice in Prince Edward Island pursuant to the Engineering Profession Act or the Architects Act;

subdivision and site development bylaw means the City of Summerside subdivision and site development bylaw SS-19;

utility means the electric, sewer, or water utilities of the city, or the Maritime Electric Utility Company, as applicable;

zoning bylaw means the City of Summerside Zoning Bylaw SS-15; [amended 24 April 2015]

3. Validity

- a. The intent of provisions of this bylaw is not invalidated by any errors in its drafting.
- b. Should any provision of this bylaw be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the bylaw shall not be affected.
- c. A change of property owner or development applicant does not affect the rights or obligations attached to any building permit or agreement under this bylaw.

3.1 Development Agreement

- a. A development agreement is a legally binding contract between a property owner, the city and any third party setting out any special conditions attached to a development approval, and which must be registered against the property which is the subject of the approval in the Prince County Registry Office.
- b. Council may require a property owner to enter into a development agreement with the city to fulfil any special conditions attached to granting a building permit under this bylaw.

- c. Development agreements will be administered in accordance with section 4.14 of the zoning bylaw SS-15.

4. Building Code

No person shall construct or demolish or change the use of a building or part thereof contrary to any applicable requirements of the building code or life safety code, except as specifically exempted by any provision of this bylaw. Any more stringent federal or provincial standards in force shall also apply.

- a. City council shall by simple resolution adopt editions of the National Building Code and Life Safety Code which, together with any amendments thereto, shall respectively be the *building code* and *life safety code* referred to herein.
- b. The editions of the National Building Code and the Life Safety Code which are adopted are set out in Schedule B of the *City of Summerside Building Bylaw Regulation SS-09-01*.

5. Building Permit

No person shall construct, demolish or change the use of a building or construct or alter a vehicular entrance or exit or part thereof or erect a fence unless a building permit has been issued therefore by a building inspector and no permit shall be issued unless the proposed work meets the requirements of the zoning bylaw and other city bylaws.

- a. An application for a building permit must be made on a form prescribed by the city and each application shall:
 - i. identify and describe in detail the work, use and occupancy of the building;
 - ii. describe the location of the site or building including the street address and/or
 - iii. property tax number;
 - iv. state the names, addresses and contact numbers of the owner, applicant, designer(s) and contractor(s) as known or applicable;
 - v. state the estimated construction value of the work;
 - vi. be accompanied by plans and specifications as described in this bylaw;
 - vii. be accompanied by the required fee as set out in Schedule A of the *City of Summerside Building Bylaw Regulation SS-09-01*;
 - viii. be signed by the applicant; and
 - ix. be accompanied by the culvert fee if required as set out in Schedule C of the *City of Summerside Building Bylaw Regulation SS-09-01*.
- b. Notwithstanding the foregoing, a building permit is not required for the following maintenance repairs and renovations to single family or duplex dwellings:

- i. replacement or repair of roofing, except in the case of a heritage building;
 - ii. replacement or repair of siding, except in the case of a heritage building;
 - iii. installation of eavestroughing, downspouts, storm windows or storm doors;
 - iv. replacement or repair of surface flooring;
 - v. replacement or repair of interior surface finishes;
 - vi. landscaping including paving (except items covered in Section 5); and
 - vii. replacement or repair of non-structural building elements where the value of the work is less than \$3,000, except in the case of windows, doors or other historic features of a heritage building exterior.
- c. Notwithstanding the foregoing:
- i. no building permit is required for repairing a deck under 2 feet in height (0.61 metres) for Single Family Dwellings only;
 - ii. a building permit is required for any enlarged or new deck, but is exempt from fees; and
 - iii. decks not exceeding 0.6 m from surrounding grade are not subject to the building code or any other structural requirements of the City.
- d. Where applicable, a building permit shall not be issued for proposed building work before preliminary site plan approval is granted for any major development of which the building is a part, pursuant to the subdivision and site development bylaw SS-19.
- e. The building permit shall be valid for a period of one year from the date of issue after which it shall expire. A permit may be renewed for the fee prescribed in Schedule A of the *City of Summerside Building Bylaw Regulation SS-09-01* before it expires, provided any amendments to the building code or city bylaws are adhered to. If construction or demolition has commenced within one year from the date the permit was issued, the permit shall remain valid until construction is complete unless the work is suspended for a period exceeding three months, in which case the permit shall expire.
- f. The building inspector shall review and, if necessary, amend the estimated construction value if the building inspector does not believe that the estimated construction value on the application represents the true cost of the work.
- g. The building permit and a copy of the approved plans and specifications shall be kept on site during construction and the permit shall be posted in a conspicuous place.

- h. Any person proceeding to construct, demolish or change the use of a building prior to the issuance of a building permit where a permit is required shall pay three times the amount of the fee set out in Schedule A of the *City of Summerside Building Bylaw Regulation SS-09-01* for the building permit.
- i. All applications involving the installation of toilets, showerheads and appliances in new or retrofit/renovation applications shall conform to the specifications contained in *Schedule D* of the *City of Summerside Building Bylaw Regulations SS-09-01*.
- j. All new apartment construction shall conform to the *Barrier Free Access* provisions as defined in *Schedule E* of the *City of Summerside Building Bylaw Regulations SS-09-01*

6. Owner Responsibility

The granting of a building permit or the approval of plans and specifications or the inspection of a building by the building inspector shall not in any way relieve the *owner, owner's agent, the constructor, the architect, the professional engineer, or the designer, of a building* from their respective responsibility for carrying out the work or having it carried out in accordance with these *regulations*, including ensuring that the *occupancy* of the *building*, or any part thereof, is in accordance with the requirements of this bylaw.

7. Plan Changes

No person shall make a material change to any construction or demolition for which a building permit was issued without notifying, providing details and obtaining the authorization of the building inspector therefore.

8. Partial Permits

A building permit may be issued for a part of a building but no assurance is implied or given that a permit will be issued for the remainder of the building and the permit shall be clearly marked **At Owners Risk**.

9. Partial Information

A building permit may be issued for a building for which all the information is not available if withholding the permit would delay the project unreasonably, but no assurance is implied or given that the work will be allowed to continue if the

information is not provided when required or it is in contravention with this bylaw.

10 Part 9 Building Plan Requirements

- a. For buildings classified as Part 9 in the building code, the following information must be submitted prior to the issuance of the building permit:
 - i. site plan to metric scale indicating the location of the proposed building, services on the site, any grading changes, proposed storm water control, proposed driveway access and setbacks to property boundaries;
 - ii. floor plan layout to metric scale indicating the proposed use of each room or area, door locations and swings, fire alarm, fire separations, and suppression systems where required, and emergency and exit lighting where required;
 - iii. foundation, truss and structural framing plans and details;
 - iv. cross sectional details at sufficient locations to indicate all structural and finish details, handrails, guards and fire ratings;
 - v. location of buildings on adjacent sites and exterior elevations indicating openings where necessary to determine the limiting distance requirement; and
 - vi. other information as required by the building inspector to determine compliance with this and other city bylaws including the requirement that components of a Part 9 Building be designed by a professional designer where required in the building code.

- b. When the nature of the work is such that all of the above information is not required to determine building code compliance, the building inspector may waive any or all of the above requirements.

11. Part 3 Building Plan Requirements

- a. For buildings classified as Part 3, 4, 5 & 6 in the building code, the following information must be submitted in duplicate prior to the issuance of the building permit and all plans and specifications accompanied with design certificates shall bear the seal of a professional designer licensed to practice in the Province of Prince Edward Island (The Association of Professional Engineers of Prince Edward Island - APEPEI or Architects Association of Prince Edward Island - AAPEI).
 - i. site plan with dimensions and to metric scale indicating the location of the proposed building, adjacent buildings, services on the site, any

- grading changes, proposed storm water control, proposed driveway access and setbacks to property boundaries;
- ii. floor plans with dimensions and to metric scale indicating floor layout, proposed use of rooms or areas, wall construction, openings, exits, access to exits, elevations, fire separations, and finish schedules;
 - iii. location of buildings on adjacent sites, exterior elevations and openings where necessary to determine the limiting distance requirement;
 - iv. structural plans with dimensions and to metric scale indicating foundation systems and structural framing and truss systems;
 - v. mechanical plans to metric scale indicating mechanical ventilation and fire suppression systems;
 - vi. electrical plans to metric scale indicating fire alarm and emergency and exit lighting systems; and
 - vii. other information as required to determine code compliance.

The professional designer(s) must complete Schedule G Professional Design Certificate to certify [amended 24 April 2015] that the design meets the requirements of the building code. When the nature of the work is such that all of the above information is not required to determine building code compliance, the building inspector may waive any or all of the above requirements.

12. *Alternate Designs, Material, and Systems*

The building inspector may allow alternate designs, materials or systems to those specifically allowed for or required in the building code if, in his or her opinion, the proposed designs, materials or systems meet the intent of the building code. The application therefore must be supported by documentation bearing the seal of an independent professional designer illustrating how the proposed alternative meets the intent of the building code. Refer to Schedule F Alternative Compliance Methods for Existing Buildings. [amended 24 April 2015]

13. *Part 9 Building Inspection Requirements*

- a. For all buildings classified as Part 9 in the building code, work shall not proceed beyond the designated inspection points until the work has been inspected by a building inspector.
- b. The designated inspection points are as follows:
 - i. inspection of the foundation prior to backfilling and placing of a structure thereon;
 - ii. inspection of the framing prior to covering;
 - iii. final inspection after completion of all work; and

- iv. other inspections where required and designated by the building inspector.
- c. The building permit holder must notify a building inspector at least three working days prior to the date an inspection is required under subsection b.
- d. When the nature of the work is such that any or all of the inspections referred to in subsection b. are not required to determine building code compliance, the building inspector may waive any or all of the required inspections.
- e. A building cannot be occupied until a final inspection or a signed release by the Building Inspector is issued to ensure the integrity and safety of the building and occupants.

13.1 Occupancy Permit

Part 9 dwellings of three (3) units and above or two (2) stories and above or a public building cannot be occupied until a final inspection or a signed release by the Building Inspector is issued to ensure the integrity and safety of the building and occupants.

An occupancy permit may be issued, subject to compliance with provisions to safeguard persons in or about the premises, to allow the occupancy of a building or part thereof for the accepted use, prior to commencement or completion of the construction or demolition work.

14. *Part 3 Building Inspection Requirements*

- a. For buildings classified as Part 3 in the building code, work shall not proceed beyond the designated inspection points until the work has been inspected by a building inspector.
- b. The designated inspection points shall be determined on a case by case basis by the building inspector.
- c. The building permit holder must notify a building inspector at least three working days prior to the date an inspection is required under subsection b.

The registered professional(s), or their designate, who certified the design pursuant to the requirements of Section 11 shall complete Schedule H Professional Inspection Certificate [amended 24 April 2015] that the building or part thereof was constructed in accordance with their design.

- d. When the nature of the work is such that any or all of the inspections referred to in subsection b. are not required to determine building code compliance, the building inspector may waive any or all of the required inspections.

14.1 Life Safety Code Option (see Schedule B)

Any person wishing to alter an existing building within the business improvement area (Schedule I) [amended 24 April 2015] shall make written selection at the time of applying for a building permit between complying with either the building code or the life safety code for the full scope of their work, subject to sections (b) and (c) below.

- a. The life safety code option shall not apply for altering any building constructed or previously altered according to the National Building Code, i.e. after 1990.
- b. At the building inspector's discretion, any part of an alteration under the life safety code that impacts on building safety but is outside the scope of that code shall require professional design and/or certification, pursuant to the building code requirements under this bylaw.
- c. As required by the building inspector, applications under the life safety code option shall be accompanied with the supporting plans and specifications for reasonably confirming compliance with this bylaw.
- d. The building inspector may inspect any building alteration to check compliance with the life safety code, following the same procedures set out in sections 14 (a) (b) (c) and (e) for building code inspections.

14.2 Occupancy Permit

- a. All construction work on all part 3 buildings requiring a building permit, including those which would have rated as part 3 buildings if they had not been permitted under the life safety code option, shall also require an occupancy permit to be issued by the building inspector. There are no fees for an occupancy permit.
- b. For the assistance of applicants, the building inspector shall identify requirements for an occupancy permit on the notification of building permit approval and on the building permit.
- c. The building inspector shall only issue an occupancy permit when:
 - i. all building work is sufficiently completed that the City is assured that the building can be safely occupied and, as applicable, entered

- ii. into by the public;
 - iii. a registered professional confirms that the building was built in accordance with their design, pursuant to section 14 (d); and as applicable, final site plan approval is issued for any major development of which the building is part, pursuant to the subdivision and site development bylaw SS-19
- d. The building inspector may attach conditions to a building permit or an occupancy permit regarding requirements for safe occupancy of a building.
- e. No building shall be occupied or entered into by any person prior to issuance of an occupancy permit other than persons involved in its construction, except as the building inspector may authorize for buildings being renovated or expanded.
- f. The building inspector may post one or more warning notices on any building that is being occupied or entered before a required occupancy permit is issued.
- g. Non-compliance by any person regarding any requirements for building permit approval does not relieve them from any requirements for an occupancy permit. Non-compliance with any requirements for an occupancy permit constitutes a separate offence under Section 21.

15. Individually-Owned Multiple Housing Units

- a. For new semi-detached and row house dwellings, or existing conforming units to be sold to individual owners the following conditions apply:
 - i. All adjoining units shall be separated by masonry or concrete fire walls with a minimum two-hour fire-resistance rating as defined under the National Building Code;
 - ii. All other construction must conform with the current building code standards;
 - iii. Each dwelling unit shall have: separate water, sewer and electrical services, heating devices and parking provisions;
 - iv. An acceptable agreement is put in place between individual owners in common buildings dealing with their mutual responsibilities, such as for maintenance, fire insurance, easements, parking, and snow removal, and which is registered on the property titles of each dwelling unit; and
 - v. Approval of a 'part lot' subdivision.
- b. All new semi-detached and row houses shall be constructed with fire walls and separate water, sewer and electrical services to allow for individual

ownership or condominiums, whether or not the units are originally intended for those purposes.

16. Orders

- a. The building inspector may issue the following orders and shall indicate a time by which the order must be complied with.
- b. A compliance order may be issued to correct any construction or demolition that does not comply with this bylaw or the building code.
- c. An uncover order may be issued to uncover all or any part of the construction that was covered up if notice was not given for an inspection or a reasonable time not allowed for the inspection pursuant to Section 13 or 14 or for work for which a valid permit was not issued pursuant to section 5 or 7.
- d. A stop work order may be issued for all or any part of the construction or demolition if any person fails to comply with an order issued under subsection a or b or has failed to obtain a permit pursuant to section 5.
- e. Any person who fails to comply with an order issued hereunder is guilty of an offence and is liable for the penalties set out in Schedule A *of the City of Summerside Building Bylaw Regulation SS-09-01*.

16.1 Provision of Services

- a. No utility shall extend service to any construction work before a required building permit has been issued in accordance with this bylaw.
- b. If an order under section 15 is not complied with, the City reserves the right to cause the appropriate utility to withdraw or withhold any temporary or permanent connection for water, sanitary sewer, or electrical services until such time as the order is complied with to the City's satisfaction.

17. Inspector Authority

- a. A building inspector may, at any reasonable time, enter upon land and into buildings for the purpose of inspecting the building or site for which a permit was issued to determine compliance with this bylaw.
- b. A building inspector may, with 24 hours' notice and during normal business hours, enter upon land and into buildings for the purpose of inspecting the building or site for which an application for a permit is made to determine compliance with this bylaw.
- c. A building inspector may, with 24 hours' notice and during normal business hours, enter upon land and into buildings for purpose of verifying whether construction work is being undertaken which may require application for a building permit.
- d. A building inspector may, at any reasonable time, enter upon land and into buildings for the purpose of inspecting the building or site for which work is ongoing but no record of a permit nor application has been found to determine compliance with this bylaw.

18. Unsafe Buildings

- a. A building inspector may enter upon land and into buildings during ordinary business hours for the purpose of inspecting a building to determine if it is unsafe.
- b. Where a building inspector reasonably believes that a building is unsafe and that an emergency situation exists, the building inspector may enter upon land and into buildings at any reasonable time.
- c. A building is unsafe if it is:
 - i. structurally inadequate for the purpose for which it is used;
 - ii. in a condition that could be hazardous to the health of the persons who use or occupy the building; or
 - iii. a fire hazard.
- d. If a building is determined to be unsafe by a building inspector, he or she may issue an order requiring:
 - i. the renovation, repair or demolition of the building or part thereof to remove the unsafe condition; and
 - ii. prohibiting the use and occupancy of the building or part thereof.

- e. If a person fails to comply with an order issued under subsection d (unless under investigation or insurance claims process) and does not appeal to city council in accordance with Section 19, the building inspector may remove or demolish the building or part thereof and the cost of such removal or demolition shall be the responsibility of the property owner and the city may take such judicial proceedings as are necessary to enforce such payment.
- f. Any person who fails to comply with an order issued hereunder, unless under investigation or insurance claims process, is guilty of an offense and is liable for the penalties set out in Schedule A of the *City of Summerside Building Bylaw Regulation SS-09-01*.

19. Repairs to Public Property

Any owner who damages public property or works located therein during construction or demolition of any building or part thereof is responsible for the cost of the repair of the damage.

20. Disputes

Any person who is aggrieved by an order or decision issued by the building inspector pursuant to this bylaw, other than one relating to technical code requirements, may appeal within 15 days of the date of issuance to city council who shall hear the reasons of all parties in the dispute and issue a final and binding decision, subject to rights of appeal to the Island Regulatory and Appeals Commission (IRAC) in accordance with the Provincial Planning Act.

21. Offences

Any person who violates any provision of this bylaw shall be guilty of an offence and liable, on summary conviction, for the penalties as set out in Schedule A of the *City of Summerside Building Bylaw Regulation SS-09-01* and each day in which the offence continues shall constitute a separate offence.



The City of Summerside

Building Bylaw Regulations SS-09-01 as amended (April 24 2015)

May 2009

Schedule A - Fees

Pursuant to Section 5 and 21 of the Building Bylaw SS-09, effective March 15, 1998, the building permit fees shall be as follows:

Type	Description	Fee
Building Permit	Construction	\$15.00 plus \$3.00 per \$1000 of construction value over \$5000
Building Permit	Demolition	\$25.00
Building Permit	Fence	no charge
Building Permit	Change of Use	\$25.00
Building Permit	Renewal	\$25.00

Penalties (amended December 16, 2013)

Pursuant to Section 16, 18 and 21 of the Building Bylaw SS-09, effective March 15, 1999 (revised 2009), the minimum and maximum penalties to be imposed for violations of the Bylaw shall be as follows:

Section	Description	Minimum Fine	Maximum Fine
16	Compliance Order	\$100.00	\$500.00
16	Uncover Order	\$100.00	\$500.00
16	Stop Work Order	\$250.00	\$1000.00
18	Repair/Demolition Order	\$250.00	\$1000.00
13.1/ 14.2/ 18	Occupancy Prohibition Order or Permit	\$250.00	\$1000.00
	Any Other Offence	\$100.00	\$1000.00

Schedule B - Codes

Building Code

Pursuant to Section 4 of the Building Bylaw (SS-09), the building code means the 2010 Edition of the National Building Code of Canada and amendments thereto.

Life Safety Code [amended April 24 2015]

Pursuant to Section 4 of the Building Bylaw (SS-09), effective March 15, 1999, the life safety code means the 2015 Edition of the Life Safety Code 101 of the National Fire Protection Association and any amendments thereto.

Schedule C - Culvert Fees

Pursuant to Section 5 of the Building Bylaw (SS-09), effective March 9, 1999 and amendments thereto, the culvert fees shall be charged to the property owners as follows:

- | | | |
|----|--|-----------|
| 1. | Supply and install standard access culvert | \$500.00 |
| 2. | Supply and install additional access culvert | Full Cost |
| 3. | Extensions to culverts to widen driveway | Full Cost |
| 4. | Filling all or a portion of a ditch | Full Cost |

Schedule D - Energy Efficiency and Water Saving Devices

- a) All applications involving the installation of toilets and/or showerheads in new or retrofit/renovation applications shall demonstrate on plan drawings the use of low-flow fixtures to the satisfaction of the City.
- b) All appliances (i.e. refrigerators, dishwashers, fridges and freezers, clothes washers and dryers, humidifiers and dehumidifiers, air conditioners, cold water units etc.) must meet the energy star requirements and have the symbol on them.
- c) For fixtures like toilets installed in new or retrofit/renovation residential, commercial, industrial, or institutional applications shall be CSA certified and have a tank capacity of not more than 6 litres per flush.
- d) All showerheads installed in new or retrofit/renovations residential, commercial, industrial or institutional applications shall be CSA certified and have a flow capacity of not more than 9.5 litres per minute. Where more than one showerhead is to be installed in a shower enclosure, the cumulative flow capacity of all showerheads shall not exceed 9.5 litres per minute.
- e) All indoor faucets installed in new or retrofit/renovation residential, commercial, industrial or institutional applications shall be equipped with a tap aerator.
- f) No Occupancy Permit shall be issued until appliances have the energy star symbol and the use of low-flow toilets, tap aerators and/or showerheads (as applicable) has been demonstrated, through physical inspection or otherwise, to the satisfaction of the City.

Schedule E - Barrier Free Access

For all new apartment construction, a barrier free access unit shall be provided as defined in Section 3.8 of the National Building Code 2010 at a rate of one (1) unit for every twelve (12) apartment units constructed

Schedule F - Alternative Compliance Methods for *Existing* Buildings

Based on the National Building Code of Canada 2010

With the exception of Item #37, this schedule, or a combination of this schedule and the National Building Code may be used where a building existed prior to January 1, 1995, and

- a. the existing building is being altered other than for a change of use, or
- b. the existing building is being altered, and where a change of use (occupancy classification) results in an occupancy with a reduced fire hazard risk.

No	Code Requirement	Alternate Compliance Method
1	Fire Separations 3.1.3.1; Table 3.1.3.1; 9.10.9 2-Hour Fire separation required between some major occupancies.	Except for F1 occupancies, 1-hour fire separation is acceptable, if the building is fully sprinklered (*1).
2	Fire Separations 3.1.3; Table 3.1.3.1; 9.10.9 1-Hour separation required between some major occupancies.	½-Hour Separation is acceptable if the building is fully sprinklered (*1).
3	Non-combustible Construction 3.1.5; 9.10.6.1 All materials used in non-combustible construction must be non-combustible unless otherwise permitted.	<ol style="list-style-type: none"> 1. Roofs may be of combustible construction provided the building is fully sprinklered (*1). 2. Up to 10% gross floor area to a maximum of 10% of any one floor area may be of combustible construction provided the building is fully sprinklered (*1).
4	Fire Resistance Rating 3.1.7.1.(1); 9.10.3.1 Where a material, assembly of materials or structural member is required to have a fire resistance rating it shall be tested in accordance with CAN/ULC-S101.	A fire-resistance rating may also be used based on <ol style="list-style-type: none"> 1. HUD No.8 Guideline on Fire Ratings of Archaic Materials and Assemblies 2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194 3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207 4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222
5	Rating of Supporting Construction 3.1.7.5; 9.10.8.3 Supporting assemblies to have a fire resistance rating at least equivalent to that of the supported floor.	Heavy timber construction is permitted to have a fire resistance rating less than would be required by the Code provided the building; <ol style="list-style-type: none"> a. is fully sprinklered (*1), and b. does not exceed 5 storeys in building height.
6	Continuity of Fire Separations 3.1.8.3.(1); 9.10.9.2 Fire separations are required to be continuous above the ceiling space.	Fire separations are not required to be continuous above the ceiling space where; <ol style="list-style-type: none"> a. the ceiling space is non-combustible construction, or b. both the fire compartments are sprinklered (*1), or c. the ceiling has a minimum rating of 30 minutes
7	Wired Glass 3.1.8.5.(1); 3.1.8.14.(2); 9.10.13.1; 9.10.13.5 6mm wired glass in steel frame is required in fire separations.	For fixed transoms or sidelights, 6mm wired glass fixed to a wood frame of at least 50mm thickness with steel stops is permitted in a required fire separation.

8	<p>Mezzanines 3.2.1.1.(3); 9.10.4.1 Mezzanines enclosing more than 10% above the horizontal plane are considered a storey in building height.</p>	<p>Mezzanines may enclose up to 20% above the horizontal plane and not be considered a storey in building height if the building is fully sprinklered (*1).</p>
9	<p>Building Height 3.2.2.22 to 3.2.2.88 Non-combustible construction required for buildings over 4 storeys in building height</p>	<p>Buildings may be of combustible construction up to 5 storeys in height provided;</p> <ul style="list-style-type: none"> a. The building is fully sprinklered (*1), and b. the building contains Group C, D, E, F2 or F3 occupancies, and c. the floor assemblies not required to exceed 1-hour fire separation requirements may be of heavy timber construction.
10	<p>Spatial Separation 3.2.3; 9.10.14 The maximum area of unprotected openings</p>	<p>The area of unprotected openings is not limited provided;</p> <ul style="list-style-type: none"> a. the exterior walls have an interior thermal barrier of 12.7mm thick gypsum board or lath and plaster in good condition, and b. the limiting distance is a minimum of 1m, and c. the entire building has a supervised sprinkler system in conformance with Sentence 3.2.4.9(2) and the sprinkler system complies with the current NFPA 13 requirements (*1), and d. the sprinkler system is connected to the fire department in conformance with Sentence 3.2.4.7(4).
11	<p>Construction of Exposing Building Face 3.2.3.7; 9.10.14.5; 9.10.15.5 The exposing building face is required to have a fire resistance rating and/or be of non-combustible construction</p>	<p>Exposing building face is not required to have a fire resistance rating if the building is fully sprinklered (*1). Also, the exposing building face is not required to be of non-combustible construction if it is protected by an exterior sprinkler system conforming to NFPA 13 (*1) and has a thermal barrier as specified in No.10(a) of these compliance tables.</p>
12	<p>Roof Covering Rating 3.1.15.2 Class A, B, or C roof covering in conformance with CAN/ULC S-107 required</p>	<p>For existing roofs not covered by a Class A, B, or C roofing a manually operated deluge system in accordance with NFPA 13 is permitted (*1).</p>
13	<p>Interconnected Floor Space 3.2.8; 9.10.13.(6) Openings that are not protected by shafts or closures shall be protected in conformance with Section 3.2 or Sentence 9.10.1.3 (6)</p>	<p>An open stair in buildings of maximum 3 storeys in building height need not comply with Subsection 3.2.8 provided;</p> <ul style="list-style-type: none"> a. it is not a required exit stair, and b. the building contains a Group C or D occupancy, and c. the building is fully sprinklered with fast response sprinklers (*1), and d. corridors opening into the interconnected floor space are separated for the interconnected floor space by a fire separation with the rating required for the corridor, and e. smoke detectors are installed in the rooms opening into the interconnected floor space.

14	<p>Separation of Suites 3.3.1.1; 9.10.9.13. 9.10.9.14 Suites are required to be separated from adjoining suites by 3/4-hour or 1-hour rated fire separations</p>	Existing ½-Hour fire separations are acceptable in fully sprinklered (*1) buildings not exceeding 5 storeys in building height.
15	<p>Corridor Fire Separation 3.3.1.4; 9.10.9.15 Public corridors are required to be separated from the remainder of the building by a fire separation having a fire resistance rating of at least ¾-Hour.</p>	Existing corridors with ½-hour fire resistance ratings are acceptable in residential occupancies provided the building; <ul style="list-style-type: none"> a. does not exceed 5 storeys in building height, and b. is fully sprinklered with fast response sprinklers (*1).
16	<p>Corridor Width 3.3.1.9; 3.4.3.1; 9.9.3.3 Public corridors and exit corridors are permitted to have a minimum width of 1100mm.</p>	Public corridors and exit corridors with a minimum width of 800mm are permitted provided; <ul style="list-style-type: none"> a. the occupant load of the building is a maximum of 20 people, and b. the building does not exceed 3 storeys in building height.
17	<p>Door Swing 3.3.1.11; 3.4.6.12; 9.9.6.5 Doors are required to swing in the direction of exit travel</p>	The second egress door from a room is not required to swing in the direction of exit travel provided; <ul style="list-style-type: none"> a. the building is fully sprinklered (*1), and b. the system is supervised in conformance with Sentence 3.2.4.9(2), and c. the occupant load of the building is a maximum of 100 people.
18	<p>Stairs, Ramps, Handrails and Guards 3.3.1.14; 3.3.1.16; 3.3.1.18; 3.4.6.4 to 3.4.6.9; 9.8</p>	Existing conditions that do not comply fully with the requirements are permitted if they do not create a hazardous condition and are acceptable to the authority having jurisdiction.
19	<p>Transparent Doors and Panels 3.3.1.19; 9.6.1.4 Glass in doors and sidelights are required to be protected by guards and to be safety glass.</p>	Existing glass or transparent panels that do not comply fully with the requirements are permitted if sufficiently discernible or guards are provided in hazardous situations.
20	<p>Dead-end Corridors 3.3.1.9.(7); 9.9.7.3 Dead-end corridors are permitted to be a maximum length of 6m.</p>	<ol style="list-style-type: none"> 1. Dead-end corridors are permitted to a maximum length of 10m in Group C occupancies provided; <ul style="list-style-type: none"> a. the building is fully sprinklered with fast acting response sprinklers (*1), and b. smoke detectors are installed in the corridor system 2. Dead-end corridors are permitted to a maximum of 15m in length in Group D, E, F2 and F3 occupancies provided; <ul style="list-style-type: none"> a. the building is fully sprinklered with fast response sprinklers (*1), and b. smoke detectors are installed in the corridor system.

21	<p>Exits 3.4.2.1; 9.9.8.2 Floor areas shall be served by no fewer than 2 exits except as permitted by 3.4.2.1.(2)</p>	<p>Floor areas may be served by a single exit within the limits of 3.4.2.1.(2) provided;</p> <ul style="list-style-type: none"> a. the building does not exceed 3 storeys in building height, and b. the building is fully sprinklered with fast response sprinklers (*1), and c. the building contains an approved fire alarm system with smoke detectors located in accordance with Sentence 3.2.4.11
22	<p>Reduction of Exit Width 3.4.3.3.(2); 9.9.6.1 Swinging doors in their swing shall not reduce the effective width of exit stairs and landings to less than 750mm.</p>	<p>Existing swinging doors in their swing are permitted to reduce the effective width of exit stairs and landings to a minimum of 550mm provided;</p> <ul style="list-style-type: none"> a. they serve Group C or D occupancies, and b. the building does not exceed 5 storeys in building height, and c. the building is fully sprinklered (*1).
23	<p>Fire Separation of Exits 3.4.4.1; 9.9.4 Exits are required to be separated from the remainder of the floor area by a fire separation having a fire-resistance rating of not less than 3/4-hour.</p>	<ul style="list-style-type: none"> 1. Existing fire separations of ½-hour are acceptable provided the building is fully sprinklered with fast response sprinklers (*1) and does not exceed 3 storeys in building height. 2. Buildings not exceeding 5 storeys in building height may have exits that are separated by a ¾-hour fire separation provided the building is fully sprinklered (*1).
24	<p>Exits through Lobbies 3.4.4.2; 9.9.8.5 Rooms adjacent to the lobby are required to be separated by a fire separation.</p>	<p>Rooms adjacent to the lobby are not required to be separated by a fire separation provided;</p> <ul style="list-style-type: none"> a. the floor area is sprinklered with fast response sprinklers (*1), and b. smoke detectors are installed in adjacent rooms.
25	<p>Rooms opening into an Exit 3.4.4.4.(7); 9.9.5.9 Service rooms are not permitted to open directly into an exit.</p>	<p>Service rooms and ancillary rooms may open directly into an exit provided;</p> <ul style="list-style-type: none"> a. the building is fully sprinklered (*1), and b. the room is sprinklered with fast response sprinklers, and c. the door assembly has a fire protection rating of at least 20 minutes, and d. the building does not exceed 3 storeys in building height, and e. weather-stripping is installed on the door to prevent the passage of smoke.
26	<p>Illumination of Exit Signs 3.4.5.1.(3); 9.9.11.3.(3) & (4) Exit signs are required to be illuminated continuously while the building is occupied.</p>	<p>In provincial or municipal designated heritage buildings where exit signage may compromise historic appearances, or authenticity of displays, exit signs may be installed to light only by the fire alarm system or due to power failure.</p>

27	Clearance from Exit Doors 3.4.6.11.(1); 9.9.6.6 Stairs risers shall not be closer than 300mm from an exit door	Except as permitted in Sentences 3.4.6.10.(2) or 9.9.6.6.(2), existing exit doors shall not extend beyond the first riser.
28	Fire Escapes 3.4.7; 9.9.2.1 Fire escapes are required to conform to Article 3.4.7	Existing fire escapes that do not completely conform to Article 3.4.7.1 are acceptable provided; <ul style="list-style-type: none"> a. they are acceptable to the authority having jurisdiction, and b. the building is fully sprinklered (*1).
29	Fire Escape Construction 3.4.7.2; 9.9.2.1	Existing combustible fire escapes are permitted if the building is permitted to be combustible construction by Part 3, Part 9 or by these Compliance Tables.
30	Protection of Fire Escapes 3.4.7.4; 9.9.2.1 Openings in the exterior wall adjacent to the fire escape are required to be protected by closures.	Existing openings in the exterior wall adjacent to the fire escape are not required to be protected by closures provided; <ul style="list-style-type: none"> a. the building is fully sprinklered (*1), and b. a sprinkler head is located within 1.5m of the opening required to be protected by Article 3.4.7.4.
31	Vertical Service Spaces 3.6.3.1 Vertical service spaces are required to be separated from the adjacent floor area by a rated fire separation.	Existing vertical service spaces that do not completely conform to the rated fire separation requirements are acceptable provided the building is fully sprinklered (*1).
32	Height and Area of Rooms 3.7.1; 9.5 The height and area of rooms are required to comply with minimum dimension requirements.	Existing rooms are not required to comply with the minimum dimension requirements of Subsection 3.7.1 or Section 9.5 provided the room conditions are acceptable to the authority having jurisdiction.
33	Window Areas 9.9.10 Windows in dwelling units are required to comply with minimum dimensions.	Existing windows are not required to comply with the minimum dimensions if the size is acceptable to the authority having jurisdiction.
34	Washrooms Required to be Barrier-Free 3.8.2.3.(1)	Except in Assembly occupancies and Group D Business and Personal Services occupancies intended to offer medical or therapeutic services, a barrier-free washroom need not be provided in an existing building with a building area less than 120m ² .
35	Entrances (*2) 3.8.1.2.(1) 1. In addition to the barrier-free entrances required by Sentence (2), not less than 50% of the pedestrian entrances of a building referred to in Sentence 3.8.1.1.(1) shall be barrier-free and shall lead from; <ul style="list-style-type: none"> a. the outdoors at sidewalk level, b. a ramp that conforms to Article 	Where an existing building has <ul style="list-style-type: none"> a. a building area less than 120m² (1292 ft²) and; b. the slope from the entrance level floor at the entrance door to a street or public way is greater than 1 in 10, and c. no entrance is more than 1m to the property line, and d. no alternate access to an entrance from a street or public way is possible; the owner may use a stair with <ul style="list-style-type: none"> a. a maximum rise of 150mm (6”), and

	3.8.3.4 and leads from a sidewalk.	<ul style="list-style-type: none"> b. a minimum run of 280mm(11”), and c. tactile landings, and d. contrasting colour nosings, and e. an unobstructed width of 1m.
36	Mechanical Systems Part 6 and Part 7	Existing mechanical systems in buildings are not required to fully comply to the requirements of Parts 6 or 7 provided <ul style="list-style-type: none"> a. it is not an unsafe condition, and b. it is acceptable to the authority having jurisdiction.
37	Life Safety Code Option (NFPA 101) (*3)	In accordance to City of Summerside Building Bylaw SS-09 Section 14.1; <ul style="list-style-type: none"> a. Any person wishing to alter an existing building within the <i>Business Improvement Area</i> shall make written selection at the time of applying for a building permit between complying with either the National Building Code or the Life Safety Code for the full scope of their work, subject to Sentence (b) and (c). b. The Life Safety Code option shall not apply for altering and building constructed or previously altered according to the National Building Code, ie after 1990. c. At the building inspector’s discretion, any part of an alteration under the Life Safety Code that impacts on building safety but is outside the scope of that code shall require professional design and/or certificates, pursuant to the building code requirements under the bylaw. d. As required by the building inspector, applications under the Lifer Safety Code option shall be accompanied with the supporting plans and specifications for reasonably confirming compliance with the bylaw. e. The building inspector may inspect any building alteration to check compliance with the Life Safety Code, following the same procedures set out in Bylaw SS-09 Section 14 (a)(b)(c) and (e) for building code inspections.

(1) Sprinkler system is required to meet the current NPFA 13 (or NFPA 13R as applicable) released on the date of permit application. A fire alarm system is required to meet the current National Building Code Section 3.2.4 requirements.

(2) The National Building Code requires that 50% of all public entrances to a building have barrier-free access. Typically small buildings may only have 1 or 2 entrances.

Public way means sidewalk, street, highway, square, or other open space to which the public has access, as of right or by invitation, expressed or implied. Street means a highway, road, boulevard, square or other improved thoroughfare 9m (30') or more in width, which has been dedicated or deeded for public use, and is accessible to fire department vehicles and equipment.

The intent is to allow the use of a stair conforming to the alternate requirement for an existing building where no ramped or lift access is possible either at the front door or another door into the building. This would occur most frequently where a building sits on the lot line at the sidewalk, and there is no other door accessible from the public way.

The acceptance of an alternative barrier-free path of travel to the entrance does not relieve any other barrier-free requirement provisions of the NBC. It is anticipated that even if the only other access is by stair, in compliance with the alternate compliance measure, the balance of the premises shall comply.

- (3) The reference edition of the NFPA 101 Life Safety Code will be the edition noted under Schedule B.

Schedule G Professional Design Certificate

Project Owner: _____ Date: _____

Project Description: _____ Permit #: _____

Project Civic Address: _____

I _____ have designed the following portions of the above
(Name of Professional Architect/Engineer (please print))
mentioned project (check as many as apply):

- Civil – Site/Landscaping
- Geotechnical
- Architectural - Building Design Exterior
- Architectural - Building Design Interior
- Structural - Foundations
- Structural - Structural Steel/Wood/Concrete
- Mechanical - Ventilation
- Mechanical - Plumbing
- Mechanical - Fire Suppression System
- Electrical - Power Systems (Distribution and Lighting)
- Electrical - Emergency Systems (Fire Alarm/Emergency Lighting & Signage)

- Other (Please Elaborate) _____

Pursuant to Section 11 of the City of Summerside Building Bylaw (SS-09), I hereby acknowledge that I have designed the systems indicated above to the requirements of the National Building Code of Canada 2010 edition with revisions. I further acknowledge my design is being submitted in compliance with all applicable Federal and Provincial Statutes and Regulations.

Provide Professional Seal Licensed to Practice in the Province of Prince Edward Island below.

Signature

Company/Firm

Project Owner: _____ Date: _____

Project Description: _____ Permit #: _____

Project Civic Address: _____

I _____ have designed the following portions of the above
(Name of Professional Architect/Engineer (please print))
mentioned project (check as many as apply):

- Civil – Site/Landscaping**
- Geotechnical**
- Architectural - Building Design Exterior**
- Architectural - Building Design Interior**
- Structural - Foundations**
- Structural - Structural Steel/Wood/Concrete**
- Mechanical - Ventilation**
- Mechanical - Plumbing**
- Mechanical - Fire Suppression System**
- Electrical - Power Systems (Distribution and Lighting)**
- Electrical - Emergency Systems (Fire Alarm/Emergency Lighting & Signage)**

Other (Please Elaborate) _____

Pursuant to Section 14 of the City of Summerside Building Bylaw (SS-09), I hereby acknowledge that I may have delegated some, or all, of my duties associated with the field review to another person employed by me or my firm. The functions however have been performed under my supervision in accordance with the Architects or Engineer’s Act and the National Building Code of Canada .I do hereby confirm the construction indicated above and confirm that the work conforms substantially with my design.

Provide Professional Seal Licensed to practice in the Province of Prince Edward Island below.

Signature

Company/Firm

Schedule I City of Summerside Business Improvement Area (BIA) Map

