



BYLAW NO. 2023-09

A BYLAW RESPECTING BUILDINGS

The Council of the Town of Shellbrook

in the Province of Saskatchewan enacts as follows:

SHORT TITLE

- 1 This bylaw may be cited as the Building Bylaw.

PURPOSE OF THE BUILDING BYLAW

- 2 The purpose of this building bylaw is to provide for the administration and enforcement of the Act, the regulations, *The National Building Code of Canada*, *The National Energy Code of Canada for Buildings*, ministerial interpretations, and Saskatchewan Construction Standards Appeal Board orders and building official orders within the local authority.

INTERPRETATION/LEGISLATION

- 3 Definitions contained in *The Act and the regulations Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.

“**Act**” means *The Act and the regulations Act*.

“**building official**” means a person who holds a building official license.

“**competent person**” means a person who is recognized by the local authority as having the following qualifications to design or review the design of the proposed work:

- (a) a degree, certificate or professional designation; or
- (b) the knowledge, experience and training.



Certified to be a true copy
of the original

Bylaw 2023-09

K Hoare expires Nov 30/27
A Notary Public in and for Saskatchewan



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“development permit application” means the application form and required documentation outlining the site plan and applicable information as outlined in section 11 of the form.

“farm building” means, subject to the regulations, a building that:

- (a) does not contain a residential occupancy;
- (b) is located on land used for agricultural operation as defined in *The Agricultural Operations Act*; and
- (c) is used for the following purposes:
 - (i) the of housing livestock;
 - (ii) the production, storage or processing of primary agricultural and horticultural crops and feeds;
 - (iii) the housing and storage or maintenance of equipment or machinery associated with an agricultural operation.
 - (iv) Any other prescribed purpose.

“local authority” means the Town of Shellbrook and its elected council.

“NBC” means the edition and provisions of *The National Building Code of Canada*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.

“NECB” means the edition and provisions of *The National Energy Code of Canada for Buildings*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.

“occupancy certificate” means a certificate issued with respect to the approved use or occupancy of a building.

“owner” means:

- (a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee;
- (b) any person, firm, or corporation that controls the property under consideration; or
- (c) if the building is owned separately from the land on which the building is located, the owner of the building.

“owner’s representative” means any person, company, employee or contractor who has authority to act on behalf of the owner.



“**permit**” means written authorization issued by the local authority or its building official in the form of a building permit.

“**permit fees**” means as defined in this building bylaw.

“**plan review**” means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of the Act and regulations.

“**regulations**” means *The Building Code Regulations* and *The Energy Code Regulations*.

“**SAMA**” means the Saskatchewan Assessment Management Agency.

“**SAMA fee**” means a fee charged to the local authority by the Saskatchewan Assessment Management Agency with respect to the work.

“**service provider**” means the building official.

“**value of construction**” means the total costs to the owner for the work in its completed form and includes the cost of building work, materials of construction, building systems, labour, overhead, and profit of the contractor and subcontractors.

“**work**” means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy, or reconstruction of a building.

SCOPE OF THE BYLAW

- 4 (1) This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the local authority.
- (2) The provisions of this building bylaw apply to buildings greater than 10 m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.
- (3) Retaining walls attached to a structure or free standing greater than 600 mm (2 ft) in differential grade height on lands not used for agricultural purposes.
- (4) An accessory building not greater than 10 m² (107.6 ft²) is exempt from this building bylaw provided it does not create a hazard and provided it does not have sleeping accommodations.

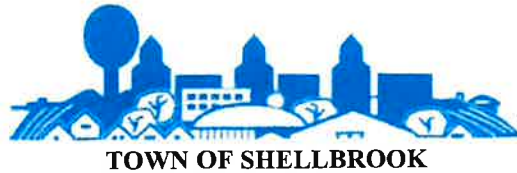


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- (5) Decks under 600 mm (2 ft) in differential grade height on lands for residential use are deemed as patios exempt from this building bylaw.
- (6) A permit is required to complete Interior renovations or completion of the construction of the rooms in a basement.

PERMIT FEE AND PAYMENT

- 5 (1) The permit fee shall be determined by the local authority, and may include the following:
- (a) an administration fee as described in the Schedules for the processing, handling and issuance of a permit;
 - (b) any deposit as described in the Schedules;
 - (c) the service fee charged to the local authority by a building official engaged to review, inspect and enforce the construction standards as per the agreement between the local authority and building official and as described in the Building Official agreement;
 - (d) A development permit fee as described in the Town of Shellbrook's zoning bylaw;
 - (e) the SAMA fee charged to the local authority by SAMA with respect to the work; and
 - (f) all applicable taxes.
- (2) The owner or the owner's representative may be invoiced by the local authority for additional fees as determined by the local authority or Building Official and will be due on receipt of the invoice. The additional fees may include charges for:
- (a) work that does not proceed in a timely in accordance with the Act and the regulations;
 - (b) varying conditions or scope of a permit;
 - (c) occupancy without prior written approval from the local authority or building official;
 - (d) failure of the owner or owner's agent to ensure that all inspections are scheduled and completed by the building official;
 - (e) issuance of building official's orders;
 - (f) additional service fees required to review, inspect and enforce the Act and the regulations;
 - (g) renewing, revoking, extending, varying the conditions of, cancelling or reinstating a permit;
 - (h) costs incurred by the local authority to remedy the building into a safe condition or demolish the building or bring the building into compliance with the Act and the regulations;
 - (i) the cost to register an interest in lands through Land Titles Registry; and
 - (j) other fees as determined by the local authority to be reasonable for administering and enforcing the Act and the regulations.



- (3) The deposit may be refunded, on request by the owner or the owner's representative, if the local authority or building official deem the work satisfactorily complete.
- (4) The local authority may, at its discretion, rebate a portion of a permit fee or additional fees where work is reduced in scope or discontinued, or where other exceptional circumstances occur.
- (5) The local authority may double the permit fee if work commences prior to obtaining a permit.
- (6) For a demolition or removal permit, the applicant shall provide a refundable deposit to the local authority to cover the cost of restoring the site after the building, as described in the Schedules. The local authority shall hold the refundable deposit until, in the opinion of the local authority or the building official, the conditions are not dangerous to public safety and the site is graded and clean.
- (7) The local authority or building official may establish the value of construction for the work described in the application for a permit, for the purpose of determining the permit fee or additional fees, based on established current construction costs, the owner's or the owner's representative statement of costs or constructor's contract values, or similar methods selected by the local authority or the building official.
- (8) Unpaid permit fee or additional fees will be considered debt due to the local authority and may be recovered from the owner of the land or premises in or on which the work was carried out as per the Act. If fees are not paid within 30 days all fees may be levied to taxes for collection.
- (9) Where the local authority refuses to issue or revokes a permit, the local authority shall refund any fee or deposits paid as part of the application for the permit, less administration and service fees.
- (10) Fees outlined in the Fees and Fines Bylaw may change through resolution of council as required.

GENERAL DUTIES OF THE OWNER

- 6 (1) The duties of the owner or the owner's representative as applicable, includes but not limited to:
 - (a) ensuring that the building and work is in accordance with the Act, the regulations, any associated codes, interpretations and orders and bylaws adopted by the local authority with which the building is associated;



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- (b) not commencing or cause to be commenced work without first having obtained a valid permit from the local authority;
 - (c) complying with the terms and conditions of the permit;
 - (d) complying with the terms and conditions of the plan review;
 - (e) ensuring all notifications required by this building bylaw are given to the local authority;
 - (f) ensuring all inspections are scheduled and completed by the building official;
 - (g) not enclosing prior to inspection the work that requires inspection by a building official;
 - (h) paying all cost associated with showing compliance with the Act and the regulations;
 - (i) not occupying the building or part of the building before the issuance of an occupancy certificate by the local authority or the building official pursuant to clause 16(11)(h) of the Act;
 - (j) obtaining prior written approval from the local authority before closing or blocking any road, street, lane, or sidewalk;
 - (k) supplying and maintaining, at their own expense, all warning signs, barricades, fences or other services that may be required to warn the public and protect the public from the work;
 - (l) fill and level any excavation on the property with clean non-expansive fill, to an elevation compatible with abutting properties; and
 - (m) ensuring that the property is left in a safe and clean condition, including removing all rubbish and building materials to an approved location. For greater clarity, this includes not burying on the site any waste material, including concrete from demolition of a basement or foundation, or below ground level substructures or framework.
 - (n) arranging for all permits, inspections and certifications required by any other applicable bylaws, Acts and the regulations, and ensuring all copies of any inspection or review reports conducted by others are made available to the building official or local authority;
- (3) If intending to construct a farm building exempt from this building bylaw, the owner or the owner's representative shall provide to the satisfaction of the local authority that the building satisfies the definition of farm building in this building bylaw. For greater clarity, as per the Act, residential occupancies cannot be exempt.

PERMITS – GENERAL CONDITONS

- 7 (1) Permits shall be subject to any geotechnical requirements stated by the local authority.
- (2) Permits shall be subject to confirmation by an architect or engineer that basement depth conforms with depth of water and sewer lines that they will be connecting to.



- (3) Permits will be required for retaining walls attached to a structure or free standing that is greater than 600 mm (2 ft) in differential grade height on lands not used for agricultural purposes. An architect or a engineer licensed in the Province of Saskatchewan will be required to design such structures.
- (4) Discharge from sump pumps shall only be permitted into rear yards or into the storm sewer system and cannot impact neighboring properties.
- (5) No building shall be permitted on any property owned by the local authority with the exception of parks, which will require both a development and a building permit.
- (6) Local improvements such as curb, gutter, sidewalks, and pavement will not be permitted as a stand-alone improvement. They are all subject to the Local Improvement Act and shall be completed as a local improvement for the entire area affected except when due to replacement caused from water & sewer breaks or moving in a building. A development permit is required in this circumstance.
- (7) Driveways and sidewalks on private property shall require a development permit to ensure that the local authority's infrastructure is not affected.
- (8) The granting of any permit by this building bylaw shall not:
 - (a) entitle the grantee, his successor or assigns, or anyone on his behalf to erect any building that fails to comply with the requirements of any Act, the regulations or bylaw affecting the site described in the permit; or
 - (b) make either the local authority or the building official liable for damages or losses in the event that a building does not comply with the requirements of any Act, the regulations or bylaw regardless of whether or not occupancy has been authorized by a permit.
- (9) Approval in writing from the local authority or building official is required for any deviation, omission or revision to the work.

PERMITS - APPLICATION AND ISSUANCE

- 8 (1) Every application for a permit for work shall be in a form as required by the local authority or its building official and shall be accompanied by a minimum of one set of plans and specifications in electronic format (PDF) of the proposed building and work.
- (2) The owner or owner's representative consents to the use of email for communications.



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- (3) Whenever the proposed work requires the technical expertise of an architect or engineer, the local authority or building official may require that all drawings and specifications, or any part thereof, be prepared or reviewed, sealed, dated and signed by a professional engineer or architect registered or licensed to practice in the Province of Saskatchewan.
- (4) Where a building is to be demolished or removed, the local authority shall not issue a permit until the local authority is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated.
- (5) The application for a permit shall be reviewed and approved by the building official. The building official will return an approved plan review, showing all required inspections by the building official.
- (6) The local authority shall issue a permit if:
 - (a) All permit fees deposits and any applicable taxes have been paid; and
 - (b) If the work described in the application for a permit, to the best of the knowledge of the local authority or building official, complies with the requirements of the Act and the regulations.
- (7) A permit issued pursuant to this bylaw must include:
 - (a) the name of the person, or company to whom the permit is issued;
 - (b) the period for which the permit is valid;
 - (c) a statement of all fees, deposits or bonds charged for the permit;
 - (d) the scope of work authorized by the permit;
 - (e) the municipal address or legal description of the property on which the work described in the permit is located;
 - (f) the buildings or portion of buildings to which the permit applies;
 - (g) the date of completion of the stages of construction for which a permit holder must inform the local authority;
 - (h) any conditions that the permit holder is required to comply with; and
 - (i) any information required by this building bylaw.

PERMITS - REFUSAL TO ISSUE AND REVOCATION

- 9 (1) The local authority may refuse to issue a permit if:
 - (a) the proposed work would contravene;
 - i) the Act;
 - ii) the regulations;



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- iii) an order of the Appeal Board;
 - iv) a written interpretation of the minister pursuant to section 8 of the Act; or
 - v) the local authority's building bylaw.
- (b) the person who designed or reviewed the design of the proposed works that is within the scope of Part 9 of the NBC is not a competent person;
- (c) the person who designed or completed a design review of the proposed works that is within the scope of the NECB is not an engineer or architect;
- (d) the application for a permit is incomplete;
- (e) any fee, or deposit required by the local authority are not paid; or
- (f) the proposed work would contravene any other Act, the regulations or bylaws that applied to the proposed work.
- (2) The local authority may revoke a permit if:
- (a) the holder of the permit requests in writing that it be revoked and the work has not commenced;
 - (b) there is contravention of any condition under which the permit was issued;
 - (c) the permit was issued or mistaken, false or incorrect information; or
 - (d) the permit was issued in error; or
- (3) Where the local authority refuses to issue or revokes a permit, the local authority shall provide written notice to the applicant or permit holder as to the reasons for the refusal or revocation.

PERMITS - EXPIRY

- 10 (1) All permits shall expire on the date stated in the permit, or if no date is stated, the earliest of the following:
- (a) 24 months from the date of issue;
 - (b) 6 months from date of issue if work is not commenced within that period;
 - (c) 6 months from date of last inspection by a building official where work has not seriously progressed to the satisfaction of the building official and without prior authorization from the local authority;
 - (d) on the date specified by the local authority if work has been suspended with permission by the local authority or the building official and the agreed upon period has been exceeded.
- (2) All permits issued for demolition; removal expire 6 months from the date of issue.
- (3) If the owner wishes to terminate the work, the owner or the owner's representative must first provide written notification to the local authority and receive written approval for the local authority to terminate the permit.



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- (4) If the permit expires, but not all of the work is complete, the owner or the owner's representative shall apply to the local authority in writing requesting:
 - (a) to extend the term of the permit. The local authority may extend the permit to a maximum of 24 months; or
 - (b) vary the conditions of the permit.
- (5) The expiration of a permit does not relieve the owner or owner's representative from the obligation to put the building in safe condition or demolish the building.

PERMITS – ENFORCEMENT

- 11 (1) The local authority or building official may take any measures as permitted in the Act or the regulations for the purpose of ensuring compliance with the Building Bylaw.
- (2) Failure to obtain a permit or follow the terms of the permit, including ensuring that all inspections are scheduled and completed by the building official, may result in the issuance of a building official's order, in accordance with section 25 of the Act.
- (3) The building official may direct the local authority to register an interest in the lands through Land Titles Registry if a building official's order was not adhered to, in accordance with section 20 of the Act.

NOTIFICATION

- 12 (1) Before commencing work, the owner or owner's representative shall give notice to the local authority, in writing, of:
 - (a) the contractor or other person in charge of the work;
 - (b) the designer of the work;
 - (c) the person or firm reviewing the work to determine whether or not the work conforms to the design;
 - (d) any inspection or testing agency that is engaged to monitor the work;
 - (e) the date the work is intended to commence;
 - (f) when the excavation is to be commence;
- (2) The owner or owner's representative of a building to be constructed shall ensure that the local authority is notified of: all inspections set out by the building official in the plan review and:
 - (a) when the foundation is to be placed;
 - (b) when a superstructure is to be placed on the foundation;
 - (c) any other event at the time required by the permit under which work has been undertaken; and



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(d) any other specified event at the specified time.

- (3) Failure to provide notice and ensure that all inspections are scheduled and completed by the building official could result in destructive testing efforts requested by the building official at the cost of the owner or the owner's representative.
- (4) During the course of the work, the owner or owner's representative shall give notice to the local authority in writing of any:
 - (a) change in, or termination of, the employment of a person or firm listed in subsection (1);
 - (b) intent to do any work requiring inspections by the building official;
 - (c) intent to enclose any work requiring inspection by a building official;
 - (d) proposed or undertaken deviations from the plans approved and permitted by the local authority;
 - (e) the completion of the work;
 - (f) change in ownership, or change in address of the owner or the owner's representative that occurs before the completion as soon as the change occurs; and
 - (g) intention to occupy the building or portions of the building prior to the issuance of occupancy.
- (5) A real property report of the site prepared by a registered land surveyor shall be submitted by the owner or owner's representative for principal buildings and dwellings as or when required by the local authority. Failure to do so may result in the issuance of a stop work order with additional fees.

NOTICE OF FAILURE

- 13 (1) The owner, owner's representative or owner's representatives, contractors, employees or successors or the registered owner of the land on which the building is situated shall submit a written report to the local authority of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:
 - (a) structural failure of the building or part of the building;
 - (b) failure of any equipment, device or appliance that is regulated by the Act or the regulations.
- (2) The report must be submitted to the local authority within 15 days after the occurrence of the failure. The report must contain:
 - (a) the name and address of the owner;
 - (b) the address or location of the building involved in the failure;
 - (c) the name and address of the constructor of the building; and
 - (d) the nature of the failure.



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- (3) On receipt of the report, the local authority may require an owner or owner's representative to:
- (a) provide other information that the building official or local authority may consider necessary;
 - (b) complete any additional work that is necessary to ensure immediate compliance.

ENFORCEMENT OF CONSTRUCTION STANDARDS

- 14 (1) The local authority or the building official may take any measures as permitted by section 24, 25 or 26 of the Act and sections 13 and 14 of the regulations for the purposes of ensuring compliance with this building bylaw.
- (2) If any work to a building or part thereof or addition thereto is in contravention of any provision of the Act, the regulations or conditions of the permit, the local authority may take any measures as permitted by the Act for the purpose of ensuring compliance, including, but not limited to:
- (a) at any reasonable hour, enter land or a building;
 - (b) order the production of a register, certificate, plan or other document relating in any manner to the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building and may examine and make copies of the document;
 - (c) inspect and take samples of any material, equipment or appliance being used in the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building;
 - (d) issue an order pursuant to the Act;
 - (e) eliminating unsafe and imminent risk conditions;
 - (f) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property; and
 - (g) obtaining restraining orders and or be assisted by a peace officer to carry out any action authorized by section 24 of the Act;
 - (h) be accompanied into a building by a person having special or expert knowledge on any matter to which this Act or the regulations relate;
- (2) If any building or part thereof or addition thereto is in an unsafe or imminent risk condition due to faulty work, dilapidated state, abandonment, open or unguarded condition or any other reason, the local authority may take any measures allowed by the Act.



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BUILDING DESIGN REQUIREMENTS

- 15 (1) An owner or the owner's representative that undertakes to construct or has constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or engineer:
 - (a) complete the design or design review and inspection of the building and all buildings systems;
 - (b) provide a Commitment of Field Review letter as part of the permit application for work; and
 - (c) provide an Assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design.

- (2) An owner or the owner's representative that undertakes to construct a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer:
 - (a) complete the design or design review of the structure;
 - (b) complete an inspection of construction of the structure to ensure compliance with the design;
 - (c) complete the reviews required by the NBC;
 - (d) provide a Commitment of Field Review letter as part of the permit application for work; and
 - (e) provide an Assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design.

- (3) Foundations for residential occupancies including modular homes with A277 certification shall be designed pursuant to subsection (2).

- (4) The owner or owner's representative that undertakes to or has constructed a building that is within the scope of Part 9 of the NBC shall have a competent person:
 - (a) complete the design or review of designs of the building;

- (5) An owner or owner's representative that undertakes to construct or has constructed a building with a structure that is within the scope of the NECB shall ensure that a competent person has:
 - (a) complete the design or design review of the structure;
 - (b) complete an inspection of construction of the structure to ensure compliance with the design;
 - (c) complete the reviews required by the NECB;
 - (d) provide a Commitment of Field Review letter as part of the permit application for work; and



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- (e) provide an Assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design.
- (6) On the request of the local authority or building official, the owner or owner's representative shall ensure copies of any inspections or review reports made pursuant to this section are made available to the local authority or building official.
- (7) No owner or owner's representative shall cause or allow the ground elevations of a building to be changed to place in contravention of the NBC;
 - (a) this includes the building or part of the building, or an adjacent building, or
 - (b) an adjacent building
- (8) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the regulations or bylaws, the owner or owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.
- (9) If the building(s) is(are) to be constructed over two or more lots owned by the same owner, the property titles of the lots shall be tied or consolidated together as per the requirements of the Information Services Corporation.

PENALTY

- 16 (1) Any person who contravenes any of the provisions of this building bylaw may be subject to the penalties provided in Part 8 of the Act.
- (2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance with the Act and regulations.



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REPEAL OF PREVIOUS BUILDING BYLAW

17 (1) On enactment of this building bylaw, bylaw 7-2010 and building bylaw amendment 12-2010, are repealed.



Mayor

Chief Administrative Officer

Certified a true copy of bylaw number 2023-09
adopted by resolution on the 18th^t day of September, 2023

Chief Administrative Officer

APPROVED
In accordance with Clause 17(6)(A) of
The Construction Codes Act

Building and Technical Standards
Ministry of Government Relations

October 30, 2023
Date



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Application for a Development Permit Form "A"

Permit # _____

Alt. # _____

Roll # _____

1. Applicant/ Registered Owner:

a. Name: _____

b. Address: _____ Postal Code: _____

c. Phone Number: _____

2. Contractor:

a. Name: _____

b. Address: _____ Postal Code: _____

c. Phone Number: _____

3. Property: Legal Description

Lot: _____ Block: _____ Plan No: _____

4. Existing Land Use:

5. Proposed Land Use/Description of Proposed Development:

6. Date of Commencement: _____ Proposed Date of Completion: _____

7. Fence: Rear Yard: ___ Front Yard: ___ Material: _____ Height: _____

8. Other Information:

9. For All Construction provide a detailed site plan, drawn to scale on a separate sheet, with labels, the following existing and proposed information:

- a. Corner survey performed by a licensed surveyor,
- b. Real Property Report (RPR) performed by a licensed surveyor,
- c. Scale and North arrow,
- d. A legal description of site,
- e. Mailing address of the owner or owner's representative,
- f. Site Lines,
- g. Bylaw site line setbacks,



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- h. Front, rear, and side yard requirements,
 - i. Site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features,
 - j. The location of any buildings, structures, easements, and dimensioned to the site lines,
 - k. The location and size of trees and other vegetation, especially natural vegetation, street trees and mature growth,
 - l. Proposed on-site and off-site services,
 - m. Landscaping and other physical site features,
 - n. Depth of basement with stamp from Engineer confirming underground infrastructure meets requirements.
 - o. A dimensioned layout of parking areas, entrances and exits,
 - p. Abutting roads and streets, including service roads and alleys,
 - q. An outline to scale of adjacent buildings on adjoining sites,
 - r. The use of adjacent buildings on adjoining sites,
 - s. The use of adjacent buildings and any windows overlooking the new proposal,
 - t. Fencing or other suitable screening,
 - u. Garbage and outdoor storage areas,
 - v. Other as required by the Development Officer or Council to effectively administer this Bylaw.
10. Mobile Homes: C.S.A. 2240 Approval Number (from black and silver sticker)
Mobile Home Date of Manufacture: _____

11. Declaration of Applicant:

I, _____, of the _____, of _____ in the Province of Saskatchewan, do solemnly declare that the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

I agree to indemnify and hold harmless the Town of Shellbrook from and against any claims, demands, liabilities, costs, and damages related to the development undertaken pursuant to this application.

Date: _____ Signature: _____



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Application for Building Permit
Form "B "

Permit # _____

Application for Building Permit# _____

Name of Owner: _____ Phone: _____

Address: _____ Postal Code: _____

Email Address: _____

General Contractor: _____ Phone: _____

Address: _____ Postal Code: _____

Civic Address: _____, Shellbrook, SK

Legal Description: Lot(s) _____, Block: _____ Plan: _____

Intended use of building (check one):

Residential: _____ Commercial: _____ Industrial: _____ Institutional: _____

Value of Construction: \$ _____

The Following Forms need to be completed if applicable: (Various Forms available at Town Office)

- Attached Garages, Form
- Blueprints for Construction
- Detached Garages Form
- Site Plan
- Decks Form
- Mobile Homes Form
- List of Contractors (Addendum A)

NOTE: Contractors are required to arrange for a disposal bin to be on-site during construction.

I hereby agree to comply with the Town of Shellbrook's Bylaw respecting buildings and acknowledge that it is my responsibility to ensure compliance with all applicable acts and regulations, including "The National Building Code", "The Construction Codes Act" and the Town of Shellbrook Zoning Bylaw, regardless of any review of drawings or inspections that may or may not be carried out by the building inspector or any authorized official of the Town of Shellbrook.

Signature of Owner or Agent

Date



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**Application for Building Permit
Addendum "A" to Form "B"
List of General Contractors**

List Sub Contractors: (sub-contractors' business license fees are covered by the general contractor; however, the following information is still required for information purposes) Trades Name, Address and phone number:

1. Excavation and Gravel: _____

2. Cement and Basement Work: _____

3. Framing: _____

4. Shingling, Roofing: _____

5. Siding: _____

6. Insulation and Board: _____

7. Plaster: _____

8. Joint Filling: _____

9. Floor Covering: _____

10. Finishing and Cabinets: _____

11. Plumbing and Heating: _____

12. Electrical Work: _____

13. Painting and Decorating: _____

14. Other work: _____

Signature of Owner or Agent

Date

3.0 metres above grade level and in no case shall a fence be erected to a height of more than 2.0 metres above grade level in the required front yard, except for the **C1 District**, where no wall, fence or similar structure shall be erected between a front site line and a front building line to a height of more than 1.0 metres above grade level.

- 4.8.4 On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the Sight Triangle, as described in Figure 2-1 and Section 4.5 of this Bylaw, to a height greater than 1.0 metre as illustrated in Figure 4-1.

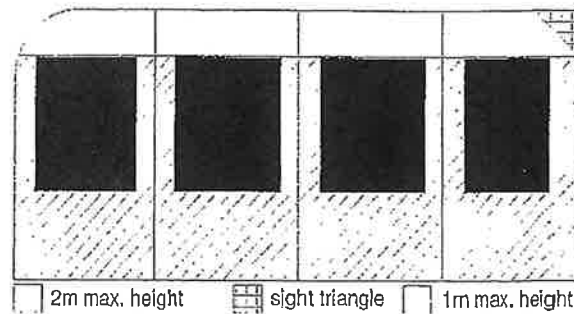


Figure 4-1: Fence Requirements

- 4.8.5 A development permit is required for all fences.

4.9 ACCESSORY BUILDINGS AND STRUCTURES

- 4.9.1 Accessory buildings shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use.

4.9.2 Time of Construction

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following cases:

- (1) Where a development permit has been issued for a principal building, Council shall allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed within the effective time period of the development permit for the associated principal building, the accessory building shall be removed.

4.9.3 Height of Accessory Buildings

- (1) In any Commercial, Industrial, Community Service, or Future Urban Development district accessory buildings are not to exceed the height of the principal building.

- (b) non-covered raised patios and non-covered decks measuring more than 0.6 metres in height above grade, projecting not more than 3.0 metres into a required rear yard, provided they are located at least 3.0 metres from the rear site line;
 - (c) canopies or balconies, provided they are located at least 3.0 metres from the rear site line;
 - (d) overhanging eaves and gutters, architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1.0 metre into the required rear yard;
 - (e) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.
 - (f) On interior sites, enclosed private swimming pools
- (4) *In side yards:*
- (a) non-covered raised patios measuring 0.6 metres or less in height above grade;
 - (b) non-covered raised patios measuring more than 0.6 metres in height above grade and non-covered decks provided they are located at least 0.6 metres from the side site line;
 - (c) architectural features, eaves, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required side yard;
 - (d) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

4.7 BARE LAND CONDOMINIUMS

4.7.1 Regulations and development standards for buildings, uses and sites in all zoning districts shall also apply to buildings, uses and bare land units that are part of an approved bare land condominium plan.

4.8 FENCES

4.8.1 In any **Residential** district, no wall, fence or similar structure shall be erected in a front yard or on a site line adjacent to a front yard to a height of more than 1.0 metres above grade level as illustrated in Figure 4-1.

4.8.2 In any **Residential** district, no wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level as illustrated in Figure 4-1.

4.8.3 In any **Commercial, Industrial, Community Service, Parks or FUD** district, no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than

- (2) Fabric covered structures and pole sheds shall be permitted as an accessory structure in the C2 and M1 districts.
- (3) Notwithstanding subsections (1) and (2), fabric covered structures may be placed in any district for use as a public recreation facility, public school or education facility.
- (4) Development applications for fabric covered structures and pole sheds must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the *National Building Code of Canada*.

4.9.8 Temporary Fabric Covered Structures

In any District, temporary fabric covered structures shall be allowed for a period not to exceed seven days in a calendar year.

4.9.9 Shipping Containers

- (1) Shipping containers shall be prohibited in all districts except the CS, C1, C2 and M districts, where they shall be permitted as discretionary uses.
- (2) Shipping containers shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- (3) Shipping containers shall:
 - (a) be properly anchored and maintained in good repair;
 - (b) be sandblasted and repainted to a neutral colour or complement the colours of the principal building prior to their placement, above grade, on a site;
 - (c) be located a minimum of 3.0 metres from, and behind the rear wall of, the principal building; and
 - (d) meet the requirements of the *National Building Code of Canada* as applicable.
- (4) The cumulative maximum floor area of shipping containers, to a total maximum of six containers, shall not exceed more than 50% of the gross floor area of the principal structure except in the case of approved development permits for Transfer Yards utilizing shipping containers.
- (5) Shipping containers shall be located in the side or rear yard only. They shall not project beyond the building front line of the primary building.
- (6) Shipping containers shall be kept clean, level, maintained, and placed in an orderly manner. Application for a development permit for shipping containers must occur prior to relocation to the site.
- (7) Shipping containers shall be prohibited for use as human habitation.

- (2) In all residential zoning districts, accessory buildings are not to exceed the height of the principal building. In no case shall the height of an accessory building exceed 5.0 metres from the floor or grade level to the peak height of the roof except in the R3 zoning district, where accessory buildings shall not exceed 10.0 metres from the floor or grade level to the peak height of the roof.
- (3) Garden and garage suites shall be subject to the height requirements contained in Section 4.28.6 of this Bylaw.

4.9.4 *Private Garages and Carports*

- (1) Private garages and carports, attached to the principal building by a substantial roof structure, are considered as part of the principal building and subject to the regulations governing the principal building.
- (2) On any site in any Residential district, only one detached garage not exceeding 100 square metres in area is allowed.
- (3) Except when conforming to established building lines, no main door of a garage which faces a street shall be within 6.0 metres of the front site line faced by the door.
- (4) Except when conforming to established building lines, no main door of a garage which faces a street shall be within 3.0 metres of the side site line faced by the door.

4.9.5 *Location and Size of Accessory Buildings*

Detached accessory buildings in all districts are subject to the following regulations:

- (a) Accessory buildings shall not to be located in any required front yard.
- (b) The minimum rear yard setback of an accessory building shall be 0.6 metres, except where the main door faces the rear site line, the minimum setback shall be 1.2 metres.
- (c) Accessory buildings shall have a minimum side yard setback of 0.75 metres where the accessory building is over 1.8 metres behind the rear wall of the principal building, otherwise, the minimum side yard setback shall be 1.2 metres.
- (d) Accessory buildings located in a rear yard shall not occupy more than 40% of the rear yard.
- (e) Detached accessory building shall be located a minimum of 1.0 metre from a principal building.

4.9.6 *Number of Accessory Buildings*

In any Residential district, there shall be no more than three accessory buildings on a site.

4.9.7 *Accessory Fabric Covered Structures and Pole Sheds*

- (1) In all Residential districts, no more than one fabric covered structure with a maximum area 18.6 m² shall be permitted as an accessory structure.

DECK WORKSHEET

Please complete the following:

DECK DESIGN:

- (a) Deck Height: _____
Guardrail required when deck height is > 600mm (24") above finished grade
- (b) Guardrail Height: _____
- (c) Cantilever: _____
Maximum 600mm (24")
- (d) Maximum 100mm (4") spacing

DECK CONSTRUCTION:

Guardrail Construction (check all that apply)

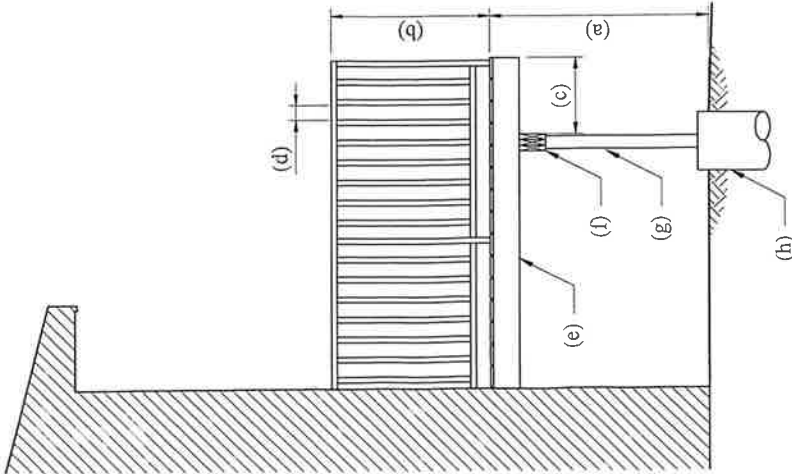
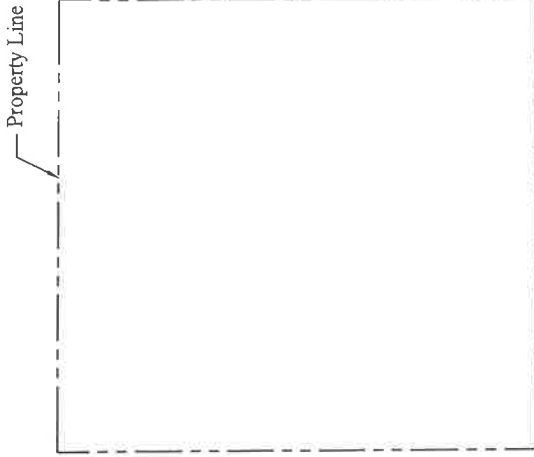
- Glass Vertical Spindles
 - Wood Horizontal Spindles
 - Metal Metal
- *permitted when deck is < 4.2m (13'-9")*

- (e) Joist Size: 2x _____
Material: _____
- (f) Beam Size: 2 3 4 - 2x _____
Material: _____
- (g) Column Size: 4x4 6x6
Material: _____

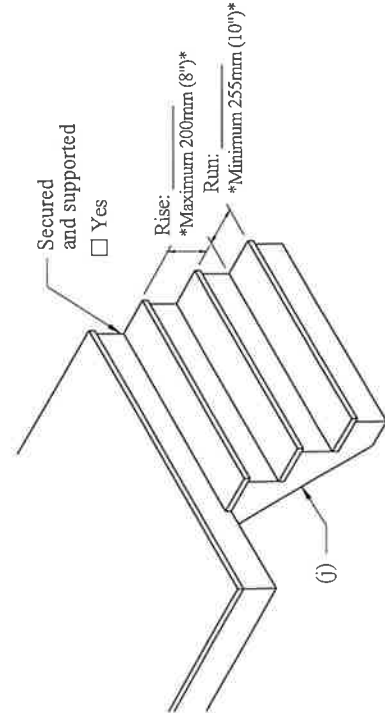
SITE PLAN:

Sketch house footprint and deck location and indicate the following:

- Overall dimensions of deck
- Distance to property lines
- Location of beams
- Location of columns



DECK



NOTE: Handrail required when more than 3 risers.

JOIST SPANS	
Joist Size	16" o.c. 24" o.c.
2 x 6	9'-0" 8'-2"
2 x 8	11'-2" 10'-7"
2 x 10	13'-5" 12'-9"

2 PLY BEAMS	
Joist Length	2 x 6 2 x 8 2 x 10
8'-0"	6'-7" 8'-5" 10'-3"
10'-0"	6'-1" 7'-6" 9'-2"
12'-0"	5'-8" 6'-10" 8'-4"

3 PLY BEAMS	
Joist Length	2 x 8 2 x 10
8'-0"	9'-10" 12'-7"
10'-0"	9'-2" 11'-3"
12'-0"	8'-5" 10'-3"

Owner's Name: _____

Address: _____

Municipality: _____

Provided by:



STAIR



Policy Title Tax Free for Three- Business		Adopted By Council	Policy Number 6000	
Origin/Authority	Jurisdiction Town of Shellbrook		Effective Date June 9, 2014	Page 1 of 3
Reviewed By Council			Amended: June 8, 2015	

Purpose: This initiative is to promote economic development in the Town of Shellbrook. The initiative being offered is three (3) year abatement on the municipal portion of the improvement, if it meets the requirement listed below.

Definitions:

1. **New construction-** any construction, for which a building permit has been issued by the Town of Shellbrook that results in an increase in taxable assessment for the improvement of the property.
2. **Additions** – new construction that is added onto an existing building

Policy:

If there is any substantial outstanding taxes owing of the property or utility charges owing by the occupant their eligibility for the tax exemption may be revoked and the property owner is responsible for paying the entire sum of taxes that would have been charged in the 3 Years.

New construction:

- The tax holiday will be available to property owners on a one time basis only.
- In all cases the land on which the business is situated will be assessed for taxation.
- The tax holiday will apply to the primary building only. Municipal land, school, hospital, BID, or any special levies added to the tax roll (i.e. Curb and gutter) are all still taxable.
- To be eligible a building permit must be issued by the Town of Shellbrook.
- The issuance of the building permit, and if necessary a demolition permit, must follow the criteria as set by the Town of Shellbrook.



Town of Shellbrook

Policy Title Tax Free for Three- Business		Adopted By Council	Policy Number 6000	
Origin/Authority	Jurisdiction Town of Shellbrook		Effective Date June 9, 2014 Amended: June 8, 2015	Page 2 of 3
Reviewed By Council				

- The tax holiday is available only when a building permit has been approved and construction commences within the first year after purchase of the lot. The tax holiday will begin January 1st of the year following the permit date.
- If an existing building is being demolished to accommodate the construction of a new building, the tax holiday will take effect on January 1st of the year following the building permit being approved, providing the permit was applied for within one year of the demolition permit. As an infill incentive, a fourth year of municipal taxes will be abated on the building.

Additions

- Qualify only if the increase in assessment is equal to at least 75% of the original assessment, and the addition is attached to the existing business.
- Attached garages and storage buildings **do not** qualify.
- The tax holiday will be calculated from January 1st of the following year that the building permit is approved.

Infilling of Existing Buildings

Owner Occupied Premises

- Subject to Council approval, following a recommendation from town administration; new businesses that occupy existing buildings that have been vacant will qualify for the reductions in taxes as follows:
 - 50% in the first year of operation
 - 25% in the second year of operation
 - 12.5% in the third year of operation



Town of Shellbrook

Policy Title Tax Free for Three- Business		Adopted By Council	Policy Number 6000	
Origin/Authority	Jurisdiction		Effective Date June 9, 2014	Page
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Rented Premises

- Providing there are no outstanding taxes on the property and;
- Subject to Council approval, following a recommendation from town administration; new businesses that occupy existing buildings that have been vacant for more than one year will qualify for the reductions in taxes via a grant payable to the business operator equal to:
 - 50% of the annual taxes on the premises at the end of the first year of operation
 - 25% of the annual taxes on the premises at the end of the second year of operation
 - 12.5% of the annual taxes on the premises at the end of the third year of operation



Town of Shellbrook

Procedure Title Tax Free for Three- Business		Adopted By Council	Procedure Number 6000	
Origin/Authority	Jurisdiction Town of Shellbrook		Effective Date June 9, 2014	Page 1 of 4
Reviewed By Council			Amended: June 8, 2015	

1. Applicants must complete an ***“Application for Tax Exemption Incentive”*** in the prescribed form.
2. Upon receipt of application and approval by the Town of Shellbrook the applicant shall sign a ***“Tax Assessment Exemption Agreement”***
3. The tax assessment exemption starts from the January 1st following the approval date.
4. Full compliance with all Town of Shellbrook developmental and building permit policies shall be required. Failure to submit required documents by the property owner or his/her officer shall result in the forfeit of all rights to the tax exemptions provided in this policy.

Attachments: 2

Application for Tax Exemption Incentive

All Town of Shellbrook tax incentive programs are designed to encourage the development of properties in the Town by giving property tax assessment exemptions on the improvement portion of the applicable property assessment on new and renovation development.

Conditions of Eligibility for the Tax Assessment Exemption

1. Development whose building permit was issued by the Town of Shellbrook is eligible for the property tax assessment exemption on the new improvement portion of the property assessment starting the following January 1st.
2. Land assessment remains taxable.
3. A new owner of a property that has a tax assessment exemption agreement in place shall be eligible to continue the tax assessment exemption as long as the agreement is still current. (I.e. the tax assessment exemption is within the eligible time period.)
4. There are no outstanding taxes owing on the property or utility charges owing by the occupant.

Full Name of Applicant: _____

Civic Address: _____ Postal Code: _____

Phone: (Res.) _____ (Bus.) _____

Legal Description of Property: Lot(s): _____ Block: _____ Plan: _____

Date of Issue of Building Permit: _____ Date of Occupancy: _____

Was a building demolished before the new development was constructed? Yes _____ No _____

Date of Demolition: _____

I / We, the undersigned, understand the conditions of eligibility outlined above and would like to apply for a conditional tax assessment exemption under the applicable tax incentive program.

Applicant _____
Date

New Business () Existing Business ()

For Office Use Only:
Approved: () Denied: ()
Date: _____ Town Representative: _____

TAX ASSESSMENT EXEMPTION AGREEMENT

Between: The TOWN OF SHELLBROOK
 Hereinafter called "the Town"

And Owners

Hereinafter called "the Owners"

WHEREAS the Town has developed a Tax Free for Three Program that provides for property tax assessment exemptions on certain properties in the Town under certain condition.

AND WHEREAS the Owners have met the requirements to obtain a property tax assessment exemption on all or a portion of the improvements on their property.

NOW THEREFORE the Town and owner covenant and agree:

1.0 The property eligible for the property assessment tax exemption is

Lot: _____

Block: _____

Plan: _____

Hereinafter called "the Lands"

2.0 Pursuant to the Town's "Tax Free for Three Program" and pursuant to Section 274 (1) of The Municipalities Act and subject to the terms of this agreement the Town grants an exemption from assessment for a period of (____) year(s) commencing on _____ and concluding on _____.

3.0 The exemption from assessment granted pursuant to this agreement does not include land assessment, local improvement levies, utility charges, development fees or other such charges or fees properly imposed by the Town or any other taxing authority.

4.0 The scope of the tax assessment exemption, including the calculation of any percentage or proportion and the determination of any cost, shall be conclusively determined by the Town Assessor.

5.0 The Owner shall promptly provide the Town with any information or documents requested by the Town Assessor to complete and check the assessment of the Lands and improvements thereon.

6.0 This agreement **IS NOT** transferable if the property is sold within the abatement period shown above

7.0 The tax assessment exemption shall continue only so long as:

- a) The improvements on the Lands conform to all civic and provincial laws governing the construction and use of the improvements, including any zoning bylaws and The Uniform Building and Accessibility Standards Act.
- b) There are no tax arrears on the Lands.
- c) There are no outstanding utility charges owing on the property.

IN WITNESS whereof, the parties hereto have executed this agreement on the date first written above.

TOWN OF SHELLBROOK

Mayor

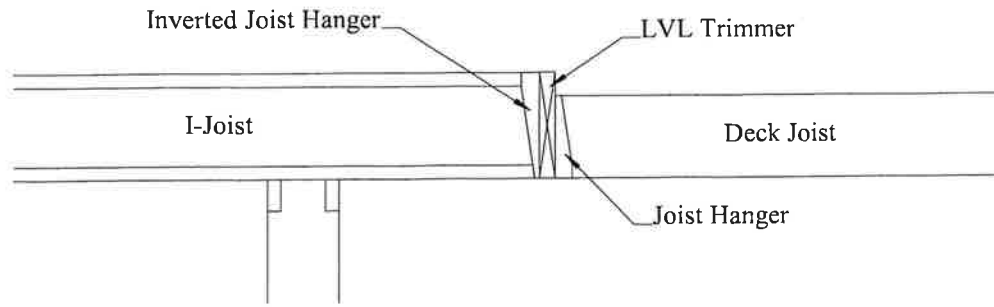
Administrator

Witness

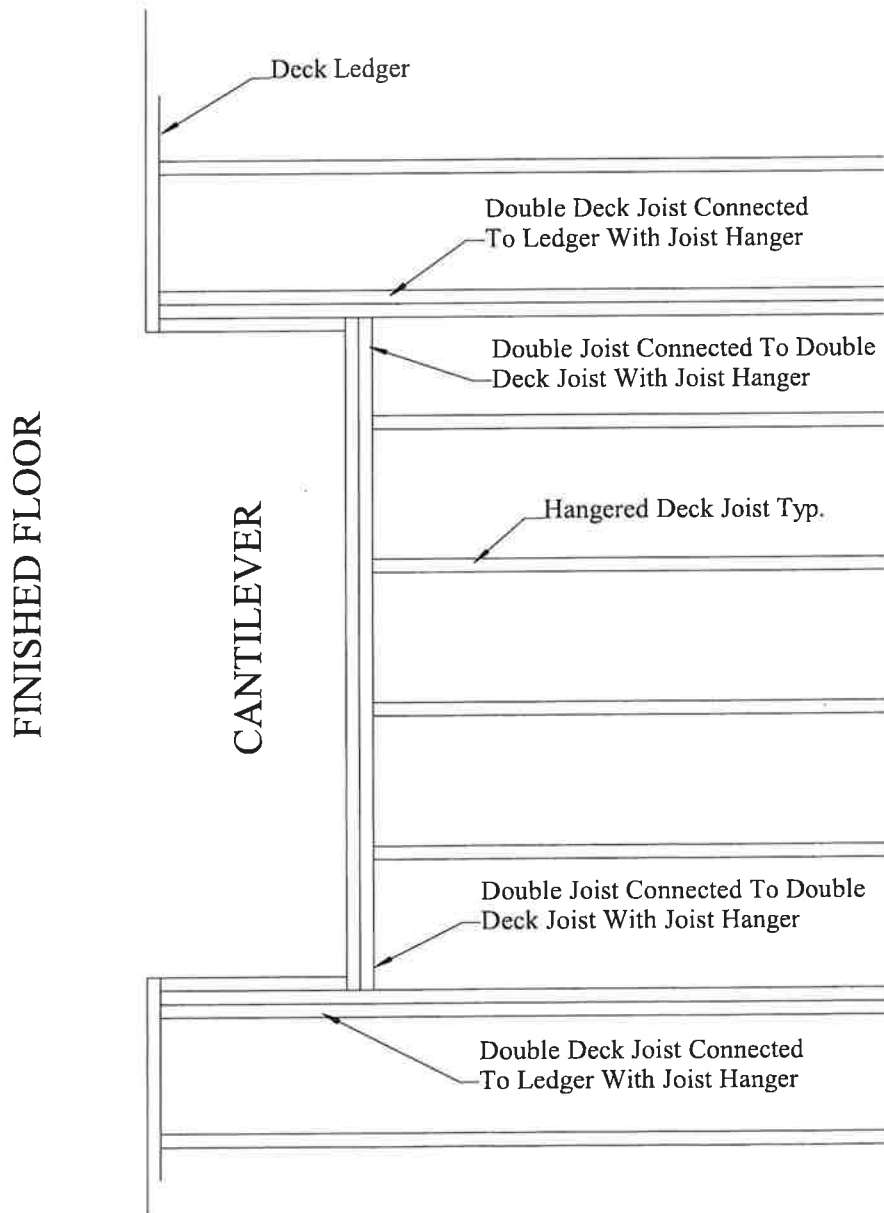
Co-owner

Witness

Co-owner



DETAIL FOR DIRECT CONNECTION
OF DECK JOISTS TO CANTILEVER



DETAIL FOR NO DIRECT CONNECTION
OF DECK JOISTS TO CANTILEVER

