

**City of Portage la Prairie
Building By-law 21-8729**

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CITY OF PORTAGE LA PRAIRIE

BY-LAW 21-8729

A BY-LAW OF THE CITY OF PORTAGE LA PRAIRIE to regulate and control new and existing construction, including the construction, *erection, alteration*, placement, repair, renovation, demolition, relocation, removal, *occupancy* or change in *occupancy* of any *building*, or *structure* or addition to a *building*, or *structure*.

WHEREAS *The Municipal Act* subsection 232(1) provides as follows:

232(1) A *council* may pass By-laws for municipal purposes respecting the following matters: The safety, health, protection and well-being of people, and the safety and protection of the property;”

AND WHEREAS *The Municipal Act* subsection 239(1) provides as follows:

239(1) If this or any other *Act* or a By-law authorizes or requires anything to be inspected, remedied, enforced or done by a *municipality*, a designated officer of the *municipality* may, after giving reasonable notice to the owner or occupier of land or the *building* or other *structure* to be entered to carry out the inspection, remedy, enforcement or action,

- (a) enter the land or *structure* at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the *Act* or By-law;
- (b) request that anything be produced to assist in the inspection, remedy, enforcement or action; and
- (c) make copies of anything related to the inspection, remedy, enforcement or action.

AND WHEREAS *The Building and Mobiles Homes Act* Section 4 provides as follows:

4 Notwithstanding anything to the contrary in any other *Act* of the Legislature, each *municipality* unless excluded under clause 2(2)(c), shall adopt and enforce any *building* construction *code* or *building* construction standard adopted, established or prescribed under Section 3 for the province or the *municipality* or the part of the province in which the *municipality* is situated, and may make such By-laws as are necessary for those purposes.

AND WHEREAS it is deemed expedient and in the public interest to adopt the said *Code* and establish such standards.

NOW THEREFORE the *Council* of the City of Portage la Prairie, duly assembled, enacts as follows:

SECTION 1: TITLE

This By-law may be cited as "The City of Portage la Prairie *Building* By-law".

SECTION 2: SCOPE AND DEFINITIONS

2.1 Scope

- 2.1.1 This By-law applies to the whole of the City of Portage la Prairie.
- 2.1.2 This By-law applies to administration and enforcement in the design, construction, *erection*, placement and *occupancy* of new *buildings* and *structures*, and the *alteration*, reconstruction, demolition, removal, relocation, *occupancy* and change in *occupancy* of existing *buildings* and *structures* and any requirements that are necessary.
- 2.1.3 The requirements of the *Code* are hereby adopted and shall apply to all work falling within the scope and jurisdiction of this By-law.
- 2.1.4 Any construction or condition that lawfully existed before the effective date of this By-law need not conform to the requirements of this By-law if such construction condition does not constitute an unsafe condition, in the opinion of the *Authority Having Jurisdiction*.

2.2 Definitions

- 2.2.1 The italicized words and terms in this By-law shall have the meaning prescribed in subsection 2.2.3 and if no definition is provided herein, they shall have the meanings as prescribed in the *Code*. Should a word or term be defined in both this By-law and the *Code*, then the definition set forth in this By-law shall govern.
- 2.2.2 Words and phrases used in this By-law that are not specifically defined in subsection 2.2.3 or in the *Code* shall have the meanings that are commonly assigned to them in the context in which they are used in these requirements, considering the specialized use of terms within the various trades and professions to which the terminology applies.

2.2.3 Words and terms used in this By-law shall have the following meanings:

ACT: The *Building and Mobile Homes Act*

AUTHORITY HAVING JURISDICTION: The Portage la Prairie Planning District and, where the context requires, such *building inspector* or other authority lawfully appointed by City of Portage la Prairie to administer and enforce the provisions of this By-law.

ALTERATION: A non-structural change or modification to an existing *building, structure* or use which does not increase the exterior dimensions of height and area.

AUDIT: A random inspection of design or construction work by the *Authority Having Jurisdiction* to ascertain compliance with the *Code* and this By-law.

BENCHMARK: A point established on a fixed object, referenced to mean sea level, used to determine the geodetic elevation of other points in the same area.

BUILDING: Any *structure* used or intended for supporting or sheltering any use or *occupancy*.

BUILDING INSPECTOR: A *Building Inspector*, a By-law Enforcement or a designate as the *person* appointed by the City of Portage la Prairie to administer and enforce this By-law.

CODE: The Manitoba *Building Code* and Manitoba *Plumbing Code* adopted, established and prescribed under Section 3 of *The Buildings and Mobile Homes Act* as revised from time to time.

COUNCIL: The *Council* of the City of Portage la Prairie.

ENCLOSURE: A fence, wall or other *structure*, including doors and gates surrounding a *swimming pool* to restrict access thereto.

ERECT: When used in this By-law, includes *building*, construction, reconstruction and relocation, and without limiting the generality of the word, also includes:

- a) Any preliminary physical operation, such as excavating, filling or draining;
- b) Altering any existing *building* or *structure* by an addition, enlargement, extension or other structural changes; and
- c) Any work which requires a *building permit* under this By-law.

FINISHED GRADE ELEVATION: The elevation, referenced to mean sea level, of the top of the final material placed on the land at the completion of the work. For lawn areas, this is typically the top of sod, if sod is used, or the top of topsoil if seed is used.

FINAL INSPECTION: The last inspection to be made on the construction under Development.

INTERM/TEMPORARY OCCUPANCY: - A *permit* issued after substantial completion but before final occupancy as a temporary measure. It is important to note that certain construction and life safety systems must be complete for the entire *structure*.

MAJOR OCCUPANCY: The primary purpose of the *building(s)* on the property.

MOBILE HOME: A portable dwelling unit that is capable of being transported on its own chassis and running gear by towing or other means and is designated to be used as a dwelling unit.

MODULAR HOME: A *building* suitable for year-round *occupancy* that consists of one or more modules either partially or wholly factory-fabricated and containing a framework that does not contain wheels or towing tongue. When transported to a *building* site, it will be placed on a permanent foundation so as to be substantially affixed to the site and connected to the required utilities, thereby making it immobile.

MUNICIPALITY: The municipal corporation of the City of Portage la Prairie.

OCCUPANCY PERMIT: A *permit* issued after the *Final Inspection*.

PERMIT: The written permission or written authorization from the *Authority Having Jurisdiction* in respect to matters regulated by this and any other applicable City By-Laws.

PERSON: Any *person*, firm, partnership, cooperative, body corporate or politic and shall be deemed to include the plural where the context so requires.

RTM: Ready to move houses or *buildings* constructed in one location and moved to a different location.

STRUCTURE: Anything constructed or *erected* with a fixed location on or in the ground or attached to something having a fixed location on or in the ground.

SUBGRADE ELEVATION: The elevation, referenced to mean sea level, of the top of the material used for levelling of the land prior to the placement of topsoil or finishing material.

SWIMMING POOL: Any body of water located outdoors which is partly or completely below grade or is completely above grade, contained in part or in whole by artificial means, in which the depth of the water at any point can exceed 24 inches and is used or capable of being used for swimming but does not include a pool operated for public accommodation.

VALUATION: means the total monetary worth of all construction work, including all painting, papering, roofing, electrical work, plumbing, permanent or fixed equipment, including any permanent heating, elevator equipment or fire sprinkler equipment, and all labour, materials and other devices entering into and necessary to the prosecution of the work in its completed form. No portion of any *building*, including mechanical, electrical and plumbing work, shall be excluded from the *valuation* for a *permit*.

SECTION 3: GENERAL

3.1 General Application

This By-law applies to the design, construction, *erection*, placement and *occupancy* of new *buildings*, and the *alteration*, reconstruction, demolition, removal, relocation, *occupancy* and change in *occupancy* of existing *buildings*.

3.2 Limited Application to Existing Buildings

- 3.2.1 When a *building* or any part of it is altered or repaired, the *Code* applies to the parts of the *building* altered or repaired, except where in the opinion of the *Authority Having Jurisdiction* the *alteration* will affect the degree of safety of the existing *building*, the existing *building* shall be improved as may be required by the *Authority Having Jurisdiction*.
- 3.2.2 The number of storeys of an existing *building* or *structure* shall not be increased unless the entire *building* or *structure* conforms to the requirements of the *Code*.
- 3.2.3 The requirements of this By-law apply where the whole or any part of a *building* is relocated either within or into the area of jurisdiction of the *Municipality*.

- 3.2.4 When the whole or any part of a *building* is demolished, the requirements of this By-law apply to the work involved in the demolition and to the work required to any parts remaining after demolition to the extent that deficiencies occurring or remaining after demolition require correction.
- 3.2.5 When a *building* is demolished by fire, earthquake or other cause, the *Code*, the requirements of this By-law and the appropriate regulations under *The Fire Prevention Act* (Manitoba), and The Manitoba Fire *Code*, apply to the work necessary to reconstruct damaged portions of the *building*.
- 3.2.6 When the *occupancy* of a *building* or any part of it is changed, the requirements of this By-law apply to all parts of the *building* or *structure* affected by the change.

3.3 Exemptions

- 3.3.1 The following *buildings* and *structures* are exempt from the application of this By-law:
- a) Sewage, water, electrical, telephone, rail or similar systems located on a street or a public transit right of way.
 - b) Public utility towers or poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to *buildings*;
 - c) Mechanical or other equipment and appliances not regulated in this By-law;
 - d) Flood control and hydroelectric dams and *structures*;
 - e) Accessory *buildings* not greater than 10 square metres in *building* area; or
 - f) Farm *buildings* that have *building* areas less than 600 square metres in size other than farm residence or associated residential *buildings*.

3.4 Prohibitions

- 3.4.1 Any *person* who fails to comply with any order or notice issued by the *Authority Having Jurisdiction*, or who allows a violation of the requirements of this By-law or of the *Code* to occur or to continue, contravenes the provisions of this By-law.
- 3.4.2 No *person* shall work or authorize or allow work to proceed for which a *permit* is required unless a valid *permit* exists for the work to be done.

- 3.4.3 No *person* shall deviate from the accepted plans and specifications forming part of the *permit* or omit or fail to complete, prior to *occupancy*, work required by the said accepted plans and specifications without first having obtained the acceptance for such change from the *Authority Having Jurisdiction*, except for minor changes to accepted plans and specifications which, when completed would not cause a violation of the *Code* or other By-laws.
- 3.4.4 Where an *occupancy* is required, no *person* shall occupy or allow the *occupancy* of any *building* or part thereof or change the *occupancy* unless the owner has obtained an *occupancy permit* or *final inspection* issued by the *Authority Having Jurisdiction*.
- 3.4.5 No *person* shall cause, allow or maintain any unsafe condition with respect to the construction, reconstruction, demolition, *alteration*, relocation or *occupancy* of a *building* or *structure*.
- 3.4.6 No *person* shall knowingly submit false or misleading information in connection with any application or other matter under this By-law.
- 3.4.7 No *person* shall excavate or undertake work on, over or under public property, or *erect* or place any construction or work or store any materials thereon without receiving prior approval in writing from the *Municipality*.

3.5 Mobile Homes, Modulares and RTM's

- 3.5.1 *Mobile homes, Modulares and RTMs* shall comply with the requirements of the respective *Code*.
- 3.5.2 The *Authority Having Jurisdiction* may require any or all of the following in respect to a *mobile home, modular, or RTM* sought to be located within the area of jurisdiction of the City of Portage la Prairie:
- a) The submission of a complete set of plans and specifications;
 - b) The seal of an engineer licensed in the Province of Manitoba in respect to all *building* components requiring professional certification;
 - c) Submission of copies of any or all *permits* taken out for the *mobile home, modular or RTM* in the location of its construction together with a copy of any or all inspection reports;
 - d) Such inspections or certifications as the *Authority Having Jurisdiction* may deem necessary in order to ensure compliance with the *Code* and this By-law.

SECTION 4: PERMITS

4.1 Application Requirements

- 4.1.1 Except as otherwise allowed by the *Authority Having Jurisdiction*, every application for a *permit* shall be in the form prescribed by the *Authority Having Jurisdiction* and shall:
- a) Identify and describe in detail the work and *occupancy* to be covered by the *permit* for which the application is made;
 - b) Describe the land on which the work is to be done by a description that will readily identify and locate the *building* lot;
 - c) State the *valuation* of the proposed work and be accompanied by the required fee as set out in the Planning District Fee Schedule hereto;
 - d) Include those plans and specifications set out in Schedule A hereto, unless otherwise waived by the *Authority Having Jurisdiction*, and show the *occupancy* of all parts of the *building*;
 - e) State the names, addresses and phone numbers of the owners, architect, engineer or other designer, *building* mover or builders engaged in the work and such other information as may be reasonably required by *Authority Having Jurisdiction* to ensure compliance with the *Code* and this By-law; and
 - f) Be made in writing and signed by the owner, or in cases where the applicant is not the owner, include a letter of authorization from the owner.
- 4.1.2 When an application for a *permit* has not been completed in conformance with the requirements of the *Authority Having Jurisdiction* within six (6) months after the date of filing, the application shall (unless otherwise extended by the *Authority Having Jurisdiction*) be deemed to have been abandoned and can only be reinstated by filing a new application and paying all required fees.
- 4.1.3 Any revision to the original application described in subsection 4.1.1 shall be made in the same manner as for the original *permit*, or as may be required by the *Authority Having Jurisdiction*.
- 4.1.4 Applications for *permits* may be filed, and *permits* may be issued to an owner, or to an authorized agent of the owner.
- 4.1.5 No *permit* shall be assigned or transferred without the prior written consent of the *Authority Having Jurisdiction*.

- 4.1.6 No *permit* shall be issued by the *Authority Having Jurisdiction* if the work proposed in the plans and specifications is not in conformity with the requirements of this By-law, the *Code*, the development plan in force and effect in the *Municipality* and the provisions of *The Planning Act*.
- 4.1.7 No *permit* shall be issued unless all required fees in connection with the issuance of the *permit* have been paid in full. *Permit* fees will be as set out as per Planning District Fee Schedule.
- 4.1.8 A *permit* shall expire and the right of an owner under the *permit* shall end if:
- a) The work authorized by the *permit* is not commenced within six (6) months from the date of issue of the *permit* and actively carried out after that; or
 - b) The work authorized under the *permit* is suspended by the Applicant for six (6) months unless otherwise extended by the *Authority Having Jurisdiction*.
- 4.1.9 Where a *permit* is not obtained before commencement of any work, the owner or contractor shall pay a penalty as per the Planning District Fee Schedule. (double the *permit* fees).

4.2 Building Permits

- 4.2.1 Except as permitted in article 4.2.2 herein, unless a *building permit* has first been obtained from the *Authority Having Jurisdiction*, no *person* shall commence or cause to be commenced:
- a) The location, placement, *erection*, construction or reconstruction of any *building* or *structure*, or portion thereof;
 - b) The relocation or removal of any *building* or *structure*, or portion thereof;
 - c) Any addition, extension, improvement, *alteration* or conversion of any *building* or *structure*, or portion thereof;
 - d) The repair, rehabilitation or renovation of any *building* or *structure*, or portion thereof;
 - e) Underpinning;
 - f) The excavation of any land for any purpose of *erecting* or location on or above it, any *building* or *structure*;
 - g) The installation, construction, repair, renewal, *alteration* or extension of a mechanical system;
 - h) The development of a previously unfinished basement;
 - i) Any cement slab foundations, regardless of size or where there is a *building* being built on it;
 - j) Private and semi-private *swimming pools* (in or above ground), hot tubs, and similar *structures* that have a minimum depth of 0.6 metres;
 - k) The *alteration*, addition, *erection* or re-erection of a sign.

- 4.2.2 A *building permit* is not required for:
- a) Replacement of stucco, siding or shingles with the same material;
 - b) Replacement of doors and windows when the size of opening is not altered;
 - c) Replacement of exterior open landing and stairs when less than 3.34 square metres;
 - d) Construction of fences as per the zoning By-law;
 - e) Patching, painting or decorating;
 - f) Installation of cabinets and shelves;
 - g) Installation and replacement of sidewalks;
 - h) Construction of detached accessory *buildings* not greater than 10 square metres in *building area*;
 - i) Replacing of flooring;
 - j) Changing interior wall covering i.e.: drywall, paneling;
 - k) Replacing eaves troughs and down spouts;
 - l) Other non-structural *alterations* or repairs.
- 4.2.3 Notwithstanding that a *building permit* is not required for the works described in subsection 4.2.2 above, such works shall comply with the *Code* and the provisions of this or other applicable By-laws and shall not place the *building* or *structure* in contravention or further contravention of the *Code* or this or any other By-law.
- 4.2.4 Before the issuance of a *building permit*, the owner shall (unless the *Authority Having Jurisdiction* waives such requirement) submit Letters of Assurance in the form set out in Schedule B, as attached hereto, which:
- a) Confirm that the owner has retained the necessary designers, architects or professional engineers for all the applicable disciplines, for professional design inspection; and
 - b) Incorporate the designers, architects or professional engineers' assurance of professional design and commitment for inspection.
 - c) If the engagement of an architect or professional engineer are required in the project and terminated during the construction period, work shall be discontinued until a replacement has been appointed.

4.3 Plumbing Permits

- 4.3.2 Except as provided in subsection 4.3.2, no *person* shall construct, extend, alter, renew or make a connection to a plumbing system unless a *permit* to do so has been obtained.
- 4.3.3 A plumbing *permit* is not required when a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage cleared, or a leak repaired, if no change to the piping is required.
- 4.3.4 When required by the *Authority Having Jurisdiction*, the application shall also be accompanied by a plan that shows:
- a) The location and size of every *building* drain, and of every trap and clean out fitting that is on a *building* drain;
 - b) The size and location of every soil or waste pipe, trap and vent pipe; and
 - c) A layout of the potable water distribution system including pipe sizes and valves.
- 4.3.4 Weeping tile shall not be:
- a) Required for a concrete basement when the distance from the top of the footing to the finished grade adjacent to the basement wall is less than nine hundred millimeters; and
 - b) Permitted to drain into the sanitary sewer system of the City.

4.4 Occupancy Permits

- 4.4.1 Except as otherwise permitted herein, no *person* shall occupy or use or *permit* the *occupancy* or use or change the *occupancy* or use of any *building* or part thereof, for which an *occupancy permit* is required hereunder.
- 4.4.2 An *occupancy permit* is required from the *Authority Having Jurisdiction* for:
- a) The *occupancy* of any new *building* or *structure* or portion thereof except for residential accessory buildings;
 - b) The *occupancy* of any existing *building* or *structure* where an *alteration* is made thereto; except a single-unit dwelling, a two-unit dwelling or multi-unit dwelling without shared exit facilities;
 - c) For a change from one *Major Occupancy* group to another or a change from one division to another within a *Major Occupancy* group in any existing *building* or *structure*, or part thereof;
 - d) For a change from one use to another within the same division in a *Major Occupancy* group with results in an increase in the *occupancy* load;
 - e) For a change or addition or an *occupancy* classification of a suite in a *building*; and
 - f) For a change from a use not previously authorized to a new use.

- 4.4.3 Before the issuance of an *occupancy permit*, the owner shall (unless the *Authority Having Jurisdiction* waives such requirement) submit a Letter of Completion in the form set out in the applicable Schedule D, as attached hereto, confirming that the construction of the *building*, work or project conforms with the plans, specifications and related documents for which the *building permit* was issued.
- 4.4.4 The *Authority Having Jurisdiction* may issue an interim *occupancy permit* for a partial use of a *building* or *structure* subject to any conditions imposed by the *Authority Having Jurisdiction*.
- 4.4.5 The duration on the interim *occupancy permit* shall be left to the discretion of the *Authority Having Jurisdiction* and the completion time be written on the *permit*.
- 4.4.6 Notwithstanding apparent compliance with this By-law, the *Authority Having Jurisdiction* may refuse to issue an *occupancy permit* if the *building*, *structure* or proposed use is to the *Authority Having Jurisdiction's* knowledge in violation of a Zoning By-law or any other By-law of the *Municipality*.
- 4.4.7 An applicant for an *occupancy permit* shall supply all information requested by the *Authority Having Jurisdiction* to show compliance with the By-law and any other relevant By-laws of the *Municipality*.

4.5 Demolition, Removal or Relocation Permit

- 4.5.1 No *person* shall commence or cause to be commenced the demolition of any *building* or *structure* or portion thereof, unless a demolition *permit* has first been obtained from the *Authority Having Jurisdiction*.
- 4.5.2 The *Authority Having Jurisdiction* may request that an application for a *permit* to remove, relocate or demolish a *building* or *structure*, shall include the following:
- a) A description of the *building* or *structure* giving the existing location, construction materials, dimensions, number of rooms and condition of exterior and interior;
 - b) A legal description of the existing site;
 - c) A plot plan of the site to be occupied by the *building* or *structure* if located within the City; and
 - d) A legal description of the site to which it is proposed that the *building* or *structure* is to be moved if located within the *municipality*.
- 4.5.3 The owner, or their agent, of a site from which a *building* or *structure* is to be removed or demolished shall ensure to:
- a) Notify the gas, electric and telephone companies or utilities to shut off and/or remove their service, prior to removal or demolition;

- b) Contact the City ninety-six (96) hours prior to removal or demolition in order that all water meters and read out devices are disconnected and removed;
 - c) Upon completion of the removal or demolition, put the site in a safe and sanitary condition to the satisfaction of the *Municipality*.
- 4.5.4 If, as a result of moving or demolishing a *building*, the water meter and/or the read out device are lost or destroyed, the *Municipality* may add the cost thereof to the taxes shown on the tax roll to be charged and levied against the land on which such meter or device was situated, to be collected in the same manner in which ordinary taxes against the land are collectable and with like remedies.
- 4.5.5 The *person* to whom a *permit* is issued to demolish a *building* shall:
- a) remove the *building*, clean out the basement and remove all debris below subgrade;
 - b) immediately upon removal of the *building*, erect a fence around the basement of such quality and design as to make the premises safe;
 - c) remove all sewer and water service connections from the site within six (6) months of the date a *permit* for moving or demolishing a *building* or *structure* is issued. If a *building permit* is issued for the same site during the six (6) month period referred to above, the *person* to whom the *permit* for moving or demolishing a *building* or *structure* was issued shall not be required to remove the sewer and water service connections;
 - d) the *Authority Having Jurisdiction*, in consultation with the Director of Operations, may extend the six (6) month period referred to in subsection (c) having regard to climatic conditions.
- 4.5.6 The *person* to whom a *permit* is issued to move a *mobile home* from a site other than a designated *mobile home* park, shall, within thirty (30) days of the date of the *permit*:
- a) abandon the water and sanitary sewer services, the *Authority Having Jurisdiction* may waive the application of article if within the said thirty (30) day period, they have issued a *building permit* for a new *building* on the site which shall use the existing water and sanitary sewer services;
 - b) remove all debris; and
 - c) level the site, apply ten (10) cm of topsoil on the levelled area and see the area to grass.

- 4.5.7 The *Municipality* may do anything required to be done under articles 4.5.5 or 4.5.6 and may add the cost thereof to the taxes shown on the tax roll to be charged and levied against the land benefiting thereby to be collected in the same manner in which ordinary taxes against the land are collectible and with like remedies.

SECTION 5: GENERAL REQUIREMENTS

5.1 Elevations – New Residential Buildings

- 5.1.1 Every applicant for a *building permit* shall, at the time of application:
- a) Deposit with the *Authority Having Jurisdiction*, in the form of cash, bond or irrevocable letter of credit, the sum of \$3,000.00 for each *building* under construction to a maximum of \$9,000.00 if the applicant has 3 or more units under construction at the same time, such deposit to be in addition to any other amount payable under this By-law.
 - b) Produce to the *Authority Having Jurisdiction*
 - (i) construction drawings in such detail as the *Authority Having Jurisdiction* may require;
 - (ii) a plan showing the location of the *building* on the site, and
 - (iii) an elevation plan showing a dimension from the top of the footing to the finished grade.
- 5.1.2 The *Authority Having Jurisdiction* when issuing a *building permit* shall request the Director of Operations or his designate to:
- a) Establish a *benchmark* for the *building*;
 - b) Establish the *finished grade elevations*;
 - c) Install on the *building* site stakes setting out the *finished grade elevations* for which the applicant shall pay a fee, if requested by developer/homeowner.
 - d) Verify that the footings are at the proper elevation.
 - e) Verify that finished grade is correct.
- 5.1.3 Every *person* who constructs a *building* shall, after forming but before pouring the footing, request the *Authority Having Jurisdiction* on 24 hours' notice, to verify that the footings are at a proper elevation.
- 5.1.4 Every holder of a *building permit* shall complete the finished lot grading.
- 5.1.5 In the event an applicant refuses or neglects to correct a deficiency within 30 days of being notified thereof by registered mail, the *Authority Having Jurisdiction* may, without further notice to the applicant, correct the deficiency and apply the whole or any part of the deposit to the cost of correcting the deficiency.

- 5.1.6 The *Authority Having Jurisdiction* shall return to the applicant the deposit referred to in article 5.1.1 when he is satisfied that the applicant has complied with all the provision of the *building permit* and this By-law. The applicant shall not be entitled to interest on the deposit.
- 5.1.7 The Director of Operations may, in their absolute discretion, allow a variation or tolerance of fifty (50) mm plus or minus with their respect to any requirements set out in the *building permit*.
- 5.1.8 Every owner of a residential property shall maintain the approved elevations.
- 5.1.9 No person shall allow the ground elevations of a *building* lot or site to be changed so as to cause surface water to flow or drain towards any other *building* or property.

5.2 Swimming Pools

- 5.2.1 No *person* shall construct, install or use a *swimming pool* unless the owner is in possession of a *permit* issued by the *Authority Having Jurisdiction*.

SECTION 6: DUTIES, RESPONSIBILITIES & POWERS

6.1 Duties and Responsibilities of the Owner

- 6.1.1 Every owner or occupier shall allow the *Authority Having Jurisdiction* to enter any *building* or premises at any reasonable time for the purpose of administering and enforcing the *Code* and this By-law.
- 6.1.2 Every owner shall obtain all *permits*, acceptances and approvals required in connection with the proposed work, prior to commencing the work to which they relate.
- 6.1.3 Every owner shall ensure that plans and specifications on which the issue of any *permit* was based are available at the time of application for *permit*, for inspection and approval by the *building inspector*. The *building permit*, or a true copy thereof, is to be posted in a conspicuous location on the site during the entire execution of the work.
- 6.1.4 Neither the granting of a *permit*, nor the approval of drawings, plans and specifications, nor inspections made by the *Authority Having Jurisdiction*, shall in any way relieve the owner from full responsibility for carrying out the work in strict conformance with the provisions of this By-law and the *Code*.

- 6.1.5 The owner, at those stages of construction that may be indicated on the *permit* or an attachment thereto, request an inspection by the *Authority Having Jurisdiction* before proceeding further with construction.
- 6.1.6 Every owner shall give notice to the *Authority Having Jurisdiction* when work has been completed and before occupancy or *final inspection*.
- 6.1.7 Every owner shall give notice in writing to the *Authority Having Jurisdiction* immediately of any change in ownership or change in the address of the owner that occurs prior to the issuance of an *occupancy permit*.
- 6.1.8 Every owner shall give such other notice to the *Authority Having Jurisdiction* that may be required by the provisions of the *Code* or this By-law and shall comply in all respects with this By-law and the *Code*.
- 6.1.9 Every owner shall provide an up-to-date survey of the *building* site when and as required by the *Authority Having Jurisdiction*.
- 6.1.10 When required by the *Authority Having Jurisdiction*, every owner shall uncover and replace at their own expense any work that has been covered contrary to the provisions of this By-law and the *Code*.
- 6.1.11 Every owner is responsible for the cost of repair of any damage to public property or works located thereon that may occur as a result of the undertaking of work for which a *permit* was required by this By-law.
- 6.1.12 Every owner shall ensure that all materials, systems, equipment and the like used in the construction, *alteration*, reconstruction or renovation of a *building* meet the requirements of applicable acts, regulations and By-laws, for the work undertaken. It shall be the owner's responsibility for waste management of construction debris and its removal.
- 6.1.13 When a *building* or part of it is in an unsafe condition, the owner shall immediately take all necessary action to put the *building* in a safe condition.
- 6.1.14 Every owner shall commence construction within six (6) months from the date of issue of the *permit* and acknowledges that failure to do so will result in expiration of the *permit*, unless an extension is authorized by the *Authority Having Jurisdiction*.

6.1.15 Every owner shall obtain inspections as required and acknowledges failure to do so will indemnify and save harmless the *Authority Having Jurisdiction* and the *Municipality* of any and all deficiencies.

6.1.16 If the engagement of an architect or professional engineer are required in the project and terminated during the construction period, work shall be discontinued until a replacement has been appointed.

6.2 Duties and Responsibilities of the Contractor(s)

6.2.1 Every contractor shall ensure that all construction safety requirements of the *Code* and the *Plans* are complied with.

6.2.2 Every contractor is responsible for ensuring that no excavation or other work is undertaken on public property, and that no *building* is *erected*, or materials stored in whole or in part thereon without approval first having been obtained in writing from the *Authority Having Jurisdiction*.

6.2.3 Every contractor is responsible jointly and severally with the owner for work undertaken. During the construction process, every contractor must ensure that the construction site is kept safe and that any open excavations or hazards are clearly marked or barricaded.

6.2.4 Every contractor is responsible jointly and severally with the owner to ensure all required *permits* have been obtained prior to commencing work.

6.3 Duties and Responsibilities of the Designer/Architect/Engineer

6.3.1 When a designer/architect/engineer is retained, the designer/architect/engineer shall ensure that the design of the *building* conforms to the *Code* and all other relevant regulations.

6.3.2 When a professional engineer/architect is required by the *Code* or requirements of this By-law, they shall do inspections to ensure that the construction conforms to the design and the *Code*.

- 6.3.3 Every designer shall ensure that all materials, systems, equipment or related matter specified for the construction, *alteration*, reconstruction or renovation of a *building* meet the requirements of the *Code* and the requirements of applicable *Acts*, regulations and By-laws for the work to be undertaken and all documents must be sealed, if required.
- 6.3.4 If the responsible designer, architect and/or professional engineer withdraw from the project, such designer, architect and/or engineer shall immediately advise the *Authority Having Jurisdiction*.
- 6.3.5 A designer/architect/engineer shall only work within their field of competency.
- 6.3.6 When required architect and engineers are to provide the following:
- a) Letter of Assurance (Schedule B);
 - b) Letter of Certification (Schedule C);
 - c) Request for Evaluation of an Alternative Solution (Schedule D); and
 - d) Completion of Alternative Solution (Schedule E).
- 6.3.7 If Alternative Solution implemented designers are to provide the following:
- a) Letter of Assurance (Schedule B);
 - b) Letter of Certification (Schedule C);
 - c) Completion of Alternative Solution (Schedule E).

6.4 *Duties and Responsibilities of the Authority Having Jurisdiction*

- 6.4.1 The *Authority Having Jurisdiction* shall administer this By-law and shall have the powers of enforcement more particularly set out in Section 6.5 herein.
- 6.4.2 The *Authority Having Jurisdiction* shall keep copies of all applications received, *permits* and orders issued, inspections and tests made, and of all papers and documents connected with the administration of the *Code* and this By-law for such time as required by the provision of the *Municipal Act* (Manitoba).
- 6.4.3 Where the *Authority Having Jurisdiction* seeks to enforce any of the powers set out in Section 6.5 here, the *Authority Having Jurisdiction* shall issue in writing such notices or orders as may be necessary to inform the owner of the contravention(s) of the *Code* or this By-law.
- 6.4.4 The *Authority Having Jurisdiction* shall provide, when requested to do so, all reasons for refusal to grant a *permit*.
- 6.4.5 Examine all *buildings* proposed to be relocated to ensure they comply with the *code* requirements.

- 6.4.6 Examine and process plans, and specifications submitted with applications for *permit*.
- 6.4.7 Enter and *audit* any *building* or premises at any reasonable time.
- 6.4.8 Issue *occupancy permits* and/or *final inspections* as required.

6.5 Powers of the Authority Having Jurisdiction

- 6.5.1 The *Authority Having Jurisdiction* may:
 - a) Enter any *building* or premises necessary at any reasonable time for the performances of its duties;
 - b) Revoke or suspend a *permit* or issue a Stop Order/Compliance Order if:
 - i) Construction is not started within a period of six (6) months from the date of issuing the *permit*;
 - ii) Construction is discontinued for a period of six (6) months;
 - iii) There is a violation of any condition under which the *permit* was issued;
 - iv) Any *alteration* or deviation from the deposited plans and specifications is made without authority;
 - c) Refuse a *building*, plumbing or *occupancy permit* if the requirements of this By-law have not been met;
 - d) Require the owner to remove or rectify any unsafe conditions;
 - e) Specify a timeline to correct any contraventions;
 - f) Require the owner or their agent to produce any required written clearance from any Federal or Provincial Government Department before a *permit* is issued;
 - g) Upon observing the commencement of works in the *Municipality* where no *building* or development *permit* has been issued, advise the owner of the requirements of this By-law. Should an inspection at this time determine that construction conforms with the *Code* and the RM of Portage la Prairie Zoning Bylaw, the *Authority Having Jurisdiction* may issue the necessary *permit(s)* and collect the applicable fees in accordance with the Planning District fee schedule.

6.6 Duties and Responsibilities of the Municipality

- 6.6.1 Appoint the *Authority Having Jurisdiction* to administer and enforce this By-law.
- 6.6.2 Establishing Benchmarks for elevations.
- 6.6.3 Provide and confirm elevations as per Section 5.
- 6.6.4 Established finished grades make sure finished grades are correct.

6.7 Powers of the Municipality

- 6.7.1 The *Municipality* may:
 - a) Require the owner to remove any encroachments or *buildings*;
 - b) Require *owners/contractor* to take all proper precautions for the guarding of any excavations, the public highway, streets and sidewalks, and from preventing the placing of material, equipment or scaffolding on the highways, streets or sidewalks in any manner that would, in the opinion of the *Municipality*, constitute an inconvenience or menace to traffic or pedestrians and for the protection of the public generally;
 - c) Upon the completion of the work, require the holder of the *permit* to immediately remove all *building* material, equipment scaffolding and rubbish from the streets, sidewalks and boulevards and to clean and repair and leave in good condition and repair the streets, sidewalks and boulevards as the same were before the *permit* was issued.

SECTION 7: OFFENCES, PENALTIES AND APPEALS

7.1 Offences and Penalties

- 7.1.1 Any *person* who contravenes or disobeys or refuses or neglects to obey any provision of the *Code* or this By-law, or any other applicable By-law, for which no other penalty is herein provided, is guilty of any offence and liable, on summary conviction, to a fine not exceeding five thousand (\$5,000) dollars for each day that the offence continues.
- 7.1.2 Where a corporation commits an offence against the *Code* or this By-law, each Director or Officer of the corporation who authorized, consented to, connived at, or knowingly permitted in the doing of the *act* that constitutes the offense, is likewise guilty of the offenses and liable, on summary conviction, to the penalty for which the provision is made in article 7.1.1.
- 7.1.3 Where the contravention, refusal, neglect, omission or failure, continues for more than one day, the *person* is guilty of a separate offence for each day it continues.

7.2 Appeals

- 7.2.1 Any *person* aggrieved by any decision or order of the *Municipality* or the *Authority Having Jurisdiction* as to issuance of *permits*, the prevention of construction or *occupancy* of *buildings*, the demolition or removal of *buildings*, or *structures*, or any other matter herein may, within fifteen (15) days from the date of the decision, appeal in writing to the *Council*. All decisions or orders remain in effect during the appeal process.
- 7.2.2 *Council* may hear the appeal as a committee of the whole or by subcommittee especially established for this purpose, however the final decision will be that of *Council*.
- 7.2.3 Upon the hearing of an appeal, the *Council* may:
- a) Uphold, rescind, suspend or modify any decision or order given by the *Municipality* or the *Authority Having Jurisdiction*;
 - b) Extend the time within which compliance with the decision or order shall be made; or
 - c) Make such other decision or order as in the circumstances of each case it deems just.
- 7.2.4 The decision or order of the *Council* upon being communicated to the appellant, shall stand in place of the decision or order against which appeal is made, and any failure to comply with the decision or order is an offense.

SECTION 8: REPEAL

8.1 Repeal

- 8.1.1 The Council of the City of Portage la Prairie, in a meeting duly assemble repeals Building By-law Number 7713 and amendments and enacts the City of Portage la Prairie Building By-law 21-8729.

SECTION 9: EFFECTIVE DATE

9.1 Effective Date

9.1.1 This By-law shall come into force and take effect on the date of its third read.

Done and **Passed** as a By-law of the City of Portage la Prairie in the province of Manitoba, this _____ day of _____, 2021.

Mayor

Chief Administrative Officer

Read a **First** time this _____ Day Of _____, 2021.

Read a **Second** time this _____ Day Of _____, 2021.

Read a **Third** time this _____ Day Of _____, 2021.

SCHEDULE A: LIST OF PLANS AND SPECIFICATIONS

LIST OF PLANS AND WORKING DRAWINGS TO ACCOMPANY APPLICATIONS FOR PERMITS:

SITE PLAN
FLOOR PLANS
FOUNDATION PLANS
FRAMING PLANS
ROOF PLANS – TRUSS MANUFACTURING
REFLECTED CEILING PLANS
SECTIONS AND DETAILS
BUILDING ELEVATIONS
ELECTRICAL DRAWINGS
HEATING, VENTILATION AND AIR CONDITIONING DRAWINGS
PLUMBING DRAWINGS
SPEC BOOKS
MECHANICAL DRAWINGS
HVAC SPRINKLER

SCHEDULE B: LETTER OF ASSURANCE



PORTAGE LA PRAIRIE PLANNING DISTRICT

800 Saskatchewan Ave. W.
Portage la Prairie, Manitoba R1N 0M8

Phone: (204) 239-8345 Fax: (204) 239-8319
www.ptgplanningdistrict.ca

ASSURANCE OF PROFESSIONAL DESIGN AND COMMITMENT FOR INSPECTION

Date: _____

Re: Description & address of project: _____

The undersigned hereby gives assurance that, to the best of their knowledge, the design of the (initial applicable item/items)

- _____ MECB
- _____ Architectural
- _____ Structural
- _____ Mechanical
- _____ Plumbing
- _____ Fire Suppression Systems – Automatic Sprinkler System
- _____ Electrical
- _____ Alternate Solution: _____

Components of the project as shown on the plans and supporting documents prepared by this registered professional conform to all the applicable requirements of all applicable Acts, Regulations and By-laws. Further, the undersigned will be responsible for inspections of all above-referenced components during construction, as required by Manitoba Building Code Amendment, Article 2.2.7.2(1) – Review Construction.

The undersigned also assured competence in the necessary fields of expertise to undertake the project on the basis of training, ability and expertise in the appropriate professional and technical disciplines.

As used herein, inspections shall mean such reviews of the work at the project site and at fabrication locations, where applicable, as the registered professional, on the basis of professional discretion, considers necessary in order to ascertain that the work conforms in all respects to the plans and supporting documents prepared by this registered professional for which the Building Permit is issued. This includes keeping records of all site visits and any corrective action taken as a result thereof. Letters of completion will be provided to the authority having jurisdiction at the end of the job and copies of the inspection reports upon request.

Name (print)

Signature

Date

Address

Telephone

Affix Professional Seal Here

If the Registered Professional is a member of a firm, complete the following:

I am a member of the firm _____ and sign this letter on behalf of myself and the firm.
(print name of firm)

Note: The foregoing letter must be signed by a registered professional who is registered in the Province of Manitoba as a member in good standing in the Province of Manitoba Association of Architects or the Association of Professional Engineers and Geoscientists of Manitoba.

SCHEDULE C: LETTER OF CERTIFICATION



PORTAGE LA PRAIRIE PLANNING DISTRICT

800 Saskatchewan Ave. W.
Portage la Prairie, Manitoba R1N 0M8

Phone: (204) 239-8345 Fax: (204) 239-8319
www.ptgplanningdistrict.ca



LETTER OF CERTIFICATION FOR FINAL OCCUPANCY
ASSURANCE OF PROFESSIONAL FIELD AND COMPLIANCE

(This letter must be submitted after completion of the project but prior to final inspection by the Portage la Prairie Planning District.
A separate letter must be submitted by each registered professional.)

Discipline or Part (i.e. Structural or Part 4)

Building Permit No.

Date
Name of Project

Address of Project

(Each registered professional shall complete the following)

Name

Address

I hereby give the assurance that:

- I have fulfilled my obligations for field review as required for the project as outlined in the previously submitted Letter of Assurance.
- I am a registered professional who is registered in the Province of Manitoba as a member in good standing with the Engineers Geoscientists Manitoba or the Manitoba Association of Architects;
- The project is substantially complete and approved for occupancy;
- I, (or a suitably qualified person reporting to me, has) have completed periodic reviews of the project at appropriate stages of construction;
- In my professional opinion the design and construction of this project was carried out in substantial compliance with the applicable provisions of the Manitoba Building Code, the Manitoba Energy Code for Buildings, and the Manitoba Plumbing Code, and the plans submitted in support of the application for the building permit. This includes any additional plans, documents, review of plans and design decisions that have been part of my responsibility and related to Code issues applicable to my discipline that were not detailed as part of the submitted permit application.
- The design and construction of any building elements of a Part 9 building that are not compliant to Part 9 of the Manitoba Building Code (MBC) comply with the requirements of Division B, Part 4 or other applicable Parts of the MBC.
- I have informed the Portage la Prairie Planning District in cases where I am aware that the construction has materially deviated from the submitted plans.
- I am not aware of any deficiencies or I have reported any deficiencies to the Authority Having Jurisdiction that would compromise compliance with the aforementioned code(s).

(If the registered professional is a member of a firm, complete the following:)

I am a member of the firm _____
and I sign this letter on behalf of the firm.

(Print name of firm)

SCHEDULE D: REQUEST FOR EVALUATION OF AN ALTERNATIVE SOLUTION



PORTAGE LA PRAIRIE PLANNING DISTRICT

800 Saskatchewan Ave. W.
Portage la Prairie, Manitoba R1N 0M8

Phone: (204) 239-8345 Fax: (204) 239-8319
www.ptgplanningdistrict.ca



REQUEST FOR EVALUATION OF AN ALTERNATIVE SOLUTION

SECTION A – PROJECT INFORMATION

Project Information	Name of Building	Group	Division	Occupancy
	Building Address	Town/Community and Postal Code		Legal Description
	Work Description			PD Permit No.
Owner	Name	Company		Phone No.
	Address	Town/Community and Postal Code		Email Address
Design Prof.	Name	Company		Phone No.
	Address	Town/Community and Postal Code		Email Address

SECTION B – SUBMISSION REQUIREMENTS

REQUEST FOR EVALUATION OF AN ALTERNATIVE SOLUTION is to include the following items:	(P.D. Use Only) Document Verification		
Background	Ye s	No	Inc
1) Description of the proposed Alternative Solution and reasons for deviating from Acceptable Solutions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Acceptable Solutions that are being substituted	Ye s	No	Inc
2) Applicable Division B provisions and sections of referenced standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Objectives and Functional Statements of the applicable Acceptable Solutions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Intent Statements of the applicable Acceptable Solutions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) Evaluation of Performance Levels of the Acceptable Solutions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alternative Solutions	Ye s	No	Inc
6) Evaluation of Performance Levels of the proposed Alternative Solutions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7) Special maintenance or operational requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8) Assumptions, limiting or restricting factors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9) Testing procedures, engineering studies, or building performance parameters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Assessment	Ye s	No	Inc
10) Comparison of Performance Levels of the Alternative Solutions vs. Acceptable Solutions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11) Other supporting documents (see Section D for examples)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12) Qualifications of the Design Professional(s) responsible for the Alternative Solution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION C – DECLARATION OF THE DESIGN PROFESSIONAL

I, proponent for the Alternative Solutions, certify that:

- a) the information and supporting documents contained in this application to be true to the best of my knowledge,
- b) the proposed Alternative Solutions will achieve the same level of performance achieved by the applicable Acceptable Solutions in accordance with Division A, 1.2.1.1.(1)(b), and
- c) the proposed Alternative Solutions are specific to this project and is not considered to establish a precedent for acceptance of similar alternative solutions on other projects.

Printed Name and Signature

Date

SECTION D – GENERAL INFORMATION

This section is intended to provide assistance in the completion of this application form. Please read this information thoroughly when completing this application.

SECTION A – PROJECT INFORMATION

This section is intended to provide general information on the specific project being applied for. The information in this section is required in order for a Request for Evaluation of an Alternative Solution to be reviewed by the Portage la Prairie Planning District.

- ✓ **WORK DESCRIPTION** – Provide a brief description of the scope of work, including the type of occupancy and construction type of building to be constructed or altered.
- ✓ **OWNER and DESIGN PROFESSIONAL** – All applications for Alternative Solutions is to be signed and sealed by either an engineer or architect licensed to practice in the province of Manitoba. An owner or contractor may apply for an alternative solution; however the required documentation is to be prepared by an engineer or architect. Where the design of a building includes proposed alternative solutions that involve more than one person taking responsibility for different aspects of the design, the applicant for the permit is to identify a single person to co-ordinate the preparation of the design, Code Analysis and documentation referred to in Subsection 2.3.1. of Division C.

SECTION B – SUBMISSION REQUIREMENTS

This section is intended to provide the applicant and design team with information regarding the minimum amount of supporting documentation required with the Request for Evaluation of an Alternative Solution. The Portage la Prairie Planning District may request further information during review in support of any proposed Alternative Solution.

- 1) **DESCRIPTION OF THE PROPOSED ALTERNATIVE SOLUTION** – Provide a description of the Alternative Solution including reduced floor layouts showing the extent and location of the Alternative Solution, and reasons for deviating from the Acceptable Solutions.
- 2) **APPLICABLE DIVISION B PROVISIONS** – Include sections of referenced standards cited in the applicable Division B provisions
- 3) **OBJECTIVES and FUNCTIONAL STATEMENTS** – Identify the objectives and functional statements associated with the applicable Acceptable Solutions as per Attribution Tables of Division B.
- 4) **INTENT STATEMENTS** – Identify the intent statements associated with the applicable Acceptable Solutions as per:
 - a. NBC - <http://codes-guides.nrc.ca/IA/10NBC/intentframe.html>
 - b. NFC - <http://codes-guides.nrc.ca/IA/10NFC/intentframe.html>
 - c. NPC - <http://codes-guides.nrc.ca/IA/10NPC/intentframe.html>
 - d. NECB - <http://codes-guides.nrc.ca/IA/11NECB/intentframe.html>
- 5) **EVALUATION OF PERFORMANCE LEVELS OF THE ACCEPTABLE SOLUTIONS** – Describe the performance levels that the MBC is attempting to achieve with the referenced requirements in Division B.
- 6) **EVALUATION OF PERFORMANCE LEVELS OF THE PROPOSED ALTERNATIVE SOLUTIONS** – Provide a Code analysis outlining the analytical methods and rationales used to determine that a proposed Alternative Solution will achieve at least the level of performance required by 1.2.1.1.(1)(b) of Division A. The information is to convey the design intent and to support the validity, accuracy, relevance and precision of the Code Analysis.
- 7) **SPECIAL MAINTENANCE OR OPERATIONAL REQUIREMENTS** – Provide information concerning any special maintenance or operational requirements, including any building component commissioning requirements, that are necessary for the alternative solution to achieve compliance with the MBC after the building is constructed.

- 8) **ASSUMPTIONS, LIMITING OR RESTRICTING FACTORS** – Identify any assumptions, limiting or restricting factors that will support a Code compliance assessment.
- 9) **TESTING PROCEDURES, ENGINEERING STUDIES OR BUILDING PERFORMANCE PARAMETERS** - Identify any testing procedures, engineering studies or building performance parameters that will support a Code compliance assessment.
- 10) **COMPARISON OF PERFORMANCE LEVELS** – Compare the performance levels of the Alternative Solutions vs. Acceptable Solution.

For example:

	Required Performance Levels
12.7 mm gypsum board as fire block material (the acceptable solution)	Fire blocks shall remain in place and prevent the passage of flames for not less than 15 min when subjected to CAN/ULC-S101, "Fire Endurance Tests of Building Construction and Materials". 3.1.11.7(2)
11 mm thick new proprietary material (the alternative solution)	The material remained in place and prevented the passage of flames for 20 mins when it was subjected to CAN/ULC-S101.

- 11) **OTHER SUPPORTING DOCUMENTS** – Provide other information or items that may be helpful in the review of the proposed Alternative Solution, such as engineering analysis, mathematical modelling, peer review, published standards not cited in the Code, product or material test results, evaluation of scenarios, previous approvals from other authorities, risk analysis, etc.
- 12) **QUALIFICATIONS OF THE DESIGN PROFESSIONAL** – Provide information about the qualifications, experience and background of the person(s) taking responsibility for the Alternative Solution.

SECTION C – DECLARATION OF THE DESIGN PROFESSIONAL

- ✓ **DECLARATION OF THE DESIGN PROFESSIONAL** – A statement by the design professional that the proposed Alternative Solutions meets the intent of the Code and it is specific to this project/design and that it is not seen as precedent setting for future developments or if building design conditions change in the future.

APPENDIX

- ✓ **LETTER OF CERTIFICATION FOR COMPLETION OF ALTERNATIVE SOLUTION** – To be submitted to the Portage la Prairie Planning District before final inspection.

Please contact the Portage la Prairie Planning District at 204-239-8345 with any questions or for clarifications regarding this application form.

SCHEDULE E : COMPLETION OF ALTERNATIVE SOLUTION

LETTER OF CERTIFICATION FOR COMPLETION OF ALTERNATIVE SOLUTION



PORTAGE LA PRAIRIE PLANNING DISTRICT

800 Saskatchewan Ave. W.
Portage la Prairie, Manitoba R1N 0M8

Phone: (204) 239-8345 Fax: (204) 239-8319
www.ptgplanningdistrict.ca



(This letter is to be submitted after completion of the Alternative Solution but prior to final inspection by the Portage la Prairie Planning District.)

To: Portage la Prairie Planning District
800 Saskatchewan Ave W
Portage la Prairie, MB R1N 0M8

Re: Letter of Certification for Completion of Alternative Solution

Building Permit No.	Date		
Name of Building	Group	Division	Occupancy
Building Address	Legal Description		Roll Number

I hereby give assurance that:

- I have fulfilled my obligations for field review as required for the project as outlined in the previously submitted Letter of Assurance: Schedule A (Part A and B);
- I am a registered professional who is registered in the Province of Manitoba as a member in good standing in the Engineers Geoscientists of Manitoba or the Manitoba Association of Architects;
- I, (or a suitably qualified person reporting to me, has) have completed periodic reviews of the project at appropriate stages of construction;
- In my professional opinion, the Alternative Solutions have now been completed and installed in a satisfactory manner. Therefore, we give our assurance that the Alternative Solutions, as mentioned in our report, have been provided as intended for this project;
- I am not aware of any deficiencies, or I have reported any deficiencies to the Authority Having Jurisdiction, that would compromise compliance with the Objective, Functional and Intent Statements of applicable Acceptable Solutions.

Proponent / Design Professional:

Name _____
Company _____
Address _____
Phone _____
Fax _____
Email _____

Signature _____

(Affix professional seal)