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The Regional Municipality of Durham Report

To: Health & Social Services Committee
From: Commissioner & Medical Officer of Health
Report: #2025-MOH-1
Date: March 6, 2025

Subject:

Amending By-laws 18-98 and 19-98 to Update Fees for Health Protection Regional Activities and Ontario Building Code Activities

Recommendations:

That the Health & Social Services Committee recommends to Regional Council:

- A) That a by-law, generally in the form included as Attachment #1, that amends Regional By-law 18-98 (as last amended by By-laws 16-2022), which establishes a tariff of fees on applications for and issuance of permits under the *Building Code Act, 1992*, effective April 1, 2025, be approved; and,
 - B) That a by-law, generally in the form included as Attachment #2, that amends Regional By-law 19-98 (as last amended by By-law 17-2022), which establishes a tariff of fees and charges for certain services provided by the Health Department, under the *Planning Act*, effective April 1, 2025, be approved.
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Report:

1. Purpose

- 1.1 To seek approval of the attached amending by-law which amends By-law 18-98, a by-law to prescribe a tariff of fees on applications for and issuance of permits under the *Building Code Act, 1992* (see Attachment #1).
- 1.2 To seek approval of the attached amending by-law which amends By-law 19-98, a by-law to impose fees for services provided by the Durham Region Health Department (DRHD) (see Attachment #2).

2. Background

- 2.1 The *Building Code Act, 1992* allows an upper-tier municipality to enter into an agreement with a local municipality to delegate to the upper-tier the administration and enforcement of the *Building Code Act, 1992* and the Ontario *Building Code* (OBC) as it relates to private sewage systems.
- 2.2 Since 1998, Region of Durham has entered into Sewage System Management Agreements for the administration and enforcement of the OBC for private sewage systems with the Town of Ajax, Township of Brock, Municipality of Clarington, City of Pickering, Township of Scugog, Township of Uxbridge and Town of Whitby.
- 2.3 As part of the delegation of OBC administration and enforcement for sewage systems, applications under the *Planning Act* are circulated to DRHD by the area municipalities for developments that require private sewage servicing.
- 2.4 Section 7 of the *Building Code Act, 1992* provides that the Council of an upper-tier municipality that has entered into an agreement with a local municipality may, by by-law, require the payment of fees for services provided under OBC and may prescribe the amounts of such fees.
- 2.5 DRHD fees for the administration and enforcement of the OBC and the review of related *Planning Act* applications involving private sewage systems have been included in By-laws 18-98 and 19-98. The fees have been typically updated every three years.

3. Current Status

- 3.1 The fees set forth in Regional By-law 18-98 (as amended) are the fees which are charged to the public for the administration and enforcement provided by the Region of Durham under the Sewage System Management Agreements and the OBC.
- 3.2 The fees set forth in Regional By-law 19-98 (as amended) are the fees which are charged to the applicants for reviewing *Planning Act* applications involving private sewage servicing regulated under the OBC.
- 3.3 The updated 2025 fees set forth in the amending by-laws reflect a 3.75 per cent increase from the 2024 fees in current By-law 16-2022 and By-law 17-2022. The 2026 and 2027 fees reflect a 3.25 per cent annual increase, respectively. These adjustments are designed to better reflect the cost of providing our services and to ensure continued quality and efficiency.
- 3.4 The updated 2025 fee structure also introduces five new fees for services provided under the OBC. These additions are intended to align with current industry practices and trends, address existing gaps in our fee structure, and ensure consistency with other OBC Regulatory Authorities. It is important to note that the new fees will only

be applicable to those who require additional services beyond what is covered by the required application fee.

- 3.5 The estimated annual costs of DRHD to provide the related services under the OBC is approximately \$409,000. The fees are set by using a user-payer approach to cover the costs to DRHD of providing the services.

4. Previous Reports

- 4.1 Report [#2022-MOH-2](#), approved by Regional Council on March 23, 2022 authorized that:
- a. A by-law, generally in the form included as Attachment #1 to Report #2022-MOH-2 of the Commissioner and Medical Officer of Health, that amends Regional By-law 18-98 (as amended by By-laws 14-2007, 01-2016 and 16-2019), which establishes a tariff of fees on applications for and issuance of permits under the *Building Code Act, 1992*, effective April 1, 2022, be approved; and
 - b. That a by-law, generally in the form included as Attachment #2 to Report #2022-MOH-2, that amends Regional By-law 19-98 (as amended by By-laws 31-98, 15-2007, 02-2016 and 17-2019), which establishes a tariff of fees and charges for certain services provided by the Health Department, under the *Planning Act*, effective April 1, 2022, be approved.

5. Relationship to Strategic Plan

- 5.1 This report aligns with the following strategic direction and pathway in Durham Region's 2025-2035 Strategic Plan:
- a. Strategic Direction: Strong Relationships
 - Pathway S5: Ensure accountable and transparent decision-making to serve community needs, while responsibly managing available resources.

6. Conclusion

- 6.1 It is recommended that the fees and increases for 2025 to 2027 for Health Protection activities relating to OBC for private sewage systems be updated and that the amending by-laws, generally in the form included in Attachment #1 and Attachment #2, be approved.

7. Attachments

Attachment #1: By-law to amend Regional By-law 18-98 as amended.

Attachment #2: By-law to amend Regional By-law 19-98 as amended.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

Attachment #1

**By-law Number **-2025
of The Regional Municipality of Durham**

Being a by-law to amend By-law 18-1998 as amended, to prescribe a tariff of fees on applications for and issuance of permits under the Building Code Act.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

- That By-law 18-1998 as amended is hereby amended by deleting the chart contained in Schedule A and replacing it with the following chart:

Health Protection: Ontario Building Code (OBC) Activities

Grouping	Description	Unit	Rate \$ Excludin g HST	HST Applicable (Y/N)	Invoice (I) / Direct Charge (D)	Effective Date
Building Permit for a Private Sewage System	Residential Occupancy		\$1,082	N	D	April 1, 2025
			\$1,117	N	D	April 1, 2026
			\$1,153	N	D	April 1, 2027
	Non- Residential/Institutional	<4,500 L/day	\$1,082	N	D	April 1, 2025
			\$1,117	N	D	April 1, 2026
			\$1,153	N	D	April 1, 2027
	Large Commercial/Industrial	>4,500 - 10,000 L/day	\$2,303	N	D	April 1, 2025
			\$2,378	N	D	April 1, 2026
			\$2,455	N	D	April 1, 2027

Building Permit for Class 2 and 3 septic systems and treatment unit/septic Tank Replacement Only			\$552	N	D	April 1, 2025
			\$570	N	D	April 1, 2026
			\$589	N	D	April 1, 2027
Amendment to Building Permit			\$200	N	D	April 1, 2025
			\$207	N	D	April 1, 2026
			\$214	N	D	April 1, 2027
Additional Inspection			\$295	N	D	April 1, 2025
			\$305	N	D	April 1, 2026
			\$315	N	D	April 1, 2027
Transfer of Permit			\$100	N	D	April 1, 2025
			\$103	N	D	April 1, 2026
			\$106	N	D	April 1, 2027
Alternative Solution Application (In addition to the permit fee)			\$225	N	D	April 1, 2025
			\$232	N	D	April 1, 2026
			\$240	N	D	April 1, 2027

Building Additions			\$262	N	D	April 1, 2025
			\$271	N	D	April 1, 2026
			\$280	N	D	April 1, 2027
Building Permit for sewage system extensions (1year)		Per application	\$203	N	D	April 1, 2025
			\$210	N	D	April 1, 2026
			\$217	N	D	April 1, 2027

This By-law Read and Passed on the -----th day of -----, 2025.

 J. Henry, Regional Chair and CEO

 Alexander Harras, Regional Clerk

Attachment #2

By-law Number **-2025 of The Regional Municipality of Durham

Being a by-law to amend By-law 19-1998 as amended to impose fees for services provided by the Health Department of The Regional Municipality of Durham.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That Schedule A of By-law 19-1998 as amended, be amended by removing the existing Schedule A and replacing it with the following:

Health Protection: Regional Activities

Description	Unit	Rate \$ Excluding HST	HST Applicable (Y/N)	Invoice (I) / Direct Charge (D)	Effective Date
Lot Consents (Severances)	Per lot	\$609	N	D	April 1, 2025
		\$629	N	D	April 1, 2026
		\$649	N	D	April 1, 2027
Draft Plans of Subdivision (new)	Per lot creation	\$440	N	D	April 1, 2025
		\$454	N	D	April 1, 2026
		\$469	N	D	April 1, 2027
Draft Plans of Subdivision requiring reassessment	Per lot creation	\$440	N	D	April 1, 2025
		\$454	N	D	April 1, 2026
		\$469	N	D	April 1, 2027
Rezoning, Official Plan Amendments, Minor Variances, Site-servicing Plans	Per application	\$303	N	D	April 1, 2025
		\$313	N	D	April 1, 2026
		\$323	N	D	April 1, 2027

Septic Record Search	Per property	\$55	N	D	April 1, 2025
		\$57	N	D	April 1, 2026
		\$59	N	D	April 1, 2027
Lawyers' Written Requests	Per application	\$55	N	D	April 1, 2025
		\$57	N	D	April 1, 2026
		\$59	N	D	April 1, 2027
Peer Review	Per initial report	\$303	N	D	April 1, 2025
		\$313	N	D	April 1, 2026
		\$323	N	D	April 1, 2027
	Per follow-up report(s)	\$129	N	D	April 1, 2025
		\$133	N	D	April 1, 2026
		\$137	N	D	April 1, 2027

This By-law Read and Passed on the -----th day of -----, 2025.

 J. Henry, Regional Chair and CEO

 Alexander Harras, Regional Clerk