

The Corporation of The City of Kawartha Lakes

Office Consolidation of By-Law 2012-019

Consolidated on January 4, 2021

Passed by Council on February 7, 2012

Amendments:

- | | | |
|--------------------|-------------------|---|
| 1) By-law 2014-114 | April 8, 2014 | Sections 2.08, 3.01, 3.03, 4.01, 4.02, 5.01, 6.03, 7.02, 10.00, & Schedules A & B |
| 2) By-law 2016-132 | June 28, 2016 | Section 10.02 |
| 3) By-law 2017-122 | June 6, 2017 | Section 3.04, 3.13, 3.14, 4.05, 4.06, 6.09, 6.10 & Schedules A & B |
| 4) By-law 2018-026 | March 5, 2018 | Section 3.17, 4.08, Schedule A |
| 5) By-law 2019-075 | April 23, 2019 | Section 1.07 and Schedule C |
| 6) By-law 2020-153 | December 15, 2020 | Section Schedule A |

Note: This consolidation is prepared for convenience only. For accurate reference the original by-laws should be reviewed.

The Corporation of The City of Kawartha Lakes

By-Law 2012-019

A By-Law to Provide for the Administration and Enforcement of the Building Code Act, 1992 within The City of Kawartha Lakes

Recitals:

1. Whereas Subsection 3(1) of the Building Code Act, 1992, S.O. 1992, chapter 23, provides that the Council of The Corporation of the City of Kawartha Lakes is responsible for the enforcement of the Building Code Act, 1992 within the City of Kawartha Lakes; and
2. Whereas Section 7 of the Building Code Act, 1992 authorizes the Council of a municipality to pass certain By-laws prescribing classes of permits, permit application documents, fees, inspections and other related matters.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2012-019.

Section 1.00: Definitions and Interpretation

1.01 This By-law may be cited as the Building By-law.

1.02 **Definitions:** In this By-law

- (a) **“act”** means the Building Code Act, 1992, S.O. 1992, chapter 23 as amended;
- (b) **“alternative solution”** means a substitute for an acceptable solution, proposed by an applicant pursuant to Division A, article 1.2.1.1. of the Ontario Building Code;
- (c) **“as constructed plans”** means as constructed plans as defined in the building code
- (d) **“applicant”** means a person who applies for a permit and includes any person authorized by an owner to apply for a permit on the owner’s behalf;
- (e) **“architect”** means a holder of a licence, a certificate of practice, or a temporary licence under the Architect’s Act as defined in the building code;
- (f) **“building”** means a building as defined in Subsection 1(1) of the Act;
- (g) **“building code”** means the regulations made under Section 34 of the Act;
- (h) **“Chief Building Official”** means the person appointed by the Council as the Chief Building Official for the purpose of enforcement of the Act or the Deputy Chief Building Official acting in the capacity of the Chief Building Official from time-to-time in respect to Section 1.1.(6)(c) of the Act;
- (i) **“construction value”** means the value prescribed by the Chief Building Official to represent the total value of all work, services and material associated with the construction for which a permit is applied;
- (j) **“Council”** means the Council of the Corporation of the City of Kawartha Lakes

- (k) **“deficient permit”** means a permit in respect of which,
- (i) an inspection notice or order to comply has been issued by an inspector, or
 - (ii) an inspection required under the building code of this By-law that has not been arranged
- and six months or more have elapsed after the date the notice was issued or the inspection was required;
- (l) **“Deputy Chief Building Official”** means the person appointed by the Council as the Deputy Chief Building Official for the purpose of enforcement of the Act;
- (m) **“holiday”** means days when the offices of the City of Kawartha Lakes are not open for transaction of business with the public;
- (n) **“inspector”** means an inspector appointed by by-law by the Corporation of the City of Kawartha Lakes for the purposes of enforcement of the Act;
- (o) **“municipal housing project facilities”** means the municipal housing project facilities class of municipal capital facilities, as set out in Ontario Regulation 46/94, as amended.
- (p) **“owner”** means the registered owner of the land upon which is located, or will be located, the building or part thereof for which an application for a permit is, or has been made;
- (q) **“permit”** means permission or authorization given, in writing, by the Chief Building Official;
- (i) to perform work regulated by the Act or the building code or both;
 - (ii) to change the use of a building or part of a building as regulated by the Act or the building code or both, or
 - (iii) to occupy a building or part thereof;
- (r) **“permit holder”** means an owner to whom a permit has been issued, or where a permit has been transferred, the transferee;
- (s) **“professional engineer”** means a person who holds a licence or a temporary licence under the Professional Engineer’s Act;

- (t) **“registered code agency”** means a person or an entity that has the qualifications and meets the requirements set out in the Act; and
 - (u) **“restricted access lot”** means a parcel of land that does not have a municipally maintained road to any of its property lines and requires specialized transportation for inspection purposes.
- 1.03 Any word or term not defined in this By-law shall have the meaning ascribed to it in the Act or the building code.
- 1.04 The schedules attached to this by-law shall form part of this by-law and shall be enforceable as such.
- 1.05 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.
- 1.06 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.
- 1.07 **Code of Conduct for Building Officials:** Chief Building Official, Deputy Chief Building Officials and inspectors appointed by Council under subsection 3(2) of the Building Code Act, 1992, shall be governed by the Code of Conduct set out in Schedule “C” to this By-law, with respect to exercising powers and performing duties under the Building Code Act.

2019-075 effective April 23, 2019

Section 2.00: Classes of Permits

- 2.01 **Building Permit:** A Building Permit is a Permit respecting the complete construction of a building or part of a building.
- 2.02 **Partial Building Permit:** A Partial Building Permit is a Permit respecting the partial construction of a building or part of a building.
- 2.03 **Conditional Building Permit:** A Conditional Building Permit is a Permit respecting the construction of a building subject to conditions imposed pursuant to subsection 8(3) of the Act.
- 2.04 **Demolition Permit:** A Demolition Permit is a Permit respecting the demolition of a building or part of a building.
- 2.05 **Change of Use Permit:** A Change of Use Permit is a Permit respecting a change in use of a building or part of a building which results in an increase

in hazard as determined by the Chief Building Official in accordance with the building code.

- 2.06 **Site Servicing Permit:** A Site Servicing Permit is a Permit respecting the exterior underground services (i.e. water, sanitary, drainage mains and appurtenances) on a property servicing one or more buildings.
- 2.07 **Occupancy Permit:** An Occupancy Permit is a permit respecting the authorization to occupy an unfinished building under Division C, article 1.3.3.1. of the building code.
- 2.08 **Sewage System Permits:** A Sewage System Permit is a Permit respecting the installation or repair of on-site sewage systems (with daily design flows less than ten thousand (10,000) litres).”

2014-114, effective April 8, 2014

Section 3.00: Permit Applications and Issuance

- 3.01 An Applicant shall file a complete application on the form prescribed by the Act and available from the Chief Building Official or from the Province of Ontario, together with the applicable requirements set out in 3.02 to 3.08.
2014-114, effective April 8, 2014
- 3.02 **Building Permits:** Every application for a building permit under Subsection 8(1) of the Act shall,
- (a) identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof, for which the application for a permit is made;
 - (b) be accompanied by the plans, specifications, documents and other information prescribed in Section 4.00 and Schedule B;
 - (c) be accompanied by the appropriate fee calculated in accordance with Schedule A.
- 3.03 **Sewage System Permits:** Every application for a sewage system permit under Subsection 8(1) of the Act shall,
- (a) Identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof, for which the application for a sewage system permit is made;
 - (b) Be accompanied by the plans, specifications, documents and other information prescribed in Section 4.00 and Schedule B; and
 - (c) Be accompanied by the appropriate fee calculated in accordance with Schedule A.

3.04 **Demolition Permits:** Every application for a demolition permit under Subsection 8(1) of the Act shall,

- (a) identify and describe in detail the work to be done and the existing use and occupancy of the building, or part thereof, for which the application for a permit is made, and the proposed use and occupancy of that part of the building, if any, that will remain upon completion of the demolition;
- (b) be accompanied by the plans, specifications, documents and other information prescribed in Section 4.00 and Schedule B;
- (c) be accompanied by the appropriate fee calculated in accordance with Schedule A Table 2; and
- (d) be accompanied by confirmation that arrangements have been made with the proper authorities for the safe and complete disconnection of all existing municipal water and sewer, natural gas, electrical service, telephone and other utilities.

By-law 2017-122, effective June 6, 2017 or January 1, 2018

3.05 **Partial Building Permits:** Every application for a partial building permit shall,

- (a) Include an application for the entire project;
- (b) Include plans and specifications covering the part of the work for which more expeditious approval is desired, together with such information, plans and specifications pertaining to the remainder of the work as may be required by the Chief Building Official; and
- (c) be accompanied by the appropriate fee calculated in accordance with Schedule A.

3.05 **Conditional Building Permits:** Every application for a conditional building permit under Subsection 8(3) of the Act shall,

- (a) comply with the requirements set out in Section 3.02 in this By-law; and
- (b) be accompanied by,
 - (i) a written statement from the applicant explaining why the applicant believes that unreasonable delays in construction would occur if a conditional building permit is not issued;

- (ii) a written acknowledgement from the applicant of the necessary approvals which must be obtained in respect of the proposed construction and the time period in which such approvals shall be obtained by the applicant;
 - (iii) a written agreement, in a form provided by the Chief Building Official, executed by the applicant, the owner and such other necessary persons the Chief Building Official determines for the purposes set out in clause 8(3)(c) of the Act; and
 - (iv) the conditional permit fee in accordance with Schedule A.
- 3.06 The Chief Building Official is hereby authorized to execute on behalf of The Corporation of the City of Kawartha Lakes the written agreement referred to in clause 3.04(b)(iii) as part of the conditional building permit application.
- 3.07 **Change of Use Permits:** Every application for a change of use permit under Subsection 10(1) of the Act shall,
- (a) identify and describe in detail the existing and proposed use and occupancy of the building, or part thereof, for which the application for a permit is made;
 - (b) be accompanied by plans and specifications which show the current and proposed occupancy of all parts of the building and which contain sufficient information to establish compliance with the building code, including, but not necessarily limited to, floor plans and details of wall, ceiling and roof assemblies identifying existing fire resistance ratings and load bearing capacities;
 - (c) be accompanied by the appropriate fee in accordance with Schedule A Table 2; and
 - (d) be accompanied by the completed documents prescribed in Schedule B.
- 3.08 **Occupancy Permits for Unfinished Buildings:** Every request for authorization to occupy an unfinished building under Division C, Article 1.3.3.1. of the building code shall,
- (a) identify and describe in detail the occupancy, the date of such occupancy, and the building or part thereof for which the request for a permit is made;
 - (b) be accompanied by plans which show the areas of the proposed occupancy; and

- (c) if request is made after occupancy occurs, be accompanied by the administration fee in accordance with Schedule A Table 2.
- 3.09 Every request for authorization to occupy an unfinished building under Division C, article 1.3.3.4. of the building code shall,
- (a) identify the building or part thereof for which the request for a permit is made; and
 - (b) if request is made after occupancy occurs, be accompanied by the administration fee in accordance with Schedule A Table 2.
- 3.10 **No Implied Future Permits:** The Chief Building Official shall not, by reason of the issuance of a Conditional Permit or a Partial Permit, be under any obligation to grant any further Permits.
- 3.11 **Revision to Issued Permit:** Should a permit holder wish to make any material change to any plan, specification, document or other information on the basis of which the permit was issued, the permit holder shall file an application for a revision to the permit which describes the material changes, and shall pay the fee set out in Schedule A.
- 3.12 **Incomplete Permit Applications:** An application shall be deemed not to be complete according to Division C, Sentence 1.3.1.3.(5) of the building code, where any of the applicable requirements of Sections 3.01 to 3.07 have not been complied with.
- 3.13 **Abandoned Permit Applications:** An application for a permit shall be deemed to have been abandoned by the applicant where the application is incomplete according to Section 3.12 and remains incomplete twelve months after it was submitted.
By-law 2017-122, effective June 6, 2017 or January 1, 2018
- 3.14 Where an application is deemed abandoned, one copy of all submitted plans, specifications and documents shall be retained by the municipality. Subsequent copies shall be disposed of, or upon written request from the applicant, returned to the applicant at their own expense.
By-law 2017-122, effective June 6, 2017 or January 1, 2018
- 3.15 **Transfer of Permits:** If the owner of the land changes after a permit has been issued, the permit may be transferred to the new owner (the “transferee”) of the lands where an application is filed with the City in writing, in accordance with this section and shall include,
- (a) proof of ownership of the lands by the transferee satisfactory to the Chief Building Official;

- (b) confirmation that the work to be done and the existing and proposed use and occupancy of the building or part thereof, for which the application for the transfer of the permit is made, is the same as that identified and described on the application of the permit;
 - (c) the name, address, telephone number, facsimile number and email address of the proposed designer, architect and/or professional engineer, and their building code qualifications, where they are different from those identified in the application for the permit, or a written confirmation from the designer, architect and/or professional engineer(s), that they have been retained to continue to provide design services in respect to the project;
 - (d) where the proposed transferee is a builder as defined in the Ontario New Home Warranties Plan Act, the proposed transferee's registration number under that Act; and
 - (e) the appropriate fee in accordance with Schedule A Table 1.
- 3.16 Upon the issuance of transfer of a permit to the transferee, the transferee shall be deemed to be the permit holder and the original permit holder shall have no further rights or obligations under the permit save and except for any obligations set out in any agreements entered into for the purposes of clause 8(3)(c) of the Act.
- 3.17 Every application for a building permit under 8(1) which proposed to use a Registered Code Agency, as outlined in Section 4.2 of the Act shall,
- (a) Be accompanied by such information as may be prescribed by the regulation, as well as such information required elsewhere in Section 3.00 of this by-law;
 - (b) Be accompanied by the notice required in Subsection 15.14(1) of the Act;
 - (c) Clearly outline which functions, as listed in Section 15.15 of the Act, the Registered Code Agency is appointed to perform with respect to the application; and
 - (d) Be accompanied by the appropriate fee calculated in accordance with Schedule A.

Section 4.00: Plans and Specifications

- 4.01 Every applicant shall submit sufficient plans, specifications, documents and other information to enable the Chief Building Official to determine whether the proposed building, construction, sewage system, demolition or change of use will contravene the Act, the building code or any other applicable law.

By-law 2014-114, effective April 8, 2014

- 4.02 The Chief Building Official shall determine the plans, specifications, documents and other information required to be submitted with an application in order to deem it complete according to Division C, Sentence 1.3.1.3.(5) of the building code, having regard for the scope of the proposed work and the requirements of the building code, the Act and other applicable law, the requirements of this Section and Schedule B.

By-law 2014-114, effective April 8, 2014

- 4.03 Plans, specifications, documents and other information shall be submitted in a permanent medium upon paper or other suitable and durable material and shall contain text that is legible and drawings that are legible, complete, fully dimensioned and to scale.

- 4.04 Site plans submitted by an applicant shall be referenced to a current plan of survey prepared and certified by an Ontario Land Surveyor, and a copy of the survey shall accompany the site plan submission, except where the Chief Building Official waives the requirement to do so.

- 4.05 On the completion of the foundation for a detached, semi-detached, triplex, fourplex or townhouse dwelling, the applicant shall submit to the Chief Building Official confirmation from an Ontario Land Surveyor certifying the location and elevation of the top of the foundation wall and confirming general conformity with the approved site grading plan, prior to a framing inspection being undertaken.

By-law 2017-122, effective June 6, 2017 or January 1, 2018

- 4.06 On the completion of the construction of a building, or part of a building, the Chief Building Official may require submission of a set of plans of the building or part of a building, as constructed, together with a plan of the survey prepared and certified by an Ontario Land Surveyor showing the location of the building.

- 4.07 Where an application to construct a residential dwelling type, as listed in 4.05, relates to a property with an area greater than 0.4 hectare (1 Acre), the requirement to submit a lot grading and drainage plan prepared by an Ontario Land Surveyor is waived provided the dwelling is located such that the minimum setbacks are equal to five times the required setback, as regulated by the applicable zoning by-law, save and except an exterior/flankage side yard is a minimum two times the required setback.

Further, where the above factors result in a setback requirement greater than 30m, this will be deemed sufficient.

By-law 2017-122, effective June 6, 2017 or January 1, 2018

- 4.08 Where an applicant elects to use a Registered Code Agency under Section 4.2 of the Act, the Registered Code Agency shall submit to the Chief Building Official all required documentation, reports, notices, orders, certificates, etc., as required by Section 4.2 of the Act, including but not limited to plans review certificates, change certificates, inspection reports and final certificates.

By-law 2018-026, effective March 6, 2018

Section 5.00: Authorization of Alternative Solutions

- 5.01 Where the prescriptive requirements or acceptable solutions of Division B of the building code are not met, the Chief Building Official may approve an alternative solution under Division C, Part 2 of the building code. An alternative solution proposal may be requested for a system or building design at the time of permit application, or if a material change is necessary to a plan, specification, document or other information on the basis of which a permit is issued. The applicant shall submit,

- (a) A completed "Application for an Alternative Solution" on the form available from the Chief Building Official;
- (b) A description of the applicable objectives, functional statements and acceptable solutions;
- (c) a description of the proposed material, system or building design for which authorization is sought;
- (d) Supporting documentation demonstrating that the proposed material system or building design will provide the level of performance required by the building code; and
- (e) Payment of the required fee as set out in Schedule A Table 1.

By-law 2014-114, effective April 8, 2014

- 5.02 The Chief Building Official or registered code agency may accept or reject any proposed alternative solutions and may impose conditions or limitations on their use.
- 5.03 Alternative solutions that are accepted under this section shall be applicable only to the location described in the application, and are not transferable to any other permit.

Section 6.00: Fees and Refunds

6.01 The Chief Building Official, or designate, shall determine the fee to be paid with every permit application, calculated in accordance with Schedule A and the fee shall be due and payable, in full, upon the submission of the application for a permit.

6.02 Administrative fees imposed after issuance of a permit are due at the time the service is requested or required, in accordance with Schedule A.

6.03 A minimum permit fee of \$150.00 shall be charged for all work unless otherwise stated in this by-law.

By-law 2014-114, effective April 8, 2014

6.04 Where an application for a permit is subject to additional fees prescribed by the City, the fees so prescribed shall be paid in addition to the fees set out in Schedule A.

6.05 **Fee Refunds:** Where an application for a permit is withdrawn, in writing, abandoned or where a permit is denied or revoked by the Chief Building Official, upon written request of the applicant the Chief Building Official shall determine what proportion of the permit fees, if any, may be refunded in accordance with this Section, based upon the functions undertaken by the City, as follows:

- (a) Eighty-five (85%) percent of the permit fee paid if the application is withdrawn or abandoned after the permit is entered on the City's permit control system;
- (b) Seventy-five (75%) percent of the permit fee paid if the application is withdrawn or abandoned after internal departmental circulation (i.e. zoning, site plan control, grading, etc.);
- (c) Sixty-five (65%) percent of the permit fee paid if the application is withdrawn or abandoned after preliminary plans review has been performed;
- (d) Fifty-five (55%) percent of the permit fee paid if the application is withdrawn or abandoned after final plans review has been completed; and
- (e) Forty-five (45%) percent of the permit fee paid if the application is withdrawn or abandoned after the permit has been issued.

6.06 Administrative fees are non-refundable.

- 6.07 Any amount authorized by the Chief Building Official to be refunded shall be paid to the person named on the fee receipt issued by the City upon original payment of the fee, unless that person directs, in writing, that it be refunded to another person.
- 6.08 **Where Refunds Not Available:** No refund of any portion of the permit fee paid shall be made in the following circumstances:
- (a) Where any construction or demolition has commenced;
 - (b) Where at least one (1) field inspection has been made;
 - (c) Where the calculation in accordance with Section 6.05 yields a payment of less than one hundred (\$100.00) dollars;
 - (d) Where a permit was revoked (except where the revocation is due to an error by the City); and
 - (e) In circumstances where the application has been deemed to have been abandoned in accordance with Section 3.12 of this by-law, and the applicant has not contacted the city for a period of longer than twelve (12) months.
- 6.09 Should it be deemed necessary upon the completion of an Existing Sewage System Review application that the Sewage System requires upgrading, the fees paid in relation to the Existing System Review application will be deducted from fees applicable to Full System Replacement or Holding Tank.
By-law 2017-122, effective June 6, 2017 or January 1, 2018
- 6.10 All flat fees shall be rounded up to the next whole dollar. All other fees shall be rounded up to the next quarter dollar (0.25 cents).
By-law 2017-122, effective June 6, 2017 or January 1, 2018

Section 7.00: Inspection Notices

- 7.01 A notice required to be given by a permit holder to the Chief Building Official or registered code agency pursuant to Division C, Subsection 1.3.5. of the building code shall be given to the Chief Building Official or registered code agency at least two days in advance of the construction stage in which notice is being given. For the purpose of inspection notices, the term day means any Monday, Tuesday, Wednesday, Thursday or Friday other than a holiday.
- 7.02 A notice required to be given by a sewage system permit holder to the Chief Building Official or registered code agency pursuant to Division C, Subsection 1.3.5. of the building code shall be given to the Chief Building Official or registered code agency at least five days in advance of the

construction stage in which notice is being given. For the purpose of inspection notices, the term day means any Monday, Tuesday, Wednesday, Thursday or Friday other than a holiday

By-law 2014-114, effective April 8, 2014

- 7.03 A notice given to the Chief Building Official, inspector, or registered code agency pursuant to Division C, Subsection 1.3.5 of the building code and this Section shall not be effective until actually received by the Chief Building Official, inspector or registered code agency as the case may be.
- 7.04 In addition to the notices prescribed by the building code, the permit holder shall also give notice to the Chief Building Official or registered code agency of the following stages of construction:
- (a) commencement of construction of,
 - (i) masonry fireplaces and masonry chimneys;
 - (ii) factory-built fireplaces and allied chimneys; or
 - (iii) stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys.

Section 8.00: Enforcement and Penalties

- 8.01 Any person who contravenes any provision of this By-law is guilty of an offence and, upon conviction, is liable to the provisions and penalties prescribed in the Act.
- 8.02 In addition to any penalties imposed through prosecution of an offence pursuant to this By-law, the City is entitled to use all legal means at its disposal to collect the fees applicable pursuant to this By-law. Any and all collection methods lawfully applicable may be relied upon, including placement of unpaid fees on the tax collector's roll for the property in question.

Section 9.00: Administration and Effective Date

- 9.01 **Administration of the By-law:** The Chief Building Official is responsible for the administration of this by-law.
- 9.02 **Review of By-law:** The Chief Building Official shall review the by-law both annually and coinciding with the building code cycle to ensure compliance with legislation.
- 9.03 **Effective Date:** This By-law shall come into force on the date it is finally passed.

Section 10.00: Exemptions

10.01 Despite sections 3.02 (c), for the lands known as Plan 93 Lots 3 & 4 & Pt Lot 5 & Plan 8P Pt Pk Lot E, RP57R2331, that the building permit fees applicable to the proposed construction of the five single and/or semi-detached dwellings to be constructed by Habitat for Humanity Peterborough & District on the Hamilton Street, Lindsay, property as outlined in Council Report SH2014-002, be waived.

By-law 2014-114, effective April 8, 2014

10.02 Despite sections 3.02 (c), that the building permit fees applicable to the private servicing for the properties located within the mandatory connect pilot project being undertaken in Fenelon Falls commencing in 2016 as outlined in July 2014 Council presentation titled “WWW Mandatory Connects and Stormwater Disconnect Correct Program”, be waived.”

By-law 2016-132, effective June 28, 2016

By-law read a first, second and third time, and finally passed, this 7th day of February, 2012.

Ric McGee, Mayor

Judy Currins, City Clerk

Schedule A – By-law 2012-019

By-law 2014-114, effective April 8, 2014
 By-law 2017-122, effective June 6, 2017 or January 1, 2018

Table 1 - Administration Fees

Item	Type of Fee	Fee Payable
1	Where work has commenced prior to issuance of a permit	Applicable fee from Schedule A Table 2 plus an increase of 100%
2	Where Schedule A Table 1 Item 1 applies and where a minor variance from the applicable zoning by-law would be required	Fee calculated as per Schedule A Table 1 Item 1 plus an additional increase of 100%
3	Partial Building Permit	10% of applicable fee from Schedule A Table 2, with a minimum of \$100.00 and a maximum of \$500.00
4	Conditional Building Permit	10% of applicable fee from Schedule A Table 2, with a minimum of \$100.00 and a maximum of \$1000.00
5	Transfer of Permit	\$150.00
6	Minor Revision to Plans which have already been examined by the City – constitutes less than 25% of the design	\$150.00
7	Major Revision/Full Design Replacement to Plans which have already been examined by the City	50% of original fee paid, with a minimum of \$100 and a maximum of \$500
8	Re-inspection to correct identified deficiencies	1 free inspection per category then \$150.00/inspection
9	Alternative Solution Application/Evaluation	\$1,000.00

10	Retrieval of building or sewage permit records from archives – request must be in writing	\$25.00 plus additional \$50.00 if request results in an inspection being required
11	Liquor License Approval requests which result in an on-site inspection	\$50.00
12	Site inspection to determine Occupant Load	\$50.00
13	Building and Septic Compliance Letter	\$150.00
14	Inspection resulting from file greater than 2 years old	\$50.00 per inspection
15	Records Archival Fee	\$10.00 per file

Schedule A – By-law 2018-026

Schedule A – By-law 2012-019

Table 2 - Fees Payable for Building Permits

Item	Class of Permit	Fee Payable
1	Building Permit	See Schedule A Table 3
2	Sewage System Permit – under 10,000 litres/day	See Schedule A Table 4
3	Demolition Permit	
	Requiring a Professional Engineer’s review as required by OBC	\$300.00
	All others	\$150.00
4	Conditional Building Permit	Applicable fee from Schedule A Table 3 plus administration fee from Schedule A Table 1
5	Change of Use Permit	\$200.00
6	Partial Building Permit	Applicable fee from Schedule A Table 3 plus administration fee from Schedule A Table 1
7	Site Servicing Permit where application is filed separately from remainder of construction permit – no additional fee if included with construction permit it serves	2.5% of Construction Value
8	Occupancy Permit for Unfinished Building, where occupancy has occurred without an occupancy permit	\$150.00
9	Mandatory Maintenance Inspection Program Inspections , where the inspection does not occur during the annual scheduled time slot for the property	\$125.00
10	Permits for Restricted Access Lots	Twice the otherwise applicable fee pursuant to this By-law
11	Applicant Appointed RCA Permit for which an RCA is appointed for plans review stage only	65% of applicable fee from Schedule A Table 2

12	Applicant Appointed RCA Permit for which an RCA is appointed for inspection stage only	35% of applicable fee from Schedule A Table 2
13	Applicant Appointed RCA Permit for which an RCA is appointed for both plans review stage and inspection stage	25% of applicable fee from Schedule A Table 2

Schedule A – By-law 2017-122

Schedule A – By-law 2012-019

Table 3 - Fees Payable for Building Permits

Item	New Buildings and Additions					
		2018	2019	2020	2021	2022
1	Residential Occupancies					
	for each square meter of floor area or part thereof	\$12.00	\$12.25	\$12.50	\$12.75	\$13.25
	Municipal Housing Project Facilities that have entered into agreements with the City of Kawartha Lakes under the authority of by-law enacted pursuant to Paragraph 18, Section 2 of O. Reg. 46/94, as amended	Fees for those portions of a building meeting this criteria – waived All other floor areas falling outside of the scope of the MHP agreement – applicable fee in Schedule A				
2	Garages, boathouses, foundations, unenclosed porches and sheds not included in Item 4					
	for each square meter of floor area or part thereof	\$6.50	\$6.75	\$7.00	\$7.25	\$7.50
3	Relocation of Existing Structures - including factory-built houses					

	(CAN/CSA-A277), mobile homes (CAN/CSA-Z240), park model trailers (CAN/CSA-Z241)					
	full basement or crawl space - for each square meter of floor area or part thereof	\$6.50	\$6.75	\$7.00	\$7.25	\$7.50
	all other foundation types	\$402.00	\$411.00	\$420.00	\$429.00	\$438.00
4	Minor residential structures and plumbing only, including decks, gazebos, partitioning of a basement, wood stove, tents on residential properties, storage shed (up to 20m ² & not including door >1.8m), water and sewer connection and other similar minor projects associated with residential use	\$150.00	\$153.00	\$157.00	\$161.00	\$165.00
5	Institutional Occupancies					
	for each square meter of floor area or part thereof	\$16.00	\$16.50	\$17.00	\$17.50	\$18.00
6	Commercial Occupancies					
	Shell - for each square meter of floor area or part thereof	\$14.50	\$15.00	\$15.50	\$16.00	\$16.50

	Interior partitioning and finishing - for each square meter of floor area or part thereof	\$5.00	\$5.25	\$5.50	\$5.75	\$6.00
7	Industrial Occupancies					
	for each square meter of floor area or part thereof	\$10.00	\$10.25	\$10.50	\$10.75	\$11.00
8	Minor non-residential structures and plumbing only, including school portables (each) temporary prefabricated trailers (each), temporary tent (each) and other similar minor structures associated with non-residential use	\$365.00	\$373.00	\$381.00	\$389.00	\$397.00
	Agricultural Buildings					
9	for each square meter of floor area or part thereof	\$3.00	\$3.25	\$3.50	\$3.75	\$4.00
10	Sign relating to Ontario Building Code requirements	\$150.00	\$153.00	\$157.00	\$161.00	\$165.00
11	Designated structures as defined by the Ontario Building Code					

	wind turbine facilities regulated by Environmental Protection Act, per thousand dollars of construction value, or part thereof	\$17.50	\$18.00	\$18.50	\$19.00	\$19.50
	all other designated structures (building mounted solar per roof face), per structure	\$402.00	\$411.00	\$420.00	\$429.00	\$438.00
12	Lands owned by and used for the purposes of the City of Kawartha Lakes	Otherwise applicable fee pursuant to this By-law – waived				
13	Alterations to existing buildings (not provided for in Items 1 to 12), per thousand dollars of construction value, or part thereof	\$18.50	\$19.00	\$19.50	\$20.00	\$20.50

For the proper interpretation and application of this Schedule, see Notes following.

Notes:

1. In order to determine the applicable occupancy, recourse shall be had to the building code and its appendices.
2. Floor area shall be measured to the outer face of exterior walls and to the centerline of party walls or demising walls. No deductions shall be made for openings within the floor area (eg. stairs and stair openings, ducts, elevators, escalators). Floor area shall include all habitable areas, including mezzanines, finished attics and enclosed balconies. The following shall apply to Schedule A Table 3:
 - (a) **Institutional Occupancies:** The “Institutional Occupancies” rate shall apply to the floor areas of floors, which are principally

of institutional use. Other rates shall be applied to other floors based on the principal use of the total floor area.

- (b) **Residential Occupancies:** The “Residential Occupancies: shall apply to the floor areas of the floors, which are principally of residential use. Other rates shall be applied to other floors based on the principal use of the total floor area. For detached, semi-detached and townhouse dwellings, the floor areas of the unfinished basements and decks shall not be included in the area calculations, but the fee is inclusive of these areas if proposed and constructed at the same time as the dwelling they serve.

By-law 2020-153 Effective December 15, 2020

- (c) **Commercial Occupancies:** The “Commercial Occupancies” rate shall apply to the floor areas of floors, which are principally of business and personal service or mercantile use. Other rates shall be applied to other floors based on the principal use of the total floor area.

- (d) **Industrial Occupancies:** Each “Industrial Occupancies” rate includes incidental finished office space to a maximum of 10% of the total floor area. The “Interior Partitioning and Finishing” rate shall be applied where additional finished space is provided. Other rates shall be applied to other floors based on the principal use of the total floor area.

3. “Construction Value”, as used in Item No. 11 and 13 of Schedule A Table 3, means the value of the proposed construction as determined by the Chief Building Official or a professional appraiser.
4. No additional fee applies for sprinklers, fire alarms, electromagnetic locks, or other mechanical systems or equipment proposed and installed at the same time as the construction they serve.
5. A minimum permit fee of \$150.00 shall be charged for all work as referenced in clause 6.03.

Schedule A – By-law 2017-122

Schedule A – By-law 2012-019

Table 4 - Fees Payable for Sewage System Permits and Reviews

Item	New Buildings and Additions	Fee Payable				
		2018	2019	2020	2021	2022
1	Class 4 - up to 6,000L design daily sewage flows	\$704.00	\$719.00	\$734.00	\$749.00	\$764.00
2	Class 4 - 6,000L - 10,000L design daily sewage flows	\$904.00	\$923.00	\$942.00	\$961.00	\$981.00
3	Class 4 - tank replacement or bed repair	\$350.00	\$357.00	\$365.00	\$373.00	\$381.00
4	Class 5 - holding tank	\$450.00	\$459.00	\$469.00	\$479.00	\$489.00
5	Class 2 - greywater system	\$350.00	\$357.00	\$365.00	\$373.00	\$381.00
6	Class 3 - cesspool	\$271.00	\$277.00	\$283.00	\$289.00	\$295.00
7	Existing System review for Addition/Renovation/Change of Use permit	\$200.00	\$204.00	\$209.00	\$214.00	\$219.00
8	Major Change to Permit Design Submission	\$200.00	\$204.00	\$209.00	\$214.00	\$219.00
9	Zoning/Official Plan Amendment/Site Plan Approval/Consent per lot (including lot line adjustment)/Minor Variance Application	\$250.00	\$255.00	\$261.00	\$267.00	\$273.00

10	Subdivision Application - per lot	\$250 per lot for first 5 + \$50 per lot after 5	\$255 per lot for first 5 + \$51 per lot after 5	\$261 per lot for first 5 + \$53 per lot after 5	\$267 per lot for first 5 + \$55 per lot after 5	\$273 per lot for first 5 + \$57 per lot after 5
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Schedule B – By-law 2012-019

By-law 2014-114, effective April 8, 2014
 By-law 2017-122, effective June 6, 2017 or January 1, 2018

Table 1 - Documents & Drawings required for Permit Applications

Item	Class of Permit	Documents and Drawings Required
1(a)	<p>Building Permit – Residential – New Buildings</p> <ul style="list-style-type: none"> - Detached houses - Semi-detached houses - Triplexes - Fourplexes - Townhouses 	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Mechanical Ventilation Design Summary c. Application for Sewage System* d. Municipal Water and Wastewater Request for Information Form* e. Entrance Permit Application <p>Drawings ²</p> <ul style="list-style-type: none"> a. Approved Grading Plan b. Architectural Drawings c. Structural Drawings
1(b)	<p>Building Permit – Residential Related to Existing as in 1(a)</p> <ul style="list-style-type: none"> - Alterations - Additions - Accessory Buildings 	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Application for Sewage System* c. Municipal Water and Wastewater Request for Information Form* <p>Drawings ²</p> <ul style="list-style-type: none"> a. Site Plan b. Approved Grading Plan (as required) c. Architectural Drawings – existing and proposed conditions d. Structural Drawings
2(a)	<p>Building Permit - Non-residential and other residential not provided for in Row No 1(a) or 1(b).</p> <ul style="list-style-type: none"> - New Buildings -Additions 	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Application for Sewage System* c. Municipal Water and Wastewater Request for Information Form* d. Commitment to General Reviews by Architect & Engineers e. Ontario Building code Data Matrix <p>Drawings ²</p> <ul style="list-style-type: none"> a. Approved Site Plan b. Approved Grading Plan (as required)

		<ul style="list-style-type: none"> c. Architectural Drawings– existing and proposed conditions d. Structural Drawings e. HVAC Drawings f. Plumbing Drawings g. Electrical Drawings h. Fire Protection Drawings i. Site Specific Reports j. Specifications
2(b)	<p>Building Permit - Non-residential and other residential as in 2(a)</p> <ul style="list-style-type: none"> - Alterations - Renovations -Tenant Occupancies 	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Application for Sewage System* c. Municipal Water and Wastewater Request for Information Form * d. Commitment to General Reviews by Architect & Engineers e. Ontario Building Code Data Matrix <p>Drawings ²</p> <ul style="list-style-type: none"> a. Location Plan b. Architectural Drawings– existing and proposed conditions c. Structural Drawings d. HVAC Drawings e. Plumbing Drawings f. Electrical Drawings g. Fire Protection Drawings
3.	<p>Building Permits</p> <ul style="list-style-type: none"> -Other than Items 1(a) to 2(b) above 	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Documents from Items 1(a) to 2(b), or other documents which are applicable to the scope of work proposed <p>Drawings ²</p> <ul style="list-style-type: none"> a. Drawings from Items 1(a) to 2(b) which are applicable to the scope of work proposed
4.	<p>Change of use Permit</p>	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Documents from Items 1(a) to 2(b), or other documents which are

		<p>applicable to the scope of work proposed</p> <p>Drawings</p> <ul style="list-style-type: none"> a. Location Plan b. Existing and Proposed Floor Plan c. Architectural Drawings d. HVAC Drawings
5.	Demolition Permit	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Demolition Plan Prepared by Professional Engineer * c. Commitment to General Reviews by Architect & Engineers * d. Completed Demolition Sign Off Sheet <p>Drawings</p> <ul style="list-style-type: none"> a. Site Plan
6.	Sewage System Permit – under 10,000 litres/day	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Sewage System Form Package <p>Drawings</p> <ul style="list-style-type: none"> a. Site Plan/Approved Grading Plan b. Floor Plans for all floors of structures served by the proposed system

*where applicable

Notes:

1. The documents described in this schedule are available at any City of Kawartha Lakes Service Centre or on the website.
2. All drawings to be submitted in duplicate
3. A description of the information required on drawings is contained in Schedule B Table 2.
4. The Chief Building Official may waive the requirements for any specified documents or drawings where the scope of the work, applicable law or building code requirements does not necessitate its submission.

Schedule B – By-law 2012-019

Table 2 - Information Required on Drawings

Item	Drawing Type	Information Required	Class of Permit – Schedule B Table 1 Item					
			1(a)	1(b)	2(a)	2(b)	3	4
1.	Site Plan	a. Legal description, survey property lines, property dimensions, compass orientation, location and name of adjacent roads	X	X	X	X	X	
		b. Outline of all existing and proposed buildings and structures, building dimensions and their distance to property lines.	X	X	X			
		c. Dimensions and location of parking and vehicle access, fire routes, rights of way and easements	X	X	X	X	X	
		d. Location of well, septic, municipal services, hydro service	X	X	X			
2.	Grading Plan	a. Prepared by Ontario Land Surveyor	X		X			
		b. Include all items listed in Item 1 (a) – (d)	X		X			
		c. Location of catch basins, curb cuts, retaining walls, sidewalks	X		X			
		d. Existing and proposed elevations within the site and property lines, retaining wall elevation, slopes of driveways, drainage flow and swales	X		X			
3.	Structural	a. Foundation, floor and roof framing plans, footing, column and beam schedules, details and material specifications	X	X	X	X		
		b. Design specifications, live and dead loading, wind and snow loading, earthquake loading			X	X		

		c. Structural drawings sealed by a professional engineer for all structural elements not within the scope of Part 9 of the building code	X	X	X	X		
		d. Roof and floor truss drawings sealed by a professional engineer	X	X	X	X		
4.	Architectural	a. Existing plans showing construction and room and space identification of all floors		X	X	X		X
		b. Plans of all floors including basements complete with all rooms and room names	X	X	X	X		X
		c. Roof plan showing roof slope, drainage, roof and roofing construction details	X	X	X	X		
		d. Building elevations showing grade, floor and ceiling heights, overall building height, exterior finish materials, window heights and sizes and spatial separation requirements	X	X	X	X		
		e. Construction details including proposed wall section from footing to roof, specifications of all wall, floor and roof assemblies and all building materials and construction specifications	X	X	X	X		
		f. Stairs, guards and handrail dimensions and details, window sizes and height above floor level; location and fuel type of all fireplaces	X	X	X	X		
		g. Mezzanine plan showing construction, guardrails, egress			X	X		
		h. Location and details of barrier free entrances and barrier free washrooms			X	X		
		i. Reflected ceiling plans, bulkhead details, horizontal service shaft details			X	X		
		j. Roof equipment screening anchorage for window washing, roof access			X			

		k. Building cross sections showing grade, floor and ceiling heights, horizontal and vertical fire separations	X	X	X	X		
		l. Enlarged sections and detailed plans of washrooms and exit stairs			X	X		
		m. Wall sections, plan and section construction details			X	X		
		n. Exit stair enclosure, wall construction details, fire separations and listed design numbers, door numbers referenced to a door schedule			X	X		
		o. Door and hardware schedule, door and frame details, window schedule, room finish schedule			X	X		
5.	HVAC	a. Heating, ventilating and air conditioning plans, service shafts, equipment layout and schedules			X	X		
		b. Ventilation design summary	X					
		c. Fire damper locations, kitchen exhaust equipment			X	X		X
6.	Plumbing	a. Plumbing and drainage plans, location and sizing of under and above ground storm, sanitary and water supply piping and appurtenances			X	X		
		b. Location of fire stopping, specifications of plumbing and fire stopping materials	X	X	X	X		
7.	Electrical	a. Electrical supply and distribution plans, location of power and lighting outlets, equipment schedules, transformer locations			X	X		
		b. Location and specification of emergency lighting, emergency generators and exit signage			X	X		

8.	Fire Protection	a. Fire hydrant locations, sprinkler and standpipe distribution plans and schedules; sprinkler head layout, fire hose cabinet locations			X	X		
		b. Location and specification of emergency lighting, emergency generators and exit signage, fire alarm system annunciator, diagrams and specifications			X	X		
		c. Location of smoke alarms and carbon monoxide detectors	X	X	X	X		

Notes:

1. Where indicated by an **X**, the information described is required to be included on the drawings for the class of permit specified.
2. Required information may be located or consolidated on other drawings rather than the drawing specified in the schedule.
3. The Chief Building Official may waive the requirement for any required information specified in this schedule due to limited scope of work, applicable law or building code requirements.

Schedule C – By-law 2012-019

Code of Conduct for Building Officials

Purpose

The purposes of this code of conduct are:

- To promote appropriate standards of behaviour by building officials in the exercise of their powers and performance of their duties.
- To prevent practices which may constitute an abuse of power, and
- To promote appropriate standards of honesty and integrity.

Standards of Conduct and Professionalism

Building Officials undertake at all times to:

1. Act in the public interest, particularly with regard to the safety of buildings and designated structures;
2. Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
3. Commit themselves to a process of continuous education so as to constantly be aware of developments in building design, practice and the law relevant to their duties;
4. Comply with the provisions of the Building Code Act, the Building Code and any other Act or applicable Law that regulates or governs Building Officials of their functions;
5. Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;
6. Not act beyond their level of competence or outside their area of expertise;
7. Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties or members of municipal council;
8. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
9. Not divulge any confidential or sensitive information or material, that they became privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy;
10. Extend professional courtesy to all;
11. Not act officiously or permit personal feelings, prejudices, animosities or friendships to influence decisions;
12. Recognize the appointment under the Building Code Act as a symbol of public faith;
13. Maintain current accreditation to perform the functions assigned to them;

14. Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties; and,
15. Demonstrate compliance with all regulations and standards that govern building construction, health & safety or other matters related to their status as a building official.

Guideline for responding to misconduct allegations

The Building Code Act provides that the performance of Building Officials will be measured against this code of conduct. In response to any allegation of a breach of this code, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this code of conduct. Where the allegation is against the chief building official, the Director of Development Services and/or the Chief Administrative Officer will direct the investigation and make such recommendations as are reasonable.

In determining the appropriate discipline, the Chief Building Official or the Director of Development Services and/or the Chief Administrative Officer will have regard to the relevance of the conduct to the official's powers and responsibilities as well as the severity of any misconduct.

2019-075 effective April 23, 2019