

The Corporation of The City of Kawartha Lakes

By-Law 2021-161

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 2021-161.

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 arrangedand 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.

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).”

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.
- 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; 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.

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.

3.06 **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.

3.07 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.

3.08 **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; and
- d) be accompanied by the completed documents prescribed in Schedule B.

3.09 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.

3.010 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.

3.011 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.

3.012 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.

3.013 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.

- 3.014 **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.
- 3.015 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.
- 3.016 **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 an active sewage system permit relates to the subject project, the sewage system permit must also be transferred or replaced, following Section 3.03 or 3.15, whichever is applicable, based on a review by the Supervisor of Part 8 Sewage Systems;
 - e) 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
 - f) the appropriate fee in accordance with Schedule A.
- 3.017 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.

- 3.018 Permit Application Using a Registered Code Agency:** 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.
- 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, Section 1.3. of the building code, having regard for:
- (a) the scope of the proposed work;
 - (b) the requirements of the building code, the Act and other applicable law, and
 - (c) the requirements of this Section and Schedule B to this by-law.
- 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 Plans, specifications, documents and other information shall be submitted in a format that reflects the intended orientation of the structure. Flipped/reversed plans will not be accepted.
- 4.05 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.

- 4.06 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.
- 4.07 **Site plans:** Shall:
- (a) for all applications relating to a new or replacement detached, semi-detached, triplex, fourplex or townhouse dwelling, or new or replacement foundations relating to one of the foregoing, or detached ARU:
 - (i) Take the format of a Lot Grading and Drainage Plan;
 - (ii) 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; and
 - (iii) Include the information outlined in Schedule B of this by-law;
 - (b) For all other minor residential applications:
 - (i) May be prepared by the applicant; and
 - (ii) Include the information outlined in Schedule B of this by-law.
 - (c) For all non-residential construction and other residential not provided for in 4.07 a. or b.:
 - (i) 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; and
 - (ii) Include the information outlined in Schedule B of this by-law.
- 4.08 **Lot Grading and Drainage Plan Exemption:** Where an application to construct a residential dwelling type, as listed in 4.07 a., 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.
- 4.09 **Lot Grading and Drainage Plan process:**

- (a) Initial Lot Grading and Drainage Plan, as described in 4.07 a. shall be submitted at time of permit application;
- (b) Upon the completion of a foundation referenced in 4.07 a., the applicant shall submit to the Chief Building Official a Foundation Control Certificate prepared by 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; and
- (c) At time of occupancy inspection, if site grading is not in general compliance with the approved Lot Grading and Drainage Plan, the Chief Building Official may require submission of an As-constructed Lot Grading and Drainage Plan.

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.
- 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, including those imposed after issuance of a permit and those not specifically relating to a permit, are due at the time the service is requested or required, in accordance with Schedule A.
- 6.03 A minimum permit fee, as listed in Schedule A, shall be charged for all work unless otherwise stated in this by-law.
- 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 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 the corresponding file associated with the required upgrades.
- 6.06 Rounding of Fees: All fees contained in Schedule A are rounded as follows:
- (a) All flat fees shall be rounded up to the next whole dollar; and
 - (b) All other fees shall be rounded up to the next quarter dollar (0.25 cents).
- 6.07 **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 (80%) percent of the permit fee paid if the application is withdrawn or abandoned after administrative functions have been performed, specifically review for completeness and application entered into electronic tracking software;
 - b) Seventy (70%) percent of the permit fee paid if the application is withdrawn or abandoned after administrative functions, zoning review and lot grading and drainage plan review has been performed;

- c) Fifty (50%) percent of the permit fee paid if the application is withdrawn or abandoned after administrative functions, zoning review, lot grading and drainage plan review and plans review has been completed; and
 - d) Twenty-five (25%) percent of the permit fee paid if the application is withdrawn or abandoned after the permit has been issued.
- 6.08 Administrative fees are non-refundable.
- 6.09 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.
- 6.010 **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, except in the case of a sewage system permit whereby a test hole inspection only will not prevent a refund being available;
 - c) Where the calculation in accordance with Section 6.07 yields a payment of less than the minimum permit fee listed in Schedule A;
 - 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 3.13 of this by-law, and the applicant has not contacted the city in writing for a period exceeding twelve (12) months.

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.

- 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 and take effect on January 1, 2022.

By-law read a first, second and third time, and finally passed, this 16th day of November, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A – By-law 2021-161

Table 1 - Administration Fees

Item	Type of Fee	Fee Payable
1	Building and Septic Compliance Letter	\$225.00
2	Conditional Building Permit	10% of applicable fee from Schedule A Table 2, with a minimum of \$100.00 and a maximum of \$1000.00
3	Construction commenced without building permit	Applicable fee from Schedule A Table 2 plus an increase of 100%
4	Construction commenced without building permit and where a Planning Application is required to comply with applicable law section of OBC	Fee calculated as per Schedule A Table 1 Item 3 plus an additional increase of 100%
5	Liquor License Approval	\$50.00
6	Major Revision/Full Design Replacement to Plans which have already been examined by the City	50% of original fee paid, with a minimum of \$150.00 and a maximum of \$500.00
7	Minor Revision to Plans which have already been examined by the City – constitutes less than 25% of the design	\$150.00
8	Partial Building Permit	10% of applicable fee from Schedule A Table 2, with a minimum of \$100.00 and a maximum of \$500.00
9	Records Archival Fee	\$15.00 per file
10	Re-inspection to correct identified deficiencies	\$150.00/inspection
11	Search of Records – includes scanning and copying up to 10 pages large format drawings and 15 pages small format documents	\$50.00 plus additional \$25 for each additional large format drawings or 15 pages small format documents

Item	Type of Fee	Fee Payable
12	Site inspection to determine Occupant Load	\$50.00
13	Transfer of Permit	\$150.00

Schedule A – By-law 2021-161

Table 2 - Fees Payable for Building and Sewage System 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	Alternative Solution Application/Evaluation	\$1,000.00
4	Change of Use Permit	\$325.00
5	Conditional Building Permit	Applicable fee from Schedule A Table 3 plus administration fee from Schedule A Table 1
6	Demolition Permit - Residential	\$250.00
7	Demolition Permit – All Other	\$350.00
8	Lands owned by and used for the purposes of the City of Kawartha Lakes	Otherwise applicable fee pursuant to this By-law – waived
9	Mandatory Maintenance Inspection Program Inspections , where the inspection does not occur during the annual scheduled time slot for the property	\$125.00
10	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
11	Occupancy Permit , where occupancy has occurred without an occupancy permit	\$150.00
12	Partial Building Permit	Applicable fee from Schedule A Table 3 plus administration fee from Schedule A Table 1
13	RCA - Applicant Appointed Permit for which an RCA is appointed for plans review stage only	65% of applicable fee from Schedule A Table 2

Item	Class of Permit	Fee Payable
14	RCA - Applicant Appointed Permit for which an RCA is appointed for inspection stage only	35% of applicable fee from Schedule A Table 2
15	RCA - Applicant Appointed Permit for which an RCA is appointed for both plans review stage and inspection stage	25% of applicable fee from Schedule A Table 2
16	Site Servicing Permit where application is filed separately from remainder of construction permit – no additional fee if included with construction permit it serves	4.5% of Construction Value

Schedule A – By-law 2021-161

Table 3 - Fees Payable for Building Permits

Item	Type of Permit	For each square meter of floor area or part thereof				
		2022	2023	2024	2025	2026
1	Residential Occupancies – New and Additions	\$21.25	\$21.75	\$22.25	\$22.75	\$23.25
2	Additional Residential Units (ARUs)	\$11.75	\$12.00	\$12.25	\$12.50	\$12.75
3	Residential Garages, boathouses, foundations, unenclosed porches and sheds not included in Item 5	\$11.75	\$12.00	\$12.25	\$12.50	\$12.75
4	Residential Occupancies - Relocation of Existing Structures – pier or slab foundation	\$700.00	\$714.00	\$729.00	\$743.00	\$758.00

Item	Type of Permit	For each square meter of floor area or part thereof				
5	Minor residential projects - plumbing, 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	\$250.00	\$255.00	\$261.00	\$266.00	\$271.00
6	Institutional Occupancies	\$30.00	\$30.75	\$31.25	\$32.00	\$32.50
7	Commercial Occupancies - Shell	\$26.00	\$26.75	\$27.25	\$27.75	\$28.25
8	Commercial Occupancies - Interior partitioning and finishing	\$8.50	\$8.75	\$9.00	\$9.25	\$9.25
9	Industrial Occupancies	\$17.25	\$17.75	\$18.00	\$18.50	\$18.75
10	Non-residential accessory buildings, foundations and unenclosed porches	\$11.75	\$12.00	\$12.25	\$12.50	\$12.75

Item	Type of Permit	For each square meter of floor area or part thereof				
11	Minor non-residential projects – plumbing, school portables (each) temporary prefabricated trailers (each), tent (each) and other similar minor structures associated with non-residential use	\$650.00	\$663.00	\$677.00	\$690.00	\$704.00
12	Agricultural Buildings	\$4.50	\$4.75	\$4.75	\$5.00	\$5.00
13	Designated structures as defined by the Ontario Building Code – including signs, roof mounted solar per roof face	\$725.00	\$740.00	\$755.00	\$770.00	\$785.00
14	Wind turbine facilities regulated by Environmental Protection Act, per thousand dollars of construction value, or part thereof	\$19.50	\$20.00	\$20.50	\$20.75	\$21.25
15	Alterations to existing buildings (not provided for in Items 1 to 14), per thousand dollars of construction value, or part thereof	\$33.00	\$33.75	\$34.50	\$35.25	\$35.75

Item	Type of Permit	For each square meter of floor area or part thereof				
16	Minimum Permit fee	\$250.00	\$255.00	\$261.00	\$266.00	\$271.00

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

Notes:

1. The occupancy classifications used in this by-law shall be based on the building code major occupancy classifications.
2. For floor areas with mixed occupancies, the fee shall be calculated based on each major occupancy within the building, except as stated in note 3.
3. Industrial Occupancies rate includes incidental finished office space to a maximum of 10% of the total floor area.
4. 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.
5. For detached, semi-detached and townhouse dwellings, the floor areas of the unfinished basements, plumbing 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.
6. No additional fee applies for sprinklers, fire alarms, electromagnetic locks, site servicing or other mechanical systems or equipment proposed and installed at the same time as the construction they serve.
7. Construction Value, as used in Item No. 14 and 15 of Schedule A Table 3, means the value of the proposed construction as determined by the Chief Building Official or a professional appraiser.

Schedule A – By-law 2021-161

Table 4 - Fees Payable for Sewage System Permits and Reviews

Item	Type of Permit	Fee Payable				
		2022	2023	2024	2025	2026
1	Class 4 - up to 4,500L design daily sewage flows	\$900.00	\$918.00	\$937.00	\$956.00	\$975.00
2	Class 4 - 4,501L - 10,000L design daily sewage flows	\$1100.00	\$1122.00	\$1145.00	\$1168.00	\$1191.00
3	Class 4 - tank replacement or bed repair	\$425.00	\$434.00	\$443.00	\$452.00	\$461.00
4	Class 5 - holding tank	\$500.00	\$510.00	\$521.00	\$531.00	\$542.00
5	Class 2 - greywater system	\$400.00	\$408.00	\$417.00	\$425.00	\$433.00
6	Class 3 - cesspool	\$300.00	\$306.00	\$313.00	\$319.00	\$325.00
7	Existing System review for Addition/Renovation /Change of Use permit	\$225.00	\$230.00	\$235.00	\$239.00	\$244.00
8	Major Change to Permit Design Submission	\$275.00	\$281.00	\$287.00	\$292.00	\$298.00
9	Zoning/Official Plan Amendment/Site Plan Approval/Consent per lot (including lot line adjustment)/Minor Variance Application	\$300.00	\$306.00	\$313.00	\$319.00	\$325.00
10	Subdivision Application - per lot	\$300.00 per lot for first 5 + \$60.00 per lot after 5	\$306.00 per lot for first 5 + \$62.00 per lot after 5	\$313.00 per lot for first 5 + \$63.00 per lot after 5	\$319.00 per lot for first 5 + \$64.00 per lot after 5	\$325.00 per lot for first 5 + \$65.00 per lot after 5

Schedule B – By-law 2021-161

Table 1 - Documents & Drawings required for Permit Applications

Item	Class of Permit	Documents and Drawings Required
1(a)	Building Permit – Residential – New Buildings - Detached houses - Semi-detached houses - Triplexes - Fourplexes - Townhouses	Documents a. Applicable Law Checklist b. Mechanical Ventilation Design Summary c. Energy Efficiency Design Summary d. Application for Sewage System* e. Municipal Service Connection Form* f. Entrance Permit Application Drawings ² a. Approved Grading Plan b. Architectural Drawings c. Structural Drawings
1(b)	Building Permit – Residential Related to Existing as in 1(a) - Alterations - Additions - Accessory Buildings	Documents a. Applicable Law Checklist b. Energy Efficiency Design Summary* c. Application for Sewage System* d. Municipal Service Connection Form* Drawings ² a. Site Plan b. Approved Grading Plan (as required) c. Architectural Drawings – existing and proposed conditions d. Structural Drawings

Item	Class of Permit	Documents and Drawings Required
2(a)	<p>Building Permit - Non-residential and other residential not provided for in Row No 1(a) or 1(b).</p> <p>- New Buildings</p> <p>-Additions</p>	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Energy Efficiency Design Summary c. Application for Sewage System* d. Municipal Service Connection Form* e. Commitment to General Reviews by Architect & Engineers f. 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) 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> <p>- Alterations</p> <p>- Renovations</p> <p>-Tenant Occupancies</p>	<p>Documents</p> <ul style="list-style-type: none"> a. Applicable Law Checklist b. Energy Efficiency Design Summary* c. Application for Sewage System* d. Municipal Service Connection Form * e. Commitment to General Reviews by Architect & Engineers f. 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

Item	Class of Permit	Documents and Drawings Required
3.	Building Permits -Other than Items 1(a) to 2(b) above	Documents <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 Drawings ² <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.	Change of use Permit	Documents <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 Drawings <ul style="list-style-type: none"> a. Location Plan b. Existing and Proposed Floor Plan c. Architectural Drawings d. HVAC Drawings
5.	Demolition Permit	Documents <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 Drawings <ul style="list-style-type: none"> a. Site Plan
6.	Sewage System Permit – under 10,000 litres/day	Documents <ul style="list-style-type: none"> a. Applicable Law Checklist b. Sewage System Form Package Drawings <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. 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 2021-161

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		

Item	Drawing Type	Information Required	Class of Permit – Schedule B Table 1 Item					
			1(a)	1(b)	2(a)	2(b)	3	4
		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		

Item	Drawing Type	Information Required	Class of Permit – Schedule B Table 1 Item					
			1(a)	1(b)	2(a)	2(b)	3	4
		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		

Item	Drawing Type	Information Required	Class of Permit – Schedule B Table 1 Item					
			1(a)	1(b)	2(a)	2(b)	3	4
		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 2021-161

Code of Conduct for Building Officials

Purpose

- 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.