



Service Standards and Procedures

Planning and Building Divisions

Community Services
Planning, Building and Licensing Services
Located at 1211 John Counter Boulevard, Kingston

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Customer Service Standards - General

The City of Kingston delivers services that are focused on the customer. We value our customers and are committed to providing excellent customer service in every aspect of our business. We strive to meet the following standards with each and every customer and appreciate your feedback.

1. We will treat you with dignity and respect.
2. We will treat you fairly while complying with all of our policies, by-laws and regulations.
3. We will ensure our services are accessible for all of our customers.
4. We will respond to your written correspondence within 2 business days.
5. We will respond to your telephone correspondence within 2 business days.
6. Building inspection appointment requests will be scheduled within 24 hours.
7. We will identify ourselves to you by using our first name and the department in which we work.
8. We will provide our service in the most cost-effective and timely manner possible.

Communications

All written communications from City staff will be addressed to applicant, owner and subcontractor (as applicable) to ensure clear and consistent messaging.

Walk-In Services

Each main information counter will be staffed during normal business hours. If staff are unavailable, signage will direct you to an alternate location for assistance;

If the person you came to see is not immediately available and you have to wait, we will let you know the expected waiting time.

Telephone Calls

If no one is available immediately to answer your call, we will give you the option of leaving a voicemail or, if your business is urgent, speaking to someone right away;

Voicemail messages will provide at least one optional telephone number and contact person to call for assistance when staff are absent from work or on vacation;

If we need to transfer you to another person, we will remain on the line, if possible, and tell that person your name and the nature of your inquiry, so you do not need to repeat the details;

A telephone call shall be the preferred form of communication with our customers when time is of the essence.

Meetings with City Staff

We will provide reasonable advance notice of meetings that include the date, time, place, point of contact, telephone number and subject matter.

Where appropriate, agendas will be available and distributed in advance of meetings.

We will provide reasonable notice, whenever possible, of any schedule changes or meeting cancellations.

Meetings will start on time and end on time.

Meetings will be conducted in a professional, respectful and courteous manner.

The service standards of Planning, Building and Licensing Services are reviewed on an annual basis.

Complaint and Feedback Process

Feedback is important and we welcome suggestions on how we might improve our services. If you would like to share your compliments, constructive criticisms, complaints and or suggestions, please contact your assigned Planner or Building Official. If you are unable to resolve the issue, please contact the Planner or Building Official's supervisor.

Fees

All applicable fees for services are based on the City of Kingston Fees and Charges By-Law.

Land Management System

The City is currently implementing a Land Management System, Accela. This system will support the City's goal of enhancing customer service delivery throughout the development review process, improved information and technology access/process documentation and streamlining of associated processes. The Land Management System will be implemented in 2015.

Planning Division

Service Standards for Development Review Processes

Without well-defined corporate performance measurements, it is difficult for any organization to communicate and manage the expectations of itself or its customers. Creating meaningful measurements is useful to determine benchmarks, and setting service standards that provide a consistent basis for comparison.

Well-defined service standards for all development review processes have been created and communicated to staff involved in development approvals. These standards clarify what the City expects throughout the review process. The development of the service standards brings consistency and reliability to the delivery of the service, the customer experience, and customer interaction.

Time frames identified in the service standards are based on working days and can vary depending on how timely information is submitted by applicants.

Application Submission Process

When an application is submitted and pre-application has occurred (if required), the Planning secretary will receive the submission, process the payment and open a file to assign a file number to the application.

Current Service Standard

Prior to January 2014 - 5 to 10 days

New Service Standard

As of January 2014 - 2 business days

Deeming Application Complete

The Planner checks for a complete application, before the application is reviewed. If the application is found to be incomplete, then a notification is sent to the applicant stating what is missing. If the application is found to be complete, a notification is sent to the applicant that the application has been deemed complete. A Notice of Complete Application is also mailed out to the public within 120 metres of the property and prescribed bodies. Zoning and Draft Plan of Subdivision applications are required to be deemed complete as a prerequisite of the Planning Act. The Planning Act also requires that a Notice of Completeness of application is to be provided within 30 days of receipt.

Current Service Standard

Up to 30 days - Prescribed by the Planning Act

New Service Standard

7 business days

Technical Circulation Process

The Planner assigned to the file will circulate the application together with the appropriate plans and studies to various City departments and external agencies, within 5 working days of deeming the application complete. Depending on the application type and location of the property, the circulation list may include City Council, the District Councillor, municipal departments (e.g. Planning, Building and Licensing, Engineering, Utilities Kingston, Parks Development, Fire & Rescue, Kingston Transit, etc.), external agencies (e.g. KEDCO, Cataraqui Region Conservation Authority (CRCA), KFL&A Public Health, school boards), abutting municipalities (e.g. Loyalist Township, South Frontenac Township, etc.), utility companies (e.g. Hydro One, Bell Canada, Cogeco, Union Gas Limited, TransCanada Pipelines), railway companies, provincial ministries (e.g. Municipal Affairs and Housing, Ministry of Environment, Ministry of Natural Resources and Forestry) and federal departments (e.g. Parks Canada, Fisheries and Oceans Canada, Canada Post).

Responses to the initial technical circulation from City staff and agencies are required to be provided to the Planner within 10 working days from the date of circulation (30 days for plans of subdivision) and within 5 working days for subsequent circulations (15 days for plans of subdivision). Responses received are reviewed for content and consistency and consolidated by the assigned Planner. The Planner also provides comments based on their review of the technical comments, planning policy and site design. Technical comments are consolidated and are forwarded to the applicant.

The applicant is then responsible to respond to the staff / agency comments and submit any required additional information and revised drawings to the assigned Planner, who then re-circulates the material to the appropriate departments / external agencies.

Complete re-submissions that address all of the technical responses are a key component to enabling the various departments / agencies to fully review the revised drawings and updated information in the context of their previous comments and provide a response within the requested time frame. This process of applicant submission, City review / comment and applicant re-submission continues until such time as all departments / agencies have signed-off on the proposal.

Current Service Standard

Initial technical circulation from planner to internal staff/external agencies – typically 5 business days.

Response from internal staff/external agencies – 10 business days (30 business days for plans of subdivision), subsequent circulations – 5 business days, (15 days for plans of subdivisions).

Technical Response letter to the applicant – currently no standards

New Service Standard

Technical circulation – 5 business days from the date of deeming the application complete.

Response from internal staff/external agencies – 10 business days (30 business days for plans of subdivision) subsequent circulations – 5 business days (15 days for plans of subdivision).

If all issues are not resolved after the second submission the planner will meet with the Manager of Development Approvals and commenting staff to determine how best to resolve the issues.

Technical Response letter to the applicant

If there are significant comments or concerns, a meeting will be scheduled with the applicant prior to the release of the Technical Response letter.

1. Zoning by-law amendment application - 7 business days after technical circulation response due date.
2. Site Plan/site plan modification - 7 business days after technical circulation response due date.

3. Official Plan Amendment - 12 business days after technical circulation response due date.
4. Draft Plan of Subdivision - 20 business days after technical circulation response due date.
5. Draft Plan of Condominium - 20 business days after technical circulation response due date.

If it is a multiple application, the higher standard will apply.

Public Notice and Public Meeting Report Preparation

Public notice and the scheduling of the public meeting will be provided according to the Planning Act. During this process, the proposed application is being circulated for technical review by internal staff and external agencies.

No Current Service Standard

New Service Standard

10 business days from technical circulation, the planner will send a letter to the applicant of the scheduled public meeting date where the application will be heard, which includes the specific requirements for the signage. The site sign must be posted 20 days before the date of the public meeting. Upon acceptance from the applicant, the Notice of Public Meeting will be sent to the public as required under the Planning Act, 20 days before the public meeting date. The Public Meeting report is then prepared in accordance with timelines set by the Manager of Development Approvals.

Resolution of Issues and Preparation of Comprehensive Report

Upon the resolution of all issues and sign-off by all applicable departments, the Planner will prepare the comprehensive report for consideration by the Planning Committee. The Comprehensive Report provides an overview of the technical review and public comments and provides a recommendation to Council.

No current service standard

New Service Standard

The Planner is required to provide the Comprehensive Report to the Manager of Development Approvals 10 business days from the resolution of issues and sign-off by all applicable departments, for report sign-off, and to be placed on the next available agenda of the Planning Committee.

Comprehensive Report Process

1. Report Preparation
2. Report Sign-off by Manager, Development Approvals
3. Report Sign-off by Director of Planning, Building and Licensing
4. Report Sign-off by Commissioner and CAO

After Council Decision

After City Council makes a decision on an application, a Notice of Decision is issued. The Planning Act prescribes the form of the Notice, the timing for issuing the Notice, and the persons to whom the Notice must be given.

Current Service Standard

Prior to January 2014 - notice was provided up to 15 days after Council's decision.

New Service Standard

As of January 2014 - Giving notice of decision of council, 7 business days from decision of council and/or the signing of the by-law if applicable by the Mayor and Clerk.

Declaration Re: No Appeal

A signed declaration that no notice of appeal was filed under the Planning Act, within the allowed time for an appeal shall be issued with a copy of the by-law to various departments, the applicant, owner and assigned planner.

No current service standard

New Service Standard

The signed declaration with the attached by-law shall be issued within 7 business days from the last day of appeal.

Closing of the File

Upon receiving the declaration the planner will close the application file.

No current service standard

New Service Standard

Upon receiving the declaration the application file will be closed within 7 business days.

Building Division

Procedure for Addressing Permit-Application Intake

The Permit Technologist and at times the Building Officials within the City of Kingston Building Division are required to accept “**complete and often incomplete building permit applications**” as per the Ontario Building Code. To best serve the clients as well as maintain a comprehensive and useful tracking program, it is important that we have clear and defined procedures when dealing with these applications.

The building code specifies what documents are required to be provided before the application time frames take effect.

Definition

Complete Building Permit Applications: A Building permit application is considered complete when the requirements of Div. C 1.3.1 of the OBC have been met.

Submission

1. The Permit Technologist or Building Official must date stamp all submitted documents and initial the bottom of the application to confirm who received the permit.
2. The Permit Technologist and/or Building Official is to review the Permit Application Checklist with the applicant to determine if it is complete and have the applicant check, date and sign the Permit Application Checklist.
3. If the application is incomplete, this must be acknowledged by the applicant by signing the applicants waiver on the Permit Application Checklist. A copy indicating specific documents that are to be submitted for complete permit application shall be provided to the applicant.
4. The application shall be assigned to the applicable Building Official based on the area.
5. If the permit is received by mail, fax, courier, etc and the Permit Application Checklist or any additional information is not included in the application, the application is to be date stamped and the application marked incomplete.
6. The application will be entered into the Land Management System which will generate a permit number to be written on the application.
7. When an application is received by clerical staff, the application is to be date stamped, and given to the Permit Technologist to complete the above tasks.
8. The application shall then be given to the applicable Building Official based on the area.
9. If the applicant refuses to complete the Permit Application Checklist then the application is considered incomplete.
10. When the application is 50 percent or more incomplete the Permit Technologist has the right to refuse submission of the permit application. The Permit Technologist must provide the Permit Application Checklist to the applicant indicating what documents must be provided for a complete submission.

11. At no time will the application and drawings be given back to the applicant without keeping the original in order that we have evidence of what was submitted and what was lacking.

Guideline for Fire Prevention - Circulations

The City of Kingston Building Division and Fire Prevention Bureau (FPB) recognize the importance of plan review being carried out by both groups prior to permit issuance. This service also assists the customer by allowing any issues which may arise as orders under the Fire Code after Occupancy to be eliminated prior to or during construction.

The Building Division also recognizes the high knowledge base within the FPB in relation to specific provisions of the OBC, NFPA Standards and related Standards and the benefit of their involvement. Due to other responsibilities, the FPB can only provide this service for specific projects and areas of expertise.

Submission

Circulations shall include, but not be limited to, the following information:

1. Projects listed below will be forwarded to the FPB for review for new construction and major renovations/additions:
 - a. Part 3: New Buildings including renovations/additions and projects such as changes of use, expansion of suites through Fire Separations and or Firewalls, Hoods for Grease Laden Vapors, creation of new dwelling units, fire alarms, changes to sprinkler systems and renovations which require changes to the sprinkler system and standpipe systems, spray booths etc.
 - b. Part 6: Changes which involve detectors in mechanical systems, hoods for grease laden vapors, ventilation within spray booths.
 - c. Minor renovations and interior fit ups not changing the use, Tents: (Provide Fire Prevention Package to applicant and advise the FPB of location/date of event and Mechanical system changes which do not affect the Fire Alarm system need not be circulated.
 - d. Part 9: New Buildings including renovations/additions and projects such as changes of use, expansion of suites through Fire Separations and or Firewalls, hoods for grease laden vapors, fire alarms, changes to sprinkler systems and renovations which require changes to the sprinkler system and standpipe systems, spray booths etc. Excluding Single Family Dwellings, Row Houses, Semi Detached Dwellings and Secondary Suites.
2. Complete set of all drawings and specifications combined with a completed Circulation Form listing the address, unit number, permit number and all documents and drawings included. Structural or reinforcing steel shop drawings and Soil Inv. Reports do not need to be included.

3. Building Code matrix or Analysis and reports from Code Consultants when applicable.
4. Drawing resubmissions will be forwarded to the FPB for their final review.
5. Any time the Building Official feels the FPB may want to be included in a Plan Review they can contact the Director of Fire Prevention explaining the reasons for review. The project will be considered on an individual basis. (The FPB will advise accordingly should they wish to be included on any projects which fall outside the list.)

Timeline

1. Due to the timelines for permits, circulations are to be received at the FPB office within one working day.

Responsibilities

1. The responsibilities of both the Building Division and Fire Prevention Bureau are outlined in the below chart. All Building Code requirements outside of this chart are the responsibility of the Building Division.
2. No permits for the listed projects in 1 a, b and c. above are to be issued without review from FPB or confirmation that a permit can be issued (e.g. Foundation permits).
3. The FPB provides responses directly to the Building Official, these review comments are to be forwarded directly to the owner/ applicant/agent along with the Building Division review, or upon receipt to assure the applicant has sufficient time to address any issues identified.
4. When an initial submission is not complete and missing information such as "sprinkler drawings" this is to be identified on the Circulation Form as missing or requested from applicant. Should the submission be clearly lacking the necessary information, the plan review letter is to advise that "Upon receipt of complete drawings, they will be forwarded to the Fire Prevention Bureau for review".
5. If at any time during inspections the Building Official feels there is a deficiency on site that may be outside the scope of the building permit but may result as an Order under the Fire Code, the FPB is to be contacted to review field conditions.
6. Final Inspections by the FPB will include review of those Building Components and Systems as listed in the below chart. All other inspections to be completed by the Building Division.

Below is a list of the responsibilities of the Building Division and the Fire Prevention Bureau:

Topic	Fire	Building	Comments
Part 3			
Classification	Fire	Building	
Tents	Fire	Building	
Fire Related Assemblies		Building	
Closures		Building	
Firewalls	Fire	Building	Fire checks firewalls as they relate to building size.
Flame Spread/Finishes		Building	
Occupant Load	Fire	Building	
3.2.2 Requirements	Fire	Building	Fire confirms street access.
Spatial Separation		Building	
Fire Alarm Systems	Fire		
Fire Department Access	Fire		
3.2.6 Requirements (Hi Rise)	Fire	Building	Fire reviews voice-com, smoke control, etc.
Emergency Lighting/Power	Fire	Building	
Sprinkler Systems	Fire		
Standpipe Systems	Fire		
Portable Fire Extinguishers	Fire		
Water Supply for Firefighting	Fire		
3.3. Safety Requirements	Fire	Building	
Exiting	Fire	Building	
Exit Signs	Fire	Building	
Mag Locks	Fire	Building	
Service Rooms		Building	
Health Requirements		Building	
Barrier-Free Access	Fire	Building	Fire confirms p/s heights.
Signs		Building	
Portable Classrooms	Fire	Building	
Self-Service Storage	Fire	Building	
Pools		Building	

Part 6

CO Detection		Building
Hazardous Gasses	Fire	Building
Commercial Cooking	Fire	
Ventilation		Building

Part 9

Classification	Fire	Building	
Exits/Egress	Fire	Building	
Smoke Alarms		Building	
Fire Alarm Systems	Fire		
Fire Department Access	Fire		
Portable Fire Extinguishers	Fire		
Chimneys/Fireplaces	*	Building	Fire checks existing under Ontario Fire Code.
Solid Fuel Appliances	*	Building	Fire checks existing under Ontario Fire Code.
Emergency Lighting	Fire		

Part 10 and Part 11

Classification	Fire	Building
Alternative (Fire Safety) Measures	Fire	Building

Remaining issues to be reviewed on same basis as new construction.

Guideline for Addressing Construction – Without a Permit

This guideline is to be followed when a contractor is found to be constructing without a permit and the Building Official is made aware of construction without a permit.

Enforcement Requirements When Work Under Construction

1. The Building Official is to visit the site to determine if work is being or has been done without a permit.
2. If the work requires a permit, the Building Official shall advise the Owner and Contractor in writing to stop work and apply for a building permit.
3. The Building Official is to document the names of the Contractor, Owner and any other pertinent information on the work being done.
4. The Building official shall visit the site the next day to confirm that work has stopped.
5. If work has stopped, the administration fee is to be charged to the permit.
6. Failure to comply with stop work order will result in charges being laid.

Enforcement Requirements When Work Completed on Deck or Smaller Projects

1. If an inspector is made aware of construction of a deck or smaller projects, the inspector may contact the owner by means of a letter indicating that a permit is required for work completed. The letter shall be one approved by management.
2. The letter shall be sent by registered mail.
3. If no reply within the timeframe noted in the letter is received, an order to comply may be issued.
4. If after serving the order and the timeframe indicated in the order has expired, the inspector shall bring the file to management to determine if charges will be laid.

Applicant Requirements

1. The applicant must stop work and apply for a building permit which is to include required drawings within one week or provide reasons why they need more time.

Non Compliance

1. If work has not stopped, the Building Official is to issue a stop work order and discuss what steps are to be taken with management, which may then proceed to charges.

Administration Fees

1. Administration Fees shall be added to a permit when construction has taken place without a permit.
2. Fees shall be based on the percentage of the Building Permit fee as per the Fees and Charges By-Law.
3. In the case of projects where sub trades may require separate permits and they too are repeat offenders, the administration fee may be applied to one or both of the Permits.
4. If the inclusion of the fee fails to deter an applicant, contractor, or owner after many instances, court action should be taken.
5. When fees have been applied to a repeat offender, it should be brought to the attention of other Officials, the Supervisor, Manager, or Director in order that decisions on future actions, or meetings with the offender, can be considered.
6. If the applicant objects to the Administration fee for any reason, they shall put in writing the reason/s why they feel the fee should not be charged and this shall be given to the Manager or Supervisor to determine whether the Administration fee shall be waived.

Service of Orders

1. If an order to comply is to be served, the order shall be served on the person whom the inspector believes is contravening this Act or the Building Code as per 12.(3) of the Ontario Building Code. The order should be served on site to the person/s listed on the order and shall not be served at the owners work place unless the contravention occurred there.
2. If a stop work order is to be served, the order shall be served on such persons affected thereby as the Chief Building Official determines and a copy shall be posted on the site of the construction or demolition. 14.(2) of the Ontario Building Code. Any City employee serving orders will have proof of identification.

Guideline for Addressing Occupancy

In co-operation with fire prevention the following guideline is to be followed to ensure uniformity in service delivery and code enforcement with regards to final inspections on properties and the closing of files.

Procedure

1. Final Inspections will be carried out on all projects for which Building permits are issued.

Fees

1. Fees will be based on the Fees and Charges By-Law.

Checklists

1. Checklists are to be used for Part 9 Housing, Part 3 projects and larger part 9 occupancy inspections.

Pre-Occupancy Documentation

1. Part 3 and larger Part 9 projects will require the Pre-Occupancy documentation to be sent via mail, fax or email to the applicant, owner and/or agent in advance of final inspections. This documentation shall include the contact person, permit number, project address and the name of the project.

Pre-Occupancy documentation shall include:

- a) Occupancy letter for large and part 3 buildings
- b) Part 3 buildings final paperwork required checklist
- c) OBC 2.4.3 occupancy of an unfinished building

Occupancy Permit

1. An Occupancy Permit will be issued to the owner/applicant/agent/contractor for all projects except the following list of project types:
 - a) Accessory buildings (accessory to residential)
 - b) Basement finishes
 - c) Communication towers
 - d) Demolition permits
 - e) Decks (including roofs over)
 - f) Farm buildings
 - g) Fire alarm upgrades
 - h) Fire code order and property standards order repairs
 - i) Fire escapes
 - j) Fireplace and fireplace inserts
 - k) Guards
 - l) Ladders (mechanical/roof access)
 - m) Hoods for grease laden vapors
 - n) Minor repairs to interior/exterior ex. new doors, repair structural, canopies etc.

- o) Plumbing renovations/minor plumbing work/fixtures/appliances
- p) Pools/hot tubs
- q) Roof top units
- r) Sheds (accessory to residential)
- s) Signs
- t) Sprinkler systems (Fire suppression and lawn watering/irrigation)
- u) Tents
- v) Wind turbines/windmills
- w) Woodstoves, wood burning appliances/pellet stoves/solid fuel fired appliances

Business Licenses

1. Businesses listed below must be directed to the Licensing Division prior to occupancy:

- a) Adult entertainment parlor
- b) Adult entertainment store
- c) Amusement arcade
- d) Auctioneer
- e) Automotive repair
- f) Bake shop/bakery
- g) Barber
- h) Billiards
- i) Butcher
- j) Fish sales
- k) Food service premises
- l) Gasoline sales
- m) Hairdresser/hair salon
- n) Lodging house
- o) Massage therapist
- p) Meat sales
- q) Pawnbrokers
- r) Pet stores
- s) Theatres
- t) Tobacco sales

Where Minor Deficiencies Exist

When an occupancy permit is issued for any industrial, commercial, industrial or institutional building and minor deficiencies exist, the following guideline shall be followed giving the applicant one month to correct deficiencies:

1. The Building Official will issue the occupancy permit with a written list of deficiencies to be complied with within 2 weeks.
2. If the deficiency is not corrected within two weeks the Building Official will issue an order to comply for the work to be completed within 2 weeks.
3. If the work is still not complied with, the Building Official will immediately proceed to charges.

Closing Files

1. Building Officials are to enter the date of closing in the Land Management System for all projects once all involved departments have signed off.
2. Where a file has multiple units, and only one unit is to be closed, the file shall remain in the building until the entire project has been completed.
3. Once the file is complete and the occupancy permit issued, the drawings and related documentation are to be given to clerical to be sent to archives.

Guidelines for Addressing Demolitions - Requirements

A building permit is required to demolish an existing building or structure greater than 10 square metres (108 square feet) in size. The demolition application will be reviewed to ensure compliance with safety requirements as well as with applicable law (e.g. Demolition Control By-Law and the Ontario Heritage Act).

Permit Requirements

1. Completed provincial application form, "Application for a Permit to Construct or Demolish";
2. Application fee: Refer to the Fees and Charges By-Law;
3. A current plan of survey or site plan indicating:
 - a. Dimensions of property and lot size
 - b. Location of building(s) proposed to be demolished and all other buildings on the lot;
4. Proof that a Designated Substance Report has been completed;
5. Proof of Health Unit approval from KFL&A Public Health;
6. Proof that arrangements have been made with the proper authorities for cutting off all services (Utilities Kingston form for removal of services available from building division to be submitted or e-mail verification from Union Gas Limited that services have been removed or cut off);
7. Written confirmation that the site will be backfilled and graded with clean fill material and that all private drain connections will be excavated and properly sealed at the property line;
8. Confirmation of vacancy or safety of occupants as per Div.C.1.3.1.1 (4) of the Ontario Building Code.

Approximate Timeline

Based on the building category as set out in the Ontario Building Code and if the building proposed to be demolished is not a designated or listed heritage property:

1. House: first review 10 business days;
2. Small buildings: first review 15 business days;
3. Large buildings: first review 20 business days;
4. Complex buildings: first review 30 business days.

Professional Engineer Requirements

Under the Ontario Building Code, Division C – 1.2.2.3 (1), the applicant for a permit respecting the demolition of a building shall retain a professional engineer to undertake the general review of the project during demolition, where:

1. The building exceeds 3 storeys in building height or 600m² in building area;
2. The building structure includes pre-tensioned or post-tensioned members;
3. The demolition work will extend below the level of footings of any adjacent building and occur within the angle of repose of the soil, drawn from the bottom of such footings; or
4. Explosives or a laser are to be used during the course of demolition.

Other Requirements

1. Please confirm with the Building Official that the building you are proposing to demolish is not a designated or listed heritage property.
2. It is the responsibility of the owner to ensure that the appropriate Encroachment Permit is obtained prior to the demolition of a building. Please contact the City's Engineering Department.
3. Abandonment of a well shall be done in accordance with the Ontario Well Water Regulation #903. Copies of the regulation may be obtained from **www.e-laws.gov.on.ca**.
4. Contact Kingston Public Health for decommissioning requirements of a septic system at 613-549-1232 or **www.kflapublichealth.ca**.

Property owners/ratepayers are advised that tax adjustments are not automatic and must be applied for after the actual demolition has occurred. Application must be filed with the City prior to February 28th of the year following the year of demolition. For details regarding the application process, phone the City of Kingston Tax Department at 613-546-4291 (Section 357 of The Municipal Act provides authority to apply for an adjustment of property tax when a demolition has occurred). Kingston's tax adjustment application is on our website at **www.cityofkingston.ca/taxes** in the download section - **tax adjustment**

A reduction in development charges under the by-law(s) is allowed in the case of a demolition or redevelopment of a residential, non-residential, or mixed-use building or structure, provided that the building or structure was:

1. Occupied within the prior five years or;
2. A demolition permit has been issued within five years prior to the issuance of a building permit for redevelopment of the lands.

For more information please refer to By-Law Number 2009-136 for development fee reductions and By-Law 2009-138 for impost fee reductions.

Note: A Demolition Permit may not be required for the demolition of farm buildings such as barns and silos. Please contact the Building Division at 613-546-4291 for confirmation.

Procedures for Addressing Zoning Complaints

Process

1. All zoning non-compliance complaints will be redirected to the Zoning Administrator.
2. Zoning Administrator will review the complaint against the zoning by-law, undertake a site inspection and review relevant criteria and will forward a recommendation for action to both the Manager of Development Approvals and the Manager of Building.
3. Manager of Building will enter the complaint into the Land Management System for tracking purposes.
4. Managers will review the recommendation and the findings against the City's criteria and any other necessary factors and will determine and document the appropriate course of action which is either No Action is Required or Further Action is Required by the property owner.

If no action is required: (e.g. complaint is unfounded or property is found to be in compliance)

- a. The complainant will be notified by the Zoning Administrator that the complaint has been reviewed and that no further action will be taken by the City.

If further action is required

- a. A letter will be sent to the property owner, from the Zoning Administrator, providing the owner with a period of 2 weeks to advise on how compliance with the zoning by-law will be achieved.
- b. If staff concurs with the plan for compliance and there is an agreement with the property owner, those arrangements will be documented in the Land Management System and the time lines set out will be followed up by the area Building Official.
- c. If the property owner does not respond within the 2 weeks from the time the first letter was sent by the Zoning Administrator, one reminder will be forwarded by the Zoning Administrator with an additional time frame of 1 week for submission of a plan on how compliance with the zoning by-law will be achieved. The second letter will include a reference to the Building Official assigned to this matter.
- d. If no response is received following the additional time frame of 1 week, the Building Official will visit the site to determine if the property continues to be in non-compliance to the zoning by-law.

- e. Upon confirmation of non-compliance, an Order will be issued by the Building Official which can be delivered to the property or sent to the property owner by registered mail. The property owner will be provided with 2 weeks to remedy the situation from the time of receipt or attempted receipt of the Order. If the Order is not complied with in accordance within the specified time frame and no arrangements have been made with the Building Official and/or Building Manager to rectify the non-compliance, charges can be laid against the property owner.

Guidelines for Addressing Designated Substance Reports (DSR) - Requirements

Scope

The City may require a copy of the Designated Substance Reports for any construction, renovation or demolition of an existing facility prior to entering a site. Please contact the Building Division to confirm.

DSR Requirements

Duty of project owners

30. (1) Before beginning a project, the owner shall determine whether any designated substances are present at the project site and shall prepare a list of all designated substances that are present at the site.

Tenders

(2) If any work on a project is tendered, the person issuing the tenders shall include, as part of the tendering information, a copy of the list referred to in subsection (1).

Idem

(3) An owner shall ensure that a prospective constructor of a project on the owner's property has received a copy of the list referred to in subsection (1) before entering into a binding contract with the constructor.

Duty of constructors

(4) The constructor for a project shall ensure that each prospective contractor and subcontractor for the project has received a copy of the list referred to in subsection (1) before the prospective contractor or subcontractor enters into a binding contract for the supply of work on the project.

Liability

(5) An owner who fails to comply with this section is liable to the constructor, and every contractor and subcontractor, who suffers any loss or damages as the result of the subsequent discovery on the project of a designated substance that the owner ought reasonably to have known of, but that was not on the list prepared under subsection (1).

Idem

(6) A constructor who fails to comply with this section is liable to every contractor and subcontractor who suffers any loss or damages, as the result of the subsequent discovery on the project of a designated substance, that was on the list prepared under subsection (1). R.S.O. 1990, c. O.1.

Guidelines for Addressing Time Frames for Permits

Building Officials within the City of Kingston Building Division are required to review “**complete building permit applications**” within timeframes provided by the Province of Ontario through Bill 124 revisions to the Ontario Building Code. Time frames to review do not apply to “incomplete applications”.

Definitions

Complete Building Permit Applications: A Building Permit application is considered complete when:

1. The prescribed provincial application form has been submitted, completed and signed by the owner, or their agent;
2. All attachments indicated as being included with the application are submitted;
3. The application is accompanied by the plans and specifications that are specified by the building by-law and all other applicable law requirements.;
4. The drawings have been done by someone who is qualified and or registered as prescribed by the Ontario Building Code/Ontario Building Code Act or otherwise exempt from qualification or registration.

Ontario Building Code timeframes

Based on the building category as set out in the Ontario Building Code for Complete Applications:

1. House: first review 10 business days;
2. Small buildings: first review 15 business days;
3. Large buildings: first review 20 business days;
4. Complex buildings: first review 30 business days.

Departmental Review Timeframe

1. Although the code allows the specified times for complete applications, the City of Kingston's policy is to review the application in a timely manner (within two weeks under most circumstances) and indicate to the applicant in writing what additional information is required to issue the permit.
2. If the application is incomplete and the waiver has been completed by the applicant, then the application shall be treated as though it is complete and every effort will be made to review within the two weeks.
3. When a Building Official cannot meet the required timeline as set out under the Act, they must advise the Supervisor (or Manager/Director) in order that alternate arrangements can be made to assure that the legislated time frames are met. (Alternately, they can discuss with an alternate Building Official who will be able to assist).

Guideline for Engineering for Part 9 Buildings

Part 9 Housing

City of Kingston Building Officials are aware of the fact that some homeowners want housing designs that fall outside the scope of Part 9 and the homeowner or home builder will require Engineered designs to accommodate these creative designs. There will also be cases where changes in the field will result in the need for an Engineers involvement. This guideline will assist the Building Official dealing with the situation and help with consistent handling of more common situations.

Scope

It is recognized that the Ontario Building Code may refer to a requirement for a design for specific areas not covered in Part 9. These will require a design by a Professional Engineer or in some cases a designer with his/her BCIN for Part 4 Design (Structural). It is also recognized that the Professional Engineers Act may require that reports prepared by an Engineer be stamped by that Engineer and this guideline is not intended to allow lesser requirements but rather expedite and simplify the approval process, as well as lay out what can be inspected without the need for a site inspection by the Engineer.

Definition

Engineered Designs: Designs carried out by a Professional Engineer under the Professional Engineers Act.

Application

1. The Building Official will review the plans submitted for a Building Permit and request an Engineer Design on those areas that require it as determined by the Building Official (falling outside of the normal Part 9 design criteria) with consultation with management if unsure of requirement for engineer. These requested designs will require an Engineer's stamp (and detail where necessary.)
2. If the Building Official feels that the design submitted is below the specified and applicable design loads, this is to be brought to the attention of the Supervisor, Manager or Director for review along with supporting information. The permit shall be issued while this review takes place.
3. Where it is agreed that there may be problems with the design or missing information and details, the applicant and Engineer will be advised of the concern via email. (Should be included in Plan Review letter, but separate for Engineer so as not to provide Engineer with list of drawing deficiencies unless he/she did the drawing.)
4. If the Engineer feels there is no issue and cannot provide back up, the Supervisor, Manager may contract a third party review and the results will be followed up with the applicant and Design Engineer. The permit will be issued with the understanding that the engineer is responsible for any errors or omissions in his/her design.
5. All large projects with pile foundations are to be sent for third party review prior to issuance of permit.

Inspection

1. Where the as built construction does not meet the design, an inspection by the Design Engineer will be required to confirm that the changes are acceptable.
2. Where the design is inspected by an Engineer and approved, a report or email (when the issues are straightforward or minor) from the Engineer confirming acceptability will be accepted by the Building Division.
3. Where only minor changes are proposed, this can be relayed by a report or email from the Engineer.
4. Where a complete redesign is proposed, the design will require an Engineer's stamp.
5. Where changes to the approved Part 9 design have been carried out in the field, falling outside of Part 9; they may require an Engineer's review. The Engineer's review can be in writing by formal report or email (when issues are straightforward or minor) confirming acceptability.
6. When the changes are minor in nature and direction has been given, the Building Official can inspect the remedial work to determine if the changes have been made.
7. If the changes are not in accordance with the Engineer's direction, an Engineer's review will again be required.
8. Drawings of the as built construction will not be requested when the Engineer has provided written confirmation of the acceptability of the item.

Guideline for Addressing Subsoil Requirements for a PENG or CET

Subsoil

Professional Engineer Report required where:

1. Unstable soils are encountered (e.g. filled ground, peat, or sensitive clay);
2. Where footings are laid on two different substrates (e.g. rock and clay);
3. Subdivision agreements require subsoil investigations;
4. Subsoil is not visible at the time of inspection and the contractor does not want to remove gravel/cover;
5. Organic material is visible;
6. Ground is frozen;
7. High ground water level is suspected, or water at the bottom of the excavation cannot be accounted for;
8. Part 4 designed footings or foundations.

No Report is required where:

1. Stable soils, and none of the above conditions are encountered

Compaction

Professional Engineer Report required where:

1. Granular fill provided over unstable soil;
2. Part 4 designed footings/foundations.

CET Report can be provided where:

1. Greater than 12 inch of granular fill provided over stable soil for leveling of surface.

No report is required where:

1. 12 inch or less of granular provided over stable soil.

Note: Documentation may be provided at framing inspection in an effort not to delay construction.