



City of
Peterborough

To: **Members of General Committee**

From: **Cynthia Fletcher,
Commissioner of Infrastructure and Planning Services**

Meeting Date: **April 23, 2019**

Subject: **Report IPSBD19-001
Delegation of Conditional Building Permit Agreement
Authority**

Purpose

A report to recommend that Council delegate the authority to enter into Conditional Building Permit Agreements, to the Chief Building Official.

Recommendation

That Council approve the recommendation outlined in Report IPSBD19-001 dated April 23, 2019, of the Commissioner of Infrastructure and Planning Services as follows:

That authority to enter into Conditional Building Permit Agreements be delegated to the Chief Building Official pursuant to Section 8(3) of the **Building Code Act**.

Budget and Financial Implications

There are no budget or financial implications.

Background

Subsection 8(3) of the **Building Code Act, 1992**, S.O. 1992, c. 23, as amended (“Act”) permits the Chief Building Official to issue a conditional permit for any stage of construction even though all requirements have not been met to obtain a full permit, subject to certain requirements including an agreement respecting construction under a conditional permit.

The agreements typically contain provisions relating to timelines for completion of submission requirements; the need to remove construction and restore the site if the agreement is not complied with; assign risk to the applicant for commencing the work under conditions and the ability of the City to recover any costs in enforcing the agreement.

The Act further permits Council to delegate the authority for entering into these agreements to the Chief Building Official specifically, via Subsection 8(3.1), which helps to streamline the permitting process and administration time in dealing with a purely technical agreement.

This is a standard practice in most Ontario cities.

Conditional Building Permits are most typically sought and approved where minor issue resolution is outstanding and it is determined that undue delay would result by not issuing a permit while this resolution proceeds to conclusion.

Summary

Saving further time in the completion of agreements required by conditional building permit through delegation of authority to the Chief Building Official to enter into the agreements appears to be a logical and practical conclusion.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

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