



Occupancy of Unfinished Buildings Guide

The City of Kingston has an obligation to ensure the health and safety of the general public from hazards associated with occupying a building under construction in accordance with 1.3.3.1 and 1.3.3.5 of the Ontario Building Code. This guide applies to multi residential buildings over 3 stories in building height as well as commercial, industrial and institutional occupancies.

Before occupying or causing the occupancy of a building you must apply for authorization from the building department and obtain an occupancy permit. It is the responsibility of the Owner to obtain written permission from the City of Kingston for each scope of occupancy requested.

This Guide is intended as a reference document to assist you in submitting an Occupancy of an Unfinished Building Permit Application. This Guide also explains the process once a permit application is submitted. Please note that failure to submit a complete permit application may result in delays in issuing the permit. It is an offence to occupy a building prior to obtaining an Occupancy Permit. If you have any questions about the Occupancy of Unfinished Buildings Permit Application process, please contact the building department at 613-546-4291 extension 3260.

Application Submission Checklist

1. Completed [Application for Partial Occupancy form](#). Permit applications can be emailed to buildingpermits@cityofkingston.ca or submitted in person to the Planning, Building and Licensing Department at 1211 John Counter Boulevard.
2. Scheduled date for Occupancy
3. General Review Report Submission (see general review report submission in this document)
4. Scope of Occupancy (see scope of occupancy in this document)
5. Checklist of Construction Completion Status (forming part of the permit application form)
6. Confirmation that an encroachment permit has been issued where applicable
7. Confirmation of loading and unloading areas during move in
8. Confirmation of parking on site to accommodate occupant load

Scope of occupancy

Prior to approving a request for an occupancy inspection of a building or part thereof, the Building and Fire Departments will review the general review reports and floor area you have requested for occupancy. When considering the portion of the floor area to be occupied, the project architect must submit an application for partial occupancy complete with a floor plan identifying the following:

1. The areas where occupancy is being requested
2. The exits for the floor area to be occupied

3. The methods employed to prevent access to other parts of the building under construction, including any overhead work.
4. Emergency and exit lighting
5. Firefighting access routes and public access routes that must be maintained during ongoing construction



General Review Report submission

The submission of reports from the general review professionals, specialists, consultants and testing agencies must be submitted prior to the request for occupancy inspection. Each report will be reviewed by the Building Department and/or the Fire Department for Building Code deficiencies. Outstanding Building Code deficiencies that will have a direct effect on the occupancy of the building will be required to be corrected. Should any report not be submitted or approved, occupancy approval may be delayed.

Listed below are mandatory reports dependent on the scope of work for the project:

1. Final Architectural report confirming acceptability for building occupancy
2. Final Structural engineer report confirming acceptability of building occupancy
3. Final Electrical engineer report confirming acceptability for building occupancy
4. Final Mechanical engineer report confirming acceptability for building occupancy
5. Air Balance Report
6. Sprinkler system material and test certificate
7. Fire Alarm verification report
8. Plumbing inspection verification certificate
9. ESA final certificate for electrical work
10. Gas Authority finals (tags) on appliances
11. In Floor Heating certificate
12. Elevator certificate posted (TSSA)
13. Test Certificate, Hood for Grease Laden Vapors
14. Fire Prevention Bureau acceptability for building occupancy
15. Ministry of Labour approvals
16. Health Unit approvals (Food service, Personal Service, commercial pools etc.)

17. Business License (if applicable)
18. Utilities Kingston – Water meter and backflow devices installed

General Review Report deficiencies:

1. Building Official will advise the applicable professional of any reports or tests that require updating or further explanation
2. Owner to complete work and have consultants update reports
3. Owner to submit revised General Review Reports for re-review by the Building and Fire Departments.

No General Review Report deficiencies:

1. Building Official will inform Owner of review completion for General Review Reports
2. Owner to request inspection by the Building and Fire departments
3. Building and Fire Departments to conduct an Occupancy inspection to determine if occupancy requirements under the Ontario Building Code have been met.
4. Fire department will complete testing of life safety systems (please note: this may incur 3-5 days to complete)
5. Any deficiencies noted by the Building and Fire Departments will be provided to the Owner to be rectified.
6. Building and/or Fire Departments will re-inspect to confirm deficiencies have been corrected.
7. Once Testing and inspections have been approved by the Building and Fire Departments; Occupancy will be authorized based on the scope of work applied for subject to any conditions imposed by the Inspector.

Occupancy Conditions

Your authorization to occupy may include conditions set by the Inspector in order to expedite occupancy while ensuring public safety. It is the Owner's responsibility to comply with all conditions until a Certificate of Completion is issued by the Inspector. Failure to maintain all conditions for occupancy may result in the issuance of a Stop Work Order or an Order to Prohibit Occupancy of the building.

Encroachment Permits

For high density residential expecting multiple occupancies on the same date every effort should be made to eliminate exterior encroachments such as scaffolding and scissor lifts to provide surface area around the perimeter of the property. In the event that encroachments within the right of way are still required the Owner must ensure that all necessary encroachment permits and appropriate traffic control plans are in place to provide safe access to the building for the occupants.

Please consider contacting the Engineering Department Infrastructure Technician and the Public Works Traffic Supervisor in advance of occupancy to discuss options to manage the flow of occupants through the work area.