



## **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 3280.

### **Application Submission Checklist**

1. Completed Application for Partial Occupancy Form. Permit applications can be uploaded to the DASH record within 10 business days in advance of your requested scheduled date for Occupancy.
2. General Review Report Submission (see general review report submission in this document)
3. Scope of Occupancy (see scope of occupancy in this document)
4. Checklist of Construction Completion Status (forming part of the permit application form)
5. Confirmation that an encroachment permit has been issued where applicable
6. Confirmation of loading and unloading areas during move in
7. 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
6. Travel distance to exits where hoarding may impact exiting
7. Access for construction workers
8. Location of parking for occupant use and for loading and unloading



## 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 for Building Code deficiencies and outstanding Code deficiencies that 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. Final Civil Engineer report
6. Air Balance Report
7. Sprinkler system material and test certificate
8. Fire Alarm verification report
9. Plumbing inspection verification certificate
10. ESA final certificate for electrical work
11. Gas Authority finals (tags) on appliances

12. In Floor Heating certificate
13. Elevator certificate posted (TSSA)
14. Test Certificate, Hood for Grease Laden Vapors
15. Fire Prevention Bureau acceptability for building occupancy
16. Ministry of Labour approvals
17. Health Unit approvals (Food service, Personal Service, commercial pools etc.)
18. Business License (if applicable)
19. Utilities Kingston – Water meter and backflow devices installed
20. Utilities Kingston – Gas Approval
21. Integrated Fire and Life Safety Certificate
22. Backflow prevention report and tags on device
23. Fire alarm monitoring certificate
24. Emergency lighting verification report

### **General Review Report with 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 Department.

### **General Review Report with no 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 Department 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 City of Kingston 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 City of Kingston. 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.

Where hoarding is used to secure portions of the building under construction it shall remain in place until clearance has been provided by the building inspector that

hoarding can be removed. Hoarding within the building put in place to prevent access to other areas of the building under construction are to remain intact without damage including fire separations, fire alarms, mechanical fire dampers etc.

Portions of a building where occupancy has been granted shall fall under the jurisdiction of the Ontario Fire Code. Fire and life safety systems serving areas of the building given partial occupancy under this condition as well as areas of the building serving occupied portions (exit stairs, shafts, means of egress, service rooms) are to be maintained and protected from damage. This may include maintenance of fire detection and suppression systems, blocked exits, breaches in fire separations or removed fire separations, missing or damaged fire doors, accumulation of construction materials and all other violations prescribed under the Ontario Fire Code. Violations will be liable to a fine under the Provincial Offences Act per Regulation 213/07, Fire Protection and Prevention Act, 1997.

## **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 [transportation@cityofkingston.ca](mailto:transportation@cityofkingston.ca) in advance of occupancy.

# Application for Partial Occupancy

Pursuant to subsection 11(1) of the Building Code Act.

For use by Principal Authority			
Application number:		Permit number (if different):	
Date received:		Roll number:	
Application submitted to: <u>CITY OF KINGSTON</u> (Name of municipality, upper-tier municipality, board of health or conservation authority)			
A. Project information			
Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/other description	
B. Project Information			
Proposed Areas (Floors, Suites) to be occupied (attach plan showing floor area, exits and fire access routes):			
Proposed Occupancy Date (10 business days advance notice required):			
C. Owner Information			
Last name		First name	Corporation or partnership
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ( )	Fax ( )	Cell number ( )	
D. Owner Acknowledgement			
The structure of the building, or part thereof is completed to the roof			<input type="checkbox"/> yes <input type="checkbox"/> no
The enclosing walls of the building, or part thereof are completed to the roof			<input type="checkbox"/> yes <input type="checkbox"/> no
The building envelope, including, but not limited to, cladding, roofing, windows, doors, assemblies requiring fire resistance ratings, closures, insulation, vapour barriers and air barriers is complete (3.2.2.43A and 3.2.2.50A)			<input type="checkbox"/> yes <input type="checkbox"/> no
The walls enclosing the space to be occupied are completed, including balcony guards			<input type="checkbox"/> yes <input type="checkbox"/> no
All required fire separations and closures are completed on all storeys to be occupied			<input type="checkbox"/> yes <input type="checkbox"/> no
All required exits are completed, including fire separations, doors, door hardware, self-closing devices, guards and handrails, from the uppermost floor to be occupied down to grade level and below if any exit connects with lower storeys			<input type="checkbox"/> yes <input type="checkbox"/> no
All shafts including closures are completed to the floor-ceiling assembly above the storey to be occupied and have a temporary fire separation at such assembly			<input type="checkbox"/> yes <input type="checkbox"/> no
Measures have been taken to prevent access to parts of the building and site that are incomplete or still under construction			<input type="checkbox"/> yes <input type="checkbox"/> no

Floor, halls, lobbies and required means of egress are kept free of loose materials and other hazards	<input type="checkbox"/> yes <input type="checkbox"/> no
If service rooms should be in operation, required fire separations and closures are completed	<input type="checkbox"/> yes <input type="checkbox"/> no
All building drains, building sewers, water systems, drainage systems and venting systems are complete and tested as operational for the storeys to be occupied	<input type="checkbox"/> yes <input type="checkbox"/> no
Required lighting, heating and electrical supply are provided for the suites, rooms and common areas to be occupied	<input type="checkbox"/> yes <input type="checkbox"/> no
Required lighting in corridors, stairways and exits is completed and operational up to and including all storeys to be occupied	<input type="checkbox"/> yes <input type="checkbox"/> no
Required standpipe, sprinkler, and fire alarm systems are complete and operational up to and including all storeys to be occupied, together with required pumper connections for such standpipes and sprinklers	<input type="checkbox"/> yes <input type="checkbox"/> no
Required smoke alarms and carbon monoxide alarms are complete and operational (3.2.2.43A and 3.2.2.50A)	<input type="checkbox"/> yes <input type="checkbox"/> no
Required fire extinguishers have been installed on all storeys to be occupied	<input type="checkbox"/> yes <input type="checkbox"/> no
Main garbage rooms, chutes and ancillary services are completed to storeys to be occupied	<input type="checkbox"/> yes <input type="checkbox"/> no
All Final reports have been completed and are clear of deficiencies	<input type="checkbox"/> yes <input type="checkbox"/> no
Integrated Testing is complete and certificate provided	<input type="checkbox"/> yes <input type="checkbox"/> no
Required firefighting access routes have been provided and are accessible	<input type="checkbox"/> yes <input type="checkbox"/> no
The sewage system has been completed and is operational	<input type="checkbox"/> yes <input type="checkbox"/> no

**E. Declaration of Owner**

I \_\_\_\_\_ declare that:  
(print name)

1. As the Owner or Authorized Agent, I am satisfied the building meets the requirements of the Ontario Building Code that apply to the occupancy of buildings under construction, and hereby request permission to occupy the building as described in this application.
2. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
3. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Owner

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.