

What is a building permit?

A building permit is formal approval from your municipality to construct, add to, or renovate a building on your property.

Why do you need a building permit?

Building permits allow a municipality to protect the interests of both individuals and the community as a whole. By reviewing and approving plans before any work is done, the municipality can ensure that buildings comply with:

- the Ontario Building Code, which sets standards for design and materials
- the local zoning by-law and its controls on buildings and uses that are suitable to the area
- other health and safety regulations

When do you need a building permit?

You must obtain a building permit before you:

- put up any new building or place another structure such as a mobile home on your property
- repair or add to a building
- excavate or construct a foundation
- install heating, plumbing, air conditioning, or a fireplace
- put up a temporary building

If you're not sure whether you need a building permit or you wish to change the use of your building, call your municipality. Staff can answer your question immediately, or send a building inspector to look at what you plan to do and tell you what you need.

How do you apply for a building permit?

You can get an application for a building permit from your municipality. But it's a good idea to talk to the staff before you apply. They can tell you what information, drawings and plans you'll have to include with the application and whether you'll need any other permits or approvals.

When you apply you'll have to attach sketches, plans, and other documents. You may also have to pay a fee for the application and for other services such as a property survey or a hook-up to the municipal water supply.

What happens to your application?

Municipal building staff will review your application to confirm that the proposed work complies with the Ontario Building Code and the local zoning by-law. They may also send it to other municipal officials for comments. If there are problems with your application or your plan, the staff will tell you why and will show you what you have to do.

Applications for a simple alteration or addition can be processed fairly quickly, but more complex proposals may take longer. If you need a zoning change or a minor variance from the zoning by-law, or if the work does not comply with the building code, a permit will not be issued until all the changes have been made.

If your property is covered by a site plan control by-law you will not get a building permit until you have met all the requirements set out in the by-law.

See Zoning By-laws, No. 3 in the series, for more information about zoning, minor variances, and site plan controls. Talk to staff in your municipality.

What can you do if your application is turned down?

If the municipality refuses your application you will be told why. If you can't resolve the problems, you have a few options for appealing the decision.

- If the problem relates to technical requirements of the building code, write to the Building Code Commission, care of the Housing Development and Buildings Branch of the Ministry of Municipal Affairs and Housing, with reasons for your appeal. The address is at the end of this guide.
- If the problem relates to construction techniques or materials, write to the Building Materials Evaluation Commission, also care of the Housing Development and Buildings Branch of the Ministry of Municipal Affairs and Housing, and again give reasons for your appeal.
- If the problem relates to interpretation of the zoning by-law, you can apply to a judge of the Ontario Court (General Division), who will review the zoning and decide whether your application complies. You may want to talk to a lawyer first.

What happens during construction?

Building permits often list the kinds of inspections that will have to be done during construction. A building inspector will inspect the work to determine if it is carried out in accordance with the building code, your permit, and the approved plans.

You will also be required to:

- show your permit in a window or other place where it can be easily seen
- keep copies of the plans on the site
- contact the municipality at the appropriate stages of construction for inspections
- tell the municipality about any last-minute changes, which will also have to be approved

The inspector must always be able to see the work. If it's different from the work that was approved, you will be told to correct it. If you don't, the municipality can take legal action.

What about demolition?

Before you take down all or part of a building, you will have to apply to your municipality for a demolition permit. The process is much the same as for a building permit, but some special situations may affect your application.

In a demolition control area, for example, you will not be able to demolish a residential property until you have received a building permit for new construction.

Or, because of the building's historic or architectural importance, it may be designated, or be intended for designation as a heritage building under the Ontario Heritage Act. In that case demolition will require council's approval and there may have to be negotiations over how some of the unique character of the building can be preserved.

What if you want to change a building's use?

If you want to change the way you use all or part of your building you may need a change of use permit, even if you're not planning any construction. A building evaluation may have to be done to make sure that the existing building can support the proposed use. Different uses have different code requirements.

Call your municipal building department to find out whether you will need a change of use permit.

What happens if you don't get a building permit?

Anyone who is charged and found guilty of building without a permit can be fined up to \$25,000 for a first offence and up to \$50,000 for later offences.

Fines can also be imposed if you don't follow an order from the building department.

What other approvals may be required?

In addition to the planning approvals and building permit which are required for a building project, there are other permits and approvals required in particular circumstances. For example, a septic tank permit is required for a new septic system. In cottage areas, a permit may be required from the Ministry of Natural Resources before you do any construction in the water (for example, a dock or boathouse with solid foundation).