

Municipality of Lakeshore

By-law 81-2024

Being a By-law to Delegate Authority to the Chief Building Official to Execute Conditional Building Permit Agreements

Whereas pursuant to section 8(3) of the *Building Code Act, 1992*, S.O. 1992, c. 23, the chief building official may issue a conditional permit for any stage of construction if,

- a) compliance with by-laws passed under sections 34 and 38 of the *Planning Act* and with such other applicable law as may be set out in the building code has been achieved in respect of the proposed building or construction;
- b) the chief building official is of the opinion that unreasonable delays in the construction would occur if a conditional permit is not granted; and
- c) the applicant and such other person as the chief building official determines agree in writing with the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Crown in right of Ontario to,
 - i. assume all risk in commencing the construction,
 - ii. obtain all necessary approvals in the time set out in the agreement or, if none, as soon as practicable,
 - iii. file plans and specifications of the complete building in the time set out in the agreement,
 - iv. at the applicant's own expense, remove the building and restore the site in the manner specified in the agreement if approvals are not obtained or plans filed in the time set out in the agreement, and
 - v. comply with such other conditions as the chief building official considers necessary, including the provision of security for compliance with subclause (iv).

And whereas section 8(3.1) of the *Building Code Act, 1992* authorizes Council to delegate to the chief building official the power to enter into conditional building permit agreements;

And whereas it is deemed necessary to delegate authority to the Chief Building Official to enter into conditional building permit agreements as recommended by the Interim Chief Administrative Officer at the August 13, 2024 Council meeting;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The Chief Building Official is delegated the authority to execute conditional building permit agreements in relation to permits issued pursuant to section 8(3) of the *Building Code Act, 1992*.
2. The delegated authority described in Section 1 includes the authority to execute any related amendments or agreements in furtherance of this agreement.
3. In the event of a conflict between this by-law and another Lakeshore by-law, this by-law prevails.
4. The delegation in this by-law is subject to any restrictions on such delegation under the *Building Code Act, 1992*, S.O. 1992, c. 23, or any other Act.
5. This By-law comes into force and effect upon passage.

Read and passed in open session on August 13, 2024.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**