

Bulletin #2026 – 01

January 9, 2026

Ontario Building Code Development Charge Deferral Process

Effective November 3, 2025, the Ontario Building Code has been amended to support new policies under the Protect Ontario by Building Faster and Smarter Act, 2025 (Bill 17). These changes impact the timing and process for payment of development charges on non-rental residential developments within the Town of Whitby. This information sheet will summarize key points for residents, builders, and industry stakeholders.

Development Charge Deferrals

Development charges for non-rental residential developments can now be deferred from the time of building permit issuance until the time of issuance of an occupancy permit, or the first occupancy permit issued for the building

Occupancy permits are now mandatory for all non-rental residential developments with deferred development charges. The municipality cannot issue the occupancy permit until confirmation of full payment of the deferred development charges.

Municipalities have up to 10 business days to complete occupancy inspections for these developments, allowing time to process payment of the deferred development charges.

Building Permit and Occupancy Process

Homeowners and builders may elect to defer development charge payment until occupancy but must ensure charges are paid in full before the occupancy permit is issued or the building is first occupied.

Building permits will continue to be issued as usual. The changes only affect the timing of development charge payment, not construction safety standards or requirements for occupancy.

When an occupancy inspection is requested, Building Inspectors will conduct the required inspection within 10 business days and confirm payment of development charges before authorizing occupancy.

Please note: Occupancy or final inspections can only be requested when the deferred development charges have been paid at least 10 business days prior to the inspection booking date.

Ontario Building Code Changes

OBC Article	OBC Change
1.3.3.1.(2), 1.3.3.2.(2), 1.3.3.4.(2)(b), 1.3.3.5.(2)(b)	Expanded to include references to buildings/parts subject to deferred development charges under Article 1.3.3.8.
1.3.3.7.(8)(y), 1.3.3.7.(14)	Clarified compliance requirements and added new sentence regarding payment of development charges.
1.3.3.8	New article added: outlines requirements for occupancy permits when development charges are deferred.
1.4.1.3	Updated definition of applicable law under the Development Charges Act.
1.3.5.1, 1.3.5.2, 1.3.5.3	New and revised notice and inspection requirements for occupancy permits, including extended timelines for inspections related to deferred development charges.

Please disseminate this information to all site offices.

Thank you for your cooperation in implementing this important change.

The Town of Whitby
Building Services Division
building@whitby.ca
905-430-4305

Disclaimer Notice

The Town of Whitby assumes no responsibility for any errors and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The Town of Whitby does not make any representations or warranty, express or implied, concerning the accuracy, quality, likely results or reliability of the use of the information contained in this document.