

Infill Housing Strategy – Start of Construction Inspections

ONTARIO BUILDING CODE

1.3.5.2. Additional Notices

(1) A by-law, resolution or regulation made by a principal authority under clause 7 (1) (e) of the Act may require that notice of one or more of the following stages of construction be given by the person to whom a permit is issued under section 8 of the Act:

- (a) commencement of construction of the building,

Building By-Law

9.5 In addition to the notices prescribed in article 1.3.5.1. of Division C of the Building Code, the person to whom a permit has been issued shall give the chief building official notice of readiness for inspection for the following stages of construction, where applicable;

9.5.1. commencement of construction of the building

BACKGROUND

The number of new infill home projects are increasing each year. Unfortunately, these projects have a record of non-compliance with the building permit documents and construction practices that generally disrupt the surrounding community. As a result, we are monitoring infill home projects with the aim to;

- Ensure compliance with the approved building permit documents,
- Maintain safe neighbourhoods by ensuring secure construction sites, and
- Increase communication with other Markham departments to provide a co-ordinated approach to the enforcement of other City by-laws related to construction the affects of construction sites have on the community, such as parking and debris on the roadway.

OBJECTIVE

The objective of this Builder Tip is to advise owners and builders of new home infill projects, at the start of construction, of their responsibilities under the Building Code Act, the Building Code, Markham By-laws and community expectations.

This Builder Tip was developed to establish an operational policy for the enforcement of the Building Code Act with respect to the owner/builder's responsibilities.

IMPACT ON THE NEIGHBOURING COMMUNITY

When an infill home is constructed within an existing neighbourhood, additional measures must be undertaken by the owner/builder to lessen the negative impact on the surrounding area. Below are directives that must be followed, failure could result in Orders and legal action being taken. There is zero tolerance in regards to the following requirements;

Excavation – do not damage or cause damage to adjacent private or public property or services.

Construction Fencing and Screening – must be erected at all times. Gates must be closed at all times. Fencing shall not be located on City property.

Posting of the Permit Card – The demolition and building permit placard must be posted on the construction fencing the municipal street until the occupancy permit is issued. The placard must within in a weatherproof enclosure.

Shoring – Shoring of the excavation must be completed prior to the start of forming of the footing for the home.

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Survey Elevations – A survey by an Ontario Land Surveyor (OLS) must be submitted for;

- The underside of the footing elevation at the footing inspection, prior to pouring the concrete for the footing, and
- Top of foundation wall and top of first floor elevation at the pre-backfill inspection and indicate all setback dimensions to all property lines

Sewer Connections – The underside of the footing elevation must correspond to the approved grading drawings for the sewer connections to maintain gravity flow. Talk with your trade for installing the inside drains to ensure the elevation of the drains leaving the home under the footing are at the approved elevations.

Worksite Code of Conduct – Refer to Appendix A for the requirements of your trades to follow while working on your project within the City of Markham. Printing instructions are enclosed and the sign must be posted on site facing the municipal road. The electronic document for printing was attached to an email sent to you. See Appendix B

Lot Grading During Construction – Your grading plan includes a minimum 600 mm of undisturbed soil around the perimeter of the property. You may not excavate, add soil or place materials within this area during construction. Failure to adhere to this requirement is a violation of the Building Code Act for non-conformance with the Building Permit documents.

New Home Report – Your Building Inspector will issue a formal New Home Report. The requirements in this report require you to submit information as the inspector determines. You may be instructed to confirm for yourself that certain building components comply with the Building Code. Failure to follow the directions of this report could affect your occupancy and cause Building Code violations.

Permit Documents on Site – The Building Code requires you to have a copy of the permit documents on site. Print your electronic permit documents on a minimum size 450 mm x 600 mm paper.

What Can I Do to Prepare for the Start of Construction Inspection?

Your building inspector has a responsibility to the builder and owner to enforce the Building Code and ensure public safety from the hazards associated with construction.

You are required to have the following ready or installed prior to the inspector's arrival.

- Construction fencing and screening are still being maintained around the entire perimeter and not located on City property
- Posted the weather-proofed building permit card on the construction fencing so that it faces the City street
- Printed and posted the Worksite Code of Conduct on the construction fencing so that it faces the City street.
- The line of excavation has been marked on the ground in accordance with the permit documents.

Failure to Construction In accordance

The Building Code Act contemplates that owners and builders will comply with the laws regarding building construction in Ontario, including constructing a building in accordance with the approved Building Permit Documents. Once a building permit is issued, the Building Standards Department relies on the owner and builder to construct in accordance with the building permit documents.

Failure to obtain approval to your permit documents prior to making the change on site will result in an Order to Comply being issued. Failure to Comply with this Order may result in the issuance of a Stop Work Order. See Appendix A.



Builder Tip

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Appendix A



Order to Comply

Pursuant to Subsection 12(2) of the *Building Code Act, 1992*

The City of Markham, 101 Town Centre Blvd.
Markham, Ontario, L3R 9W3
905 477-7000
Building Code Identification Number 16175

Address to which Order applies:

Order Number:

Date Order Issued:

Building Permit Application No.:

Order issued To:

Order issued To:

The inspection on or about _____ (date) at the above-referenced address found the following contravention(s) of the Building Code or the *Building Code Act, 1992*.

You are hereby ordered to correct the contraventions itemized below by the dates listed.

Item	Reference	Description and location	Required action and compliance date
1.	<i>Building Code Act</i> s. 8(13) and 18(1)	<p>1) No person shall construct or demolish a building or cause a building to be constructed or demolished except in accordance with the plans, specifications, documents and any other information on the basis of which a permit was issued or any changes to them authorized by the chief building official.</p> <p>2) The following construction has not been authorized by the Building Permit documents;</p> <p>(list of unauthorized work)</p>	<p>1) You are required to submit a detailed report from an Architect, Professional Engineer or provincially qualified designer that provides how the unauthorized construction will impact the following building components;</p> <ul style="list-style-type: none"> a) Architectural b) Structural c) Mechanical d) Energy Efficiency (EEDS) e) Plumbing f) Heritage approval g) Markham zoning bylaw h) Committee of Adjustment decisions <p>The report must comment on how the remaining as-built construction (other than the construction listed under Description and Location) is in compliance with the Building Permit documents. Submit this report by (date)</p> <p>2) Obtain authorization from the chief building official in the form of a revised building permit by (date)</p> <p>3) Submit a professional report every 2 weeks from the date of this Order to Comply was issued that confirms all construction is continuing in accordance with the building permit documents.</p> <p>4) You are advised that construction on the items identified on this Order should not continue and may require modification or removal based on any revised building permit documents being issued.</p>

The Building Standards Department issues BUILDER TIPS as part of our customer service program. They are designed to provide an improved understanding of the Building Code and to reduce the costs associated with correcting infractions. Please contact your area building inspector for further information or call the Building Standards Department at (905) 475-4850

Appendix B



NO TRESPASSING
RESPECT NEIGHBOURING SPACES AND PROPERTY.



KEEP SIDEWALKS & ROADS CLEAR
IF YOU SEE DIRT, GRASS, SNOW, ICE OR ANYTHING ELSE, CLEAN IT UP.



SECURE YOUR WORKSITE
OPEN EXCAVATIONS MUST BE FENCED WITHIN THE PROPERTY LINE. CLOSE THE GATE WHEN YOU LEAVE.



SECURE YOUR LOAD
SECURE AND COVER ANY MATERIALS BEING TRANSPORTED TO AND FROM THE WORKSITE.



CLEAN IT UP
PUT TRASH IN GARBAGE BINS, KEEP A CLEAN SITE, AND NO DUMPING ON NEIGHBOURING PROPERTY.



DON'T FLOOD THE NEIGHBOURS
MAKE SURE WATER DRAINS PROPERLY OFF THE WORKSITE AND AWAY FROM NEIGHBOURS.



PARK LEGALLY
KEEP OFF DRIVEWAYS, SIDEWALKS AND BOULEVARDS. OBEY ALL PARKING RESTRICTIONS.



PROTECT TREES
SET UP TREE PROTECTION FOR PUBLIC AND PRIVATE TREES. TREES ARE VALUABLE AND DAMAGE COULD COST YOU.



MATERIAL AND EQUIPMENT
KEEP MATERIALS AND EQUIPMENT OFF ROADS, SIDEWALKS, BOULEVARDS AND NEIGHBOURS' YARDS.



MIND THE NOISE
CONSTRUCTION CAN ONLY HAPPEN DURING ALLOWED HOURS: 7AM-7PM MONDAY-FRIDAY AND 9AM-7PM SATURDAY. NO CONSTRUCTION NOISE ON SUNDAY AND HOLIDAYS.

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Worksite Code of Conduct Sign

To encourage respectful construction practices in residential neighbourhoods, it is recommended the Worksite Code of Conduct sign be posted on every infill construction site. When sending the print-ready PDF to a print shop, the following information must be provided:

PRINT SPECIFICATION (TO BE PROVIDED TO YOUR PRINT VENDOR)

Note: The Worksite Code of Conduct sign can be printed on any size between 24" x 18" (minimum) to 3' x 4' (maximum).

24" x 18" Sign

Final size: 24" x 18", with 0.25" bleed

Colour: 4/0 process

Stock: E-panel

Quantity: 1 (unless directed otherwise)

or

3' x 4' Sign

Final size: 3' x 4' with a 0.25" bleed

Colour: 4/0 process

Stock: E-panel

Quantity: 1 (unless directed otherwise)