

City of Ottawa construction inspectors conduct impromptu inspections to inform property owners and contractors of their construction and demolition responsibilities and obligations and to mitigate potential conflict and impact on adjacent properties.

Property owners and building permit holders are responsible for construction activity, safety and the actions of contractors and trades hired on their behalf and are expected to know and understand their legal obligations and responsibilities when undertaking demolition and construction related activities, to observe and follow all construction site protocols and maintain good neighbour practices during the course of construction.

### **CONSTRUCTION SAFETY**

Construction activity will have an immediate impact on adjacent properties and can result in strained relations with neighbours. Potential impact includes storage and movement of materials and equipment, noise, temporary works (including fencing, hoarding and shoring), changes to grading, surface and ground water movement and disposal, on street parking, public right of way vehicle and pedestrian access and movement, temporary relocation of utilities and services and daily activity of all trades and services associated with a construction project.

### **PRIOR TO CONSTRUCTION**

A property owner is required to ensure a building permit and all required agency approvals have been obtained prior to commencing any construction activity.

Where an excavation or shoring system extends beyond the property line, these works must be agreed upon in advance of construction work by the adjacent property owner(s) by way of an informed consent agreement.

A municipal consent agreement must be obtained for works on City of Ottawa property from Right of Way (ROW). Damage to adjacent property and infrastructure can result in significant delays to construction and result in additional costs, fines and legal action to address restitution.

### **CONSTRUCTION FENCING**

Construction fencing must be installed to enclose construction and demolition activity while a building is under construction.

**LOCATION OF FENCING:** The construction fence must fully surround all of the site's activities and be located on the property where the construction occurs.

**HEIGHT OF FENCING:** Where construction activity occurs within 3.0 metres or less from a public pathway or where the public congregates, the fence must be at least 1.8 metres high. The fence height may be reduced to a minimum height of 1.2 metres for residential construction of no more than 3 storeys and more than 3.0 metres from an adjacent public walkway.

## **EXCAVATION**

Excavations must be contained to the building site, with no encroachment or damage to adjacent properties. Where encroachment cannot be avoided, permission and approval to encroach is required prior to beginning any site work.

## **SITE ALTERATION**

Where construction includes excavation and fill movement, the property owner is responsible for the provision and maintenance of erosion control fencing installed around the perimeter of the site to prevent fill material migrating onto adjacent properties.

All site grading work must be undertaken in accordance with the City of Ottawa Site Alteration By-Law, in accordance with city specifications and good engineering practice. Existing grades and drainage must be maintained or reinstated along the property lines in accordance with the approved site servicing and grading plans.

## **USE AND CARE OF ROADS**

It is the responsibility of the property owner to protect and maintain the municipal roads and sidewalks during construction activity including provision for flushing and sweeping debris and dirt accumulations resulting from construction activity.

## **ROAD ACTIVITY**

All works within the municipal right of way must be undertaken in accordance with the City of Ottawa Road Activity By-Law. Additionally, a road cut permit is required for any excavation within the municipal right of way.

## **HELPFUL LINKS**

City of Ottawa NOTICE TO PERMIT HOLDERS Construction Fencing Information

[https://documents.ottawa.ca/sites/documents/files/documents/fencing\\_info\\_en.pdf](https://documents.ottawa.ca/sites/documents/files/documents/fencing_info_en.pdf)

City of Ottawa - Construction in the right-of-way

<https://ottawa.ca/en/planning-development-and-construction/construction-right-way>

City of Ottawa Noise By-law No.2017-255

<https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/law-z/noise-law-no2017-255>

City of Ottawa Road Activity By-Law 2003-445

[Road Activity \(By-law No. 2003-445\) | City of Ottawa](#)

City of Ottawa Use and Care of Roads By-Law 203-498

[Use and Care of Roads \(By-law No. 2003-498\) | City of Ottawa](#)

City of Ottawa Site Alteration By-Law 2018-164

<https://ottawa.ca/en/living-ottawa/water/stormwater-and-drainage/site-alteration-law-2018-164>

Ontario Ministry of Labour – Notification of Construction Projects

<https://www.labour.gov.on.ca/english/hs/forms/index.php#construction>

Ontario Ministry of Labour - The Construction Sector: FAQs: Health and Safety

<https://www.labour.gov.on.ca/english/hs/faqs/construction.php>

Ontario Ministry of Labour - Excavation Hazards

[https://www.labour.gov.on.ca/english/hs/sawo/pubs/fs\\_trenches.php](https://www.labour.gov.on.ca/english/hs/sawo/pubs/fs_trenches.php)

Trenching Hazards - Construction Health and Safety Manual - Ch.31

[https://www.ihsa.ca/pdfs/safety\\_manual/Trenching.pdf](https://www.ihsa.ca/pdfs/safety_manual/Trenching.pdf)

OWNER'S DUTIES - Designated Substances on construction projects

<https://www.ihsa.ca/PDFs/Products/Id/W130.pdf>

Guide to the Occupational Health and Safety Act - Part IV: Toxic substances

<https://www.ontario.ca/document/guide-occupational-health-and-safety-act/part-iv-toxic-substances>

Construction Regulation — Ontario Regulation 213/91

[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_910213\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_910213_e.htm)

Onecall – Service and Utility Locates

<https://www.ontarioonecall.ca/>

Asbestos on Construction Projects and in Buildings and Repair Operations — Ontario Regulation 278/05

[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_050278\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_050278_e.htm)

Material Handling and Storage

[https://www.labour.gov.on.ca/english/hs/sawo/pubs/fs\\_materialhandling.php](https://www.labour.gov.on.ca/english/hs/sawo/pubs/fs_materialhandling.php)

Workplace Hazardous Materials Information System (WHMIS)

Ontario Ministry of Labour - In the Workplace: FAQs

[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_900860\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900860_e.htm)

## REFERENCE DOCUMENTS

City of Ottawa Building By-law No. 2014-220

City of Ottawa Noise By-law No.2017-255

City of Ottawa Notice to Permit Holders – Construction Fencing

City of Ottawa Site Alteration By-Law 2018-164

City of Ottawa Road Activity By-Law 2003-445

City of Ottawa Use and Care of Roads By-Law 2003-498

Designated Substances - Ontario Regulation 490/09

Occupational Health and Safety Act

Construction Regulation — Ontario Regulation 213/91

Asbestos on Construction Projects and in Buildings and Repair Operations — Ontario Regulation 278/05