

RESIDENTIAL INFILL PROJECTS

With increasing density and infill taking place in our city, living next to demolition and construction work is disruptive and stressful for neighbourhoods. Our city councillors are often contacted about unpleasant incidents that could have been prevented if communication channels had been in place.

Several cities understand that when neighbours have full information, they are generally more supportive of developments around them.

Our research found that many Canadian cities have created Good Neighbour agreements or guides, designed to improve communication, set guidelines, and avoid conflict. These include Toronto, Oakville, as well as Vancouver and various cities in BC.

Coquitlam in BC has the most extensive package and is featured in this package as it includes:

- Templated letters developers can use to initiate open communication
- Checklists supervised at the initial building inspection to ensure all parties understand the process and have the information they need
- Codes of conduct to be signed by all involved to show good faith between contractors and neighbours.

We invite Hamilton to use these resources and examples to create our own city's Good Neighbour guidelines.

SUMMARY

The Good Neighbour agreements we researched covered the following issues, designed as policies with some regulated through by-laws (please note that Hamilton already has many, not all, of these policies and by-laws in place but lacks a guide that outlines them):

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Below are some selected (by no means extensive) examples taken from the cities we researched:

1. COMMUNICATION WITH NEIGHBOURS

NORTH SAANICH, BC

The developer should notify, in writing, the occupants of adjacent properties prior to the commencement of the work (please refer to attached sample letter).

Commencement of work includes site clearing, demolition and construction.

TORONTO

Communicating with your neighbours

It is important for you to keep neighbours informed of your building plans at all times. Before starting work on your building project, you should:

- Tell your neighbours what is being planned by writing or visiting them personally.
- Tell them how long construction will take.
- Provide them with a way to contact you if they have concerns about the project or if there is an emergency.
- Post your building permit in a prominent area on your property.

VANCOUVER

The Good Neighbour Builder/Owner

There are six basic rules for infill builders:

1. Get all required permits and approvals;
2. Tell all neighbours what you are doing;
3. Protect the neighbourhood, including private property, fences and shrubs;
4. Clean up;
5. Keep noisy work to allowable times;
6. Do not block driveways (public or private), or roads.

The notification should include a description of the work, key emergency contact numbers including that of the developer, general contractor, and owner's representative.

A sign should be erected at the site prior to the start of construction. The sign should provide the name and contact numbers of the general contractor and owner.

2. COMMON COURTESIES & RESPECT FOR EXISTING NEIGHBOURHOODS

COQUITLAM

The following are common courtesies that will help to maintain a positive relationship between developers and the neighbourhoods they work in.

- 🔊 Avoid playing loud music or making loud noise beyond normal work hours. During summer months, work during dinner times and evenings should be avoided.
- 🔊 When temporary power is available, avoid use of a power generator.
- 🗑️ Dispose of litter properly to avoid it blowing onto neighbouring properties or District roads. Please leave your site in a neat and tidy condition at the end of each work day.
- 🚗 Develop a plan for parking trade workers' vehicles so they don't obstruct neighbours' property, boulevards, or driveways.

🏠 Be respectful and avoid using foul language especially when neighbours or children are nearby.

🏠 Always ask permission to enter a neighbour's property or to use their water or electrical supply.

🏠 Portable sanitary facilities should be used if washrooms are not available, and should be kept in a presentable condition and placed in a manner that keeps neighbouring properties in mind.

🏠 Whether you are a builder or owner, treat neighbours in the same manner you would like to be treated.

3. SITE CLEAN UP (INCL. DUST, MUD & SAFETY)

SAANICH

Collect and remove waste on a regular basis. Prompt clean-up of litter and construction garbage keeps the site from becoming a safety hazard and an eyesore. Leave the site in a clean condition at the end of each work day.

OAKVILLE

Dirt, dust and debris around a construction site is inevitable, however the developer or builder is responsible for managing the work site so that debris and mud tracking is kept to a minimum and public space is reasonably clean at the end of each day

TORONTO

Place construction and renovation waste dumpsters in locations that will minimize impact on neighbours (e.g. away from their homes, not blocking driveways).

- Do not use City-issued waste bins (garbage, Blue Bin, Green Bin) to dispose of construction and renovation waste.

As required by the Streets and Sidewalks Bylaw (MC 743), remove any dirt/mud tracked onto the streets and sidewalks daily. Hose down trucks before leaving the site if mud tracking is a serious problem.

You should immediately flush or sweep down any road that has substantial dirt/mud build-up.

VANCOUVER

Collect and remove waste on a regular basis. Prompt clean up of scraps and construction garbage keeps the site from becoming a safety hazard and an eyesore. Remove mud that has been tracked onto City streets and sidewalks.

If mud tracking is a serious problem, trucks should be hosed down before leaving the site. If mud has built up substantially, roads should be immediately flushed or swept down. Failure to comply may result in substantial fines. Siltation must not enter the storm drainage system, please refer to the City's requirements for sediment control.

Care must be taken to keep debris on the site.

TORONTO & VANCOUVER

Do not burn waste.

DUST

TORONTO

Cut concrete and stone with wet saws to reduce dust.

- Sweep the sidewalk and street at the end of every workday when excavating, backfilling, or doing heavy cutting of masonry.
- Use a fence filter that absorbs the dust in order to better contain dust.
- If planned work will be particularly dusty for lengthy periods of time, notify your neighbours, and provide them with an opportunity to close their windows.

4. DAMAGE TO PROPERTY AS A RESULT OF CONSTRUCTION ACTIVITY

If a property is damaged as a result of construction activity, the homeowner may have a right to compensation. If the developer is not willing to address the issue directly, the remedy is through the civil courts.

5. SAFETY

TORONTO

In winter, clear the ice and snow from the sidewalks next to the construction within 12 hours of a snowfall. This Bylaw, Snow and Ice Removal (MC 719), applies during construction activity.

- Do not harm existing neighbourhood services. Contact your local utilities to locate underground services before you start digging. Visit Ontario One Call.
- Do not leave dangerous building materials, equipment, or vehicles on the site unattended.

6. TOILETS

TORONTO

When selecting where to put portable toilets, take steps to minimize the impact they can have on neighbours (i.e. sight and smell).

7. ENCROACHMENT & ACCESS TO ADJACENT PROPERTIES

Protect neighbouring properties from construction activities.

Special care must be taken to keep construction operations and trucks away from adjacent landscaping.

If areas are at risk, the builder should work out an acceptable agreement with the adjacent owner **BEFORE** starting the work.

Avoid encroaching onto adjacent property with waste disposal bins and storage. Care should be taken to direct runoff away from neighbouring properties.

ACCESS

OAKVILLE

A building permit does not give your neighbour or their contractor the right to enter onto your property without your permission.

Allowing access to your property is your decision and is a private matter. If you decide to allow access, we suggest you have a written agreement for the benefit of both parties.

8. DRAINAGE AND GRADING

OAKVILLE

Older areas within the community can sometimes pose drainage challenges for new building construction. (Any such issues need to be addressed.)

9. NOISE REGULATIONS

DISTRICT OF NORTH SAANICH NOISE BYLAW 1383 requires that:

No person shall carry on construction, reconstruction, alteration or repair of any building or structure, or carry on any excavating or other operation, or operate any kind of machine or engine, which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity except between the following hours of each day:

- (a) Monday to Friday inclusive between the hours of 7:00 a.m. and 7:00 p.m. of each day except where the day is a statutory holiday within British Columbia; and
- (b) Saturday between the hours of 8:00 a.m. to 4:00 p.m.

OAKVILLE:

Noise from construction is permitted during the hours of 7 a.m. to 7 p.m. (excluding Sundays and statutory holidays).

There are situations where times may vary, such as for emergency work or where an exemption has been granted by the town.

Workers can be present and work may be conducted at any time, as long as the resulting noise is not clearly audible off site.

10. TREE PROTECTION

OAKVILLE

Tree protection and removal

Town trees: Trees within or close to an active construction site must be protected from harm with perimeter fencing.

Private trees: Trees on private property that are healthy and over 15 centimetres in diameter can only be removed with town approval.

Boundary trees: Trees that straddle the property line are jointly owned by both property owners and can only be removed with the consent of both owners. If your tree's limbs and/or roots overhang/encroach the development site and interfere with construction work, the builder/developer may contact you about pruning these limbs and / or roots. Pruning should be performed by an arborist.

TREES - TORONTO 1)

- Design construction projects with tree protection in mind to help sustain the city's urban forest.
- If construction equipment or debris gets close to a tree, or if a structure is built near a tree, it will cause injury to the trunk, crown, and roots of the tree.
- Trees on private property with a diameter of 30 cm or more, all trees that were planted as a condition of a permit issued under the Bylaw or a site plan agreement, and all trees on City property and within ravine-protected areas must be protected Unprotected Trees during construction. This protection is required under the Parks (MC 608), Ravine and Natural Feature Protection (MC 658), and Trees (MC 813) Bylaws.
- The City has a Tree Protection Policy and Specifications for Construction Near Trees resource. It includes requirements for tree protection zones, tree protection hoarding standards, horizontal root protection measures, and details about Tree Protection Plans that are prepared in conjunction with an arborist report.

TREES - TORONTO 2)

Privately owned trees that are at least 30 centimetres in diameter as measured at 1.4 metres above ground level are regulated by the Private Tree Bylaw (MC 813, Article III).

Trees of any diameter that were planted as a condition of a permit issued under this Bylaw or a site plan agreement are also protected.

Property owners are required to obtain a permit from Urban Forestry prior to undertaking any work that may cause injury or require the removal of a tree protected under this Bylaw.

TREES – TORONTO 3)

All trees located on City streets are protected under the Trees on City Streets Bylaw (MC 813, Article II).

Property owners are required to obtain a permit from Urban Forestry prior to undertaking any work that may cause injury or require the removal of any tree located on City property.

11. PARKING

OAKVILLE

The town may issue permits for workers' vehicles to park on the street near the project location, beyond the general three-hour limit, which may temporarily increase on-street parking in front of your home. The permitted locations take into account safety, emergency response access and delivery of municipal services.

12. CHECKLIST

See attached document

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