



INFILL RESIDENTIAL CONSTRUCTION GUIDE

2021

This guide is meant to help Penticton contractors and residents understand the regulations that reduce the impact of construction projects in established residential areas and help maintain good relationships with neighbours.



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Please note: Building Bulletins are prepared to provide convenient information for customers, and should not be considered a replacement for reviewing the bylaw or associated legal documents. If there is any contradiction between this guide and relevant municipal bylaws and/or applicable codes, please refer to the bylaws and/or codes for legal authority.



Additional help & guidance available

Where possible, contacts for further information has been provided in each section to help guide you through the building process and avoid complications or costly repairs to City or neighbouring properties. You can also contact us at developmentservices@penticton.ca.

Preparing for your infill residential construction project

OVERVIEW

Construction projects in established neighbourhoods, known as infill construction, pose challenges that construction in other areas would not because of their proximity to neighbouring homes. But potential issues such as public and worker safety and damage to neighbouring or city property and established trees can be easily guarded against.

This guide is meant to help Penticton contractors and residents understand the regulations that reduce the impact of construction projects in established residential areas and help maintain good relationships with neighbours.

The goal is to enable builders and contractors to be safer and more considerate in their construction practices, as well as to help reduce infractions resulting in fines, tickets and stop-work orders. It is designed to provide a clear understanding of:

- ▶ **Best practices for infill construction**
- ▶ **How to establish and maintain good relationships with neighbours and residents during construction**
- ▶ **Where to find City bylaws & bulletins pertaining to construction activities**
- ▶ **Who to contact with questions or concerns**

City Contacts

Development Services Building

- ▶ **Building & Planning: 250-490-2571**
- ▶ **Planning**
 - Development Permits, Variance or Rezoning: **250-490-2501**
- ▶ **Engineering**
 - Road & Sidewalk Closure: **250-490-2501**

Public Works

- ▶ **Disconnects: 250-490-2500**
- ▶ **Water Service/Meters: 250-490-2500**

Electrical Department

- ▶ **Temporary Service: 250-490-2535**

Report an issue:
penticton.ca/reportanissue



General tips

Most importantly, do not start construction until you have all the necessary approvals or you could be subject to stop work orders and may be fined or required to remove structures.

Starting off right: Being a good neighbour

For projects in older neighbourhoods, checking a few details before you start the construction process can help avoid delays down the road.

After your building permit is issued, but prior to starting, it is suggested you request an infill pre-construction meeting with City staff. This meeting is free and includes an overview of key infill considerations and potential issues with your build. You can arrange an on-site meeting with your assigned Building Permit file manager or by contacting us at **250-490-2571** or **buildinginfo@penticton.ca**.

A successful project starts by understanding who's involved and impacted by the development. In newer neighbourhoods, residents are typically expecting on-going construction. They may feel that area plans and regulations provide sufficient guidance for homebuilders, allowing residents to feel comfortable with the decisions they are making. In older neighbourhoods, change often happens incrementally by many different developers and has different levels of impact to those who already are in the neighbourhood. This usually means that many people want to weigh in on what's going on.

Recommended steps before starting your project:

1 Introduce yourself to the neighbours

Considerate construction requires a conscious effort in applying precautionary measures and establishing communication with surrounding residents. Strong communication and construction management should improve overall relationships with neighbours and the City, resulting in reduced impact on the neighbourhood, fewer fines, tickets and less stop work orders being issued.

The majority of issues can be solved before they become problems through communication. Introducing yourself to your neighbours and providing contact information for your general contractor can alleviate much of the anxiety they may feel when they see construction in progress. At times, this may include a written agreement if issues arise regarding excavations or shared fences that will need to be corrected prior to signing off on the project.

Owners and builders are responsible for construction-related damage to adjacent properties, public or private. If this occurs, you must proactively initiate discussions with the impacted property owner and explain in writing how you'll repair the damage.

Do's & Don't's:

- ✓ If something goes wrong, contact the neighbour. Don't wait for them to notice the issue and contact the City!
- ✗ Don't trespass onto private property without written authority from the property owner.
- ✗ Don't connect to a neighbour's power outlets or hose bibs without their written approval.
- ✗ Don't swing or extend mobile equipment like zoom booms or cranes over adjacent private property without that property owner's approval.
- ✓ Do ask the neighbour if it is okay for you to access their property.
- ✓ Do ask if you can use the neighbour's outlet or hose bib if required.
- ✓ Do tell the neighbour if your construction may impact their property

2 Establish property lines: Get an accurate survey

Many older neighbourhoods in Penticton do not have accurately established property lines, so issues can arise over whose property a tree or fence is on. An accurate survey that shows where the property line is will ensure harmony with your neighbours.

Be aware that neighbours may feel very cornered that they do not own land, fences or tree's they believed they did. Meeting with them to review the property line once it is marked out is essential.

Refer to Building Bulletin for information related to Survey Requirements.

3 Noise

As outlined in the Good Neighbour Bylaw permitted hours of construction are:

► **7:00am to 10:00pm – Monday to Sunday**

Construction Noise Exemptions can be provided where circumstances arise requiring an early start or late finish. Good communication with local residents is important to ensuring good relations and support of future exemption requests.

Noise Exemption Permit Application (please allow up to 5 working days to process) can be requested.

Foul language, amplified music and other noises can disturb local residents and it is important for the owner/builder to coordinate with all trades and delivery people to ensure job sites are maintained in a respectful manner.

Refer to Building Bulletin for information related to Construction Noise.

4 Neighbouring property assessment

At times construction activities can lead to disputes regarding damage to City or neighbouring properties. Prior to the start of your project the owner/builder is required to complete an assessment of city infrastructure to ensure there is an accurate documentation of the pre-existing condition.

It is highly recommended that you take pictures of any pre-existing damage to sidewalks, lanes, etc.

This assessment can be reviewed as part of the pre-construction site meeting outlined on **page 4** of this guide.



Noise Regulations

Hours of construction activity is permitted:

7 am to 10 pm – Monday to Sunday

Noise exemptions can be requested.

Noise Nuisances: Foul language and amplified music is one way to create issues with your neighbours.



Starting off right: Continued

5 Parking & loading zones

Infill development creates challenges when there are multiple trades. Ensuring you work with your trades in relation to parking in established neighbourhoods will help alleviate issues with local residents. Note that:

- ▶ **Vehicle owners/operators must obey all traffic signs and bylaws, including time periods for parking on any roadway or public place.**
- ▶ **Vehicles cannot stop or park on either side of any lane or in front of or within 1.5 metres of a driveway.**
- ▶ **Owners or builders can apply for parking stall rental permits to allow extended parking times.**
- ▶ **Owners or builders may not use a road closure permit for parking, unless specifically authorized by that permit.**
- ▶ **Construction trailers must be attached to vehicles at all times.**
- ▶ **Blocking roadways, lanes or sidewalks is not permitted unless with a Construction Road Closure permit is issued**
- ▶ **No storage or placement of construction materials or use of tools is allowed on the boulevard unless a Construction Road Closure permit is issued.**

See page 10 & 11 for more information about road and sidewalk closures.

6 Signage

Owners and builders are required to provide a sign with contact information. This gives you the opportunity to deal with inquiries and concerns before they're sent to the City. The City will also provide you with a laminated copy of your permit for display.

7 Site maintenance

You and your builder are responsible for your property, adjacent boulevards, sidewalks, and lanes adjoining the property. You're also responsible for any damage caused, whether by you or a sub-trade and could possibly face charges under WorkSafe regulations.

- ▶ **Store loose garbage, yard waste and other materials so they're not visible from outside the property.**
- ▶ **Ensure fences and structures on your property are in good repair and are not a safety hazard.**
- ▶ **Take reasonable precautions to limit smoke, dust or other airborne matter.**
- ▶ **Stack and/or secure construction material to allow for appropriate and safe movement onto or off site.**
- ▶ **Ensure debris is not unreasonably accumulating on site and is disposed of safely and appropriately.**



8 Sanitary facilities during construction

At all times the facility is required under this bylaw, with toilet paper, a locking door for privacy, and ventilation, and must be kept in sanitary condition without leaking beyond the facility and without overflowing within the facility. Such facilities must be located so as not to create a nuisance to neighbouring parcels, streets, or lanes.

9 Sediment & storm water management during construction

Storm water must be managed in such a way as to avoid negative effects to neighbouring properties. It cannot accumulate in excavations or depressions, which could cause a hazard or compromise the proposed structure's soil-bearing capacity. Pumping onto roads, lanes or neighbouring properties is not permitted.

When a building is under construction it may take a while before eavestroughs and downspouts are installed to direct precipitation that falls onto the roof. Builders may create a natural swale or low elevation channel along the side yard of the lot to ensure precipitation is directed to the designated muddy water collection areas during construction, and to the street, lane or swale once construction is complete. You can also use temporary eavestroughs or other measures to direct roof precipitation during construction. We recommend consulting with a professional to identify the most effective measures for your project.

On-site dirt stockpiles must be covered to prevent erosion or dust issues, and their location should be carefully considered to prevent negative effects to neighbouring properties.

Refer to Building Bulletin for Site Sediment Control Requirements.



Worksite & traffic safety

Public & worker safety

Property owners and builders must keep public safety top of mind during all stages of demolition, excavation and construction. Check-in early and often with the surrounding community — and particularly neighbouring property owners — to understand their needs, priorities and concerns. We've summarized some construction best practices below that will help avoid safety issues and conflicts. City staff can refuse to complete inspections and notify WorksafeBC if job site safety is not maintained.

Protection of the Public Regulations

Please refer to Part 8 of the BC Building Code for owner/building specific requirements in regards to basic safety requirements for Construction and Demolition Sites. Go to Part 8 for more information: bit.ly/bc-building-code.

Refer to Building Bulletin for Field Inspection Safety Requirements.

1 Safety fencing

The site needs to be enclosed with a fence at least 1.8 metres high as soon as construction activity begins. The fence footings and structural supports can not extend beyond any public and private property lines unless it's tree-protection fencing that has been authorized by the City.

If your fence needs to cross a property line, it's your responsibility to get permission from the property owner before installing the fence. If they refuse, you must find another way to install the safety fence. Please take into consideration potential tripping hazards at the fence supports.



2 Excavation & trenching

If you're planning an excavation exceeding a depth that could negatively impact neighbouring properties you'll need to submit an excavation plan as part of your building permit application, along with a letter from those property owners acknowledging the project and possible damage to their properties. Before you dig, call BC 1 at **1-800-474-6886** or submit a ticket on their website.

See WorkSafeBC's Occupational Health and Safety regulations for specific information on excavations and trenching. If your builder can not provide sloping or benching to meet those requirements, you'll need an engineered shoring plan prior to excavation.



3 Grading & retaining of slopes

As part of infill development retaining walls (temporary or permanent) are often needed to modify the grades and retain slopes. If the wall is 1.2 metres in height or holds a superimposed load a permit is required. Multiple, or tiered, retaining walls typically need a building permit regardless of the wall height. Any retaining wall, regardless of height, that holds up a slope, driveway, or structure requires a building permit. If in doubt please contact your building official.

Refer to Building Bulletin for Landscaping & Retaining Wall Requirements.



WorkSafeBC

Please refer to WorkSafeBC for information related to Builders, prime contractors, employers, workers, and homeowners will find information about their roles and responsibilities, and safe work practices.



Protection of city infrastructure and use of lanes, sidewalks & roads

Construction is a complicated process. There are many moving parts, a number of regulations that need to be followed, and scheduling that can change based on factors such as weather and other unforeseen circumstances. Before starting any construction work, make sure all applicable permits have been obtained and a site safety plan is in place.

Owners are required to repair any damage to the boulevard area, sidewalks, and curbs on the adjacent street to the property at the completion of construction, or as requested by the City.

As per the Building Bylaw, every owner to whom a permit is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the permit.



1 Boulevard & tree protection

The City of Penticton owns the boulevard – the land between the sidewalk and the roadway – and the landscaping and trees within it. When not properly protected during construction projects, City boulevards can be severely damaged and City trees damaged or killed. It is the responsibility of contractors and owners to protect these City assets during construction by following the guidelines laid out in this bulletin.

If crossing the boulevard, you will have to identify how you will protect the boulevard from soil compaction.

Refer to Building Bulletin Protection of City Boulevards & Trees.

Construction during winter months

If construction is taking place during winter, any snow and ice must be removed from that portion of the sidewalk or pathway by 11:00 am on the day of snowfall.

2 Roads, lanes & sidewalks

If the owner or builder plans to use the roads, sidewalks, or lanes as a workspace or needs to temporarily block access to roads, sidewalks or lanes around the property for any length of time, a road closure permit is needed. Here's what you need to know about applying:

- ▶ You must apply for and receive a permit prior to closing any road, sidewalk, or lane. Make sure you always have a copy of the approved road closure permit on-site. This permit will specify what works are taking place and what safety requirements and traffic control are required.
- ▶ You'll also need a road closure plan as part of your application for a permit. A detailed road closure plan should show all sign, fence, and barricade locations and should indicate how access to neighbouring properties and services such as Fire, Ambulance, or Waste Collection will be maintained.
- ▶ You are responsible for safely closing any public road, lane, or sidewalk safely in accordance with your permit.

If a sidewalk needs to be closed on a more long term basis, a Construction Road Closure Permit is required. This permit ensures proper signage so that pedestrians are made aware of the closure, are provided with appropriate detour information and hoarding where required.

Contact development@pentiction.ca or call 250-490-2501 to apply for a temporary closure permit.

Other road, lane, and sidewalk concerns to keep in mind:

- ▶ **Construction materials — including electrical cords, hoses, chains, or similar items — cannot be placed across any portion of a road, lane, boulevard or sidewalk.**
- ▶ **Construction and operating machinery may only be operated within the fenced construction site.**
- ▶ **Make an effort to load and unload materials and equipment quickly to avoid disrupting sidewalk and lane use.**
- ▶ **Permit holders must ensure mud, dirt, and other construction debris is not transferred onto a road or boulevard from the construction site.**

Trucks carrying sand, gravel, rocks or earth can not let any debris escape onto a City road

- ▶ **Owners must repair any damage to the boulevard area, sidewalks, and curbs on the adjacent road when construction is complete, or as requested by the City.**
- ▶ **During construction, it's the owner's and builder's responsibility to maintain a sidewalk or pathway that runs in front of or along the street-adjacent side of the property.**

3 Electrical services & clearances

Working around energized power lines in Penticton must comply with Occupational Health & Safety Regulation – Part 19.

Before commencing any work around energized powerlines in the Penticton Area, contact the City of Penticton Electric Utility at **250-490-2535**.

4 Water & sewer usage during construction

Owners and builders may temporarily use City water as long as there is a backflow preventer on the temporary hose bib (hose tap). A Hose Connection Vacuum Breaker (HCVB) easily threads onto the hose bib connection. This will protect the City's treated water from any contamination that may backflow during construction.

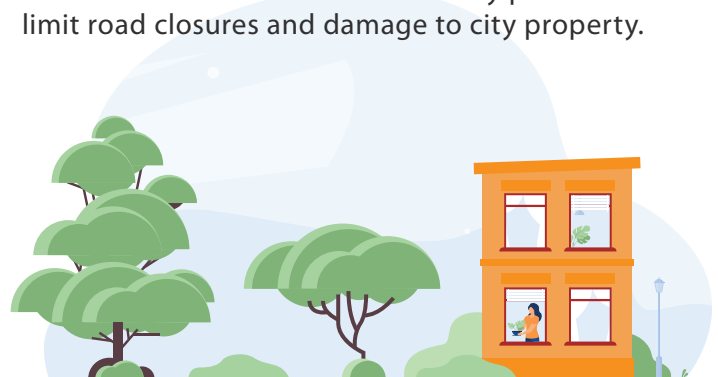
Owners and builders may only use sewer service to discharge human waste, but cannot use it for site discharge or storm drainage. You must maintain access for maintenance or to clear any blockage.

5 Utility Cut

Utility cuts are made in the street pavement, sidewalk pavement, curbs, and boulevards by utilities, private contractors, and City crews to either repair existing or install new electric, water, wastewater, or hydro lines. Utility cuts may alter the aesthetics of your street during the process, but the steps are necessary to ensure the longevity of repairs and safety.

To report an unsafe utility cut area, please contact **250-490-2500 or publicworks@pentiction.ca**. For more information regarding utility cuts and the process, contact **250-490-2500 or publicworks@pentiction.ca**.

In order to reduce the impact on the street/lane and neighbouring properties, please coordinate your service installations with other utility providers to limit road closures and damage to city property.



Checklist for a well-managed construction site

- Valid development permit
- Valid building permit
- Construction site address sign
- Noting blocking roadway/sidewalks/alleys
- Sidewalks clean (snow/ice/mud/materials)
- No damage to boulevard trees
- No parking on sidewalk or boulevard
- No parking an unattached trailer
- Site clean (no dumping, waste secured)
- Portable toilet on site
- Ensure no noise happening outside regular construction hours
- No improper site access
- Workers have a business licence
- Proper temporary traffic control equipment in use
- Proper safety equipment is in use
- Surface draining is being controlled

Good construction practices

- ▶ Tidy site
- ▶ Clean, contained bins
- ▶ Well secured fencing
- ▶ Well protected trees
- ▶ Equipment & materials stored neatly
- ▶ Tidy & safe site
- ▶ Graded level to avoid water accumulation
- ▶ Well shored excavation
- ▶ Excavated dirt removed
- ▶ Communicate with your neighbours & the City



Report an Issue

To learn more or report an issue, visit penticton.ca/reportanissue.

Contacts

Have questions? We're here to help. Please contact the Building Department at **250-490-2571** or buildinginfo@penticton.ca for more information.