

Starting on the Right Footing

Presented by the Public Awareness Committee

Buyers of new homes generally shop carefully, looking for value and for features that will fit their lifestyle and expectations. Few realize how building codes, municipal zoning and land use by-laws have determined the size and shape of the new homes they are looking at and what activities have gone on before construction began.

Essentially, the size, shape and location of most buildings and ancillary improvements are controlled by the location of the boundaries

Before the design of the building begins, and before all the materials, windows, doors and fittings can be ordered and the tradesmen contracted, the architect or builder must have a knowledge, not only of the size and area of the lot being built on, but of the zoning requirements and the municipal requirements for set-back from the road and from the sidelines of the property. They must know how the land is to be graded so that the building can be set at the correct height for proper drainage and must take into consideration such things as the location of hydrants and poles on the street so that the position of driveways, and hence the position of garages, can be determined.

On occasion, builders have a certain style of building in mind for a development, in which case a whole subdivision can be designed so that the lots will exactly accommodate that particular style of building. In the case of commercial or industrial buildings, apart from other by-law concerns, provision must also be made for a prescribed number of parking spaces, for snow storage around the edge of the parking area and for driveways, lighting, landscaping and fences.

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boundaries of any easements affecting the lot and the municipal and building code requirements for clearance or set-back from those boundaries.

Because of these constraints, and the direct and usually close relationship between the building walls and the set-back from property lines, it follows that the initial marking out for the excavation for buildings and the provision of construction control for foundation walls, column lines and caissons is best undertaken by those who are trained, equipped and licensed to investigate and determine the location of the boundaries of land and the location of any easements, road widenings or restrictions that might effect the land. This is the work of Ontario Land Surveyors, professionals who are licensed and authorized by law to establish and confirm boundaries and whose work is regulated under the Surveyors Act of Ontario.

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While some builders or contracted technical firms will occasionally lay out buildings, they do so at some risk, having no assurance that they have positioned the boundaries of the building site accurately.

On the other hand, prudent builders hire Ontario Land Surveyors to search the title of the building lots at the Registry Office for easements and restrictions,

reset property markers that have been destroyed during construction of roads and services, stake out the building footprints for the location and depth of the excavations and provide grading certificates and final as-built surveys. The latter surveys, usually required for mortgage approval and often referred to as "Surveyor's Real Property Reports", can only be provided by licensed surveyors.

the Association of Ontario Land Surveyors requires that each surveyor carry professional liability insurance and that each surveyor be reviewed regularly through a peer review process.

Presently there are about 450 Ontario Land Surveyors across the province providing survey services to the public. The profession is governed by the Association of Ontario Land Surveyors requires that each surveyor carry professional liability insurance and that each surveyor be reviewed regularly through a peer review process. The Association provides ongoing education and technical support to its members and maintains Complaints and Discipline Committees and a Compensation Fund to protect the public interest.

Editor's Note: This article is presented by the Public Awareness Committee of the AOLS as part of a series designed to inform the public of the role the Ontario Land Surveyor. It is intended to be reprinted and distributed to local or regional media, related professional groups such as realtors or lawyers and to clients, by the membership to further this purpose. For more information or a digital copy of this article please contact Sarah Cornett, Secretary to the Public Awareness Committee, at the AOLS office.ext. 23.

