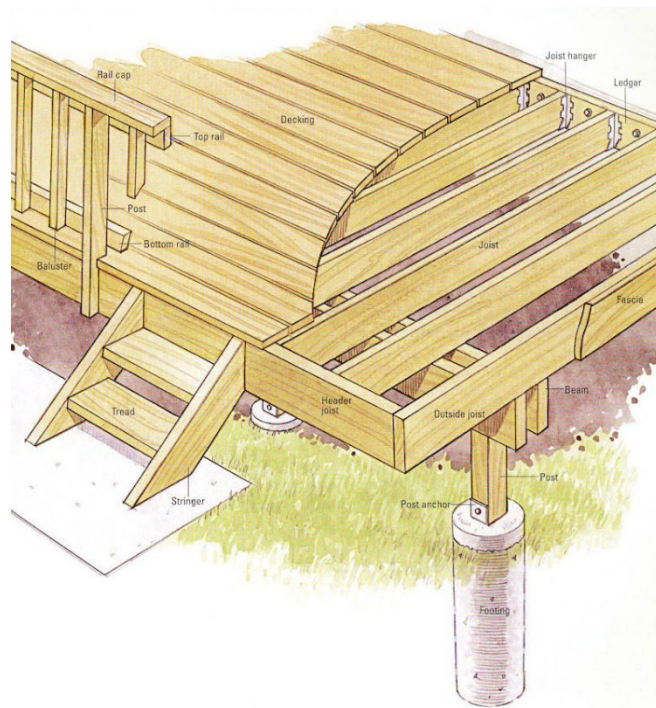


Homeowner's Guide to Building Permits: Decks



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When and why is a Building Permit required to build a deck?

A building permit is required **prior to constructing or altering a new/existing deck** when the proposed is more than 2 feet (0.6m) above finished grade to top of deck floor. The Ontario Building Code sets out minimum and maximum provisions respecting safety of buildings with reference to public health, fire protection and structural sufficiency.

STEP 1: ZONING

A “deck” is defined as follows under the Town of Newmarket’s 2010-40 Zoning By-law as amended:

Means a platform, with no solid roof or walls, which is constructed on piers or a foundation above **finished grade** adjacent to a ground floor or **walkout basement** wall, is used as an outdoor living area, and shall include stairs and privacy screening up to 2.0 metres in height measured from the deck floor to the highest part of the privacy screen including any ornamental features.

ZONING PROVISIONS FOR DECKS:

The first step is to ensure that your proposed deck complies with all applicable setbacks. To determine the zoning for your property, please use our Navigate Newmarket tool on the Town’s [“What’s My Zoning”](#) webpage. The Zoning By-law provides information on setbacks, lot coverage and other standards that may limit your proposal. As per the [2010-40 Newmarket Zoning By-law](#), the following standards must be met prior to clearing the zoning review process. Note that this list is not exhaustive:

DECKS UP TO 0.6M (< 2’) IN HEIGHT:

- Required to comply with all applicable law including zoning regulations, but may not require a building permit. For more information on whether a permit is required, please contact the Building Department for further information.

DECKS 0.6M – 3M (2’ – 9’-10”) IN HEIGHT:

- Required to maintain minimum side yard setbacks of the zone category
- Permitted to encroach into the required rear yard setback a maximum of 3.6m (see site plan example in Appendix A on how to calculate permitted encroachment)
- Under no circumstance is the deck permitted to be closer than 2.4m to the rear property line (specific to properties with rear yard setbacks of less than 6m)
- Side yard setback does not apply to townhomes or semi-detached homes on side of dwelling units that are attached

DECKS OVER 3M (>9’-10”) IN HEIGHT:

- No encroachment is permitted
- Maintain side and rear yard setbacks as required for the zone category.

RULES APPLICABLE FOR ALL DECKS:

- Steps must be located within the required setback as noted above
- Maximum height of a privacy screen, including any ornamental features is 2m (6’-7”), and is measured from deck floor to highest point
- Solid roof or walls are not permitted
- Height is measured from average grade to deck floor

CAN I PUT A GAZEBO OR PAVILION ON MY DECK?

If a Residential Accessory Structure (i.e. gazebo, shed, pavilion, etc.) is proposed on top of the deck, that structure is required to comply with the setback requirements as per section 4.2 of the Zoning By-law. Any structure mounted on the deck, and attached to the house is considered an addition and does not enjoy the encroachment provisions of section 4.2 of the Zoning By-law unless otherwise noted. If you are unable to meet any of the above zoning requirements and want to proceed with your proposed application, please contact the Planning Department via email at planning@newmarket.ca for more information regarding relief from the by-law through Minor Variance.

STEP 2: COMPLETE CONSTRUCTION DRAWINGS

Drawings must be completed to scale and detailed enough so that anyone using them can understand how to construct the project. Where an owner engages the services of a design professional to perform design activities, that person must comply with the qualification requirements established by the Ministry of Municipal Affairs and Housing (MMAH). Information regarding drawings required for a deck application can be found under Step 4, Part 2 (Page 4) of this booklet.

STEP 3: ZONING PRELIMINARY REVIEW (ZPR)

Applications for a deck permit require a Zoning Preliminary Review, prior to submission of Building Permit Application. The fee for a Zoning Preliminary Review is deducted from the total cost of the Building Permit fee once processed. All submissions for ZPR are accepted via our online [Development Portal](#).

REQUIRED SUBMISSION DOCUMENTS

The following forms are required at minimum when submitting for Zoning Preliminary Review:

- **Construction Drawings**
 - o Site Plan (example attached)
 - o Floor plans of deck with all structural components
 - o Minimum of 1 Elevation (including height from grade to top of deck floor)
- Applicable **Zoning Preliminary Review Information Sheet for Decks** (attached to this package)
- **Applicable Law Checklist** – located on our website (attached to this package)
- **Fees** as outlined in Current Building Fees By-law, located on the [Town's Fees and Charges](#) webpage.

STEP 4: APPLYING FOR BUILDING PERMIT

When all the applicable forms and drawings are completed and the Zoning Preliminary Review Letter has been obtained from the Zoning Examiner, you can apply for the Building Permit. Building Permit Applications are accepted via our online [Development Portal](#). Once you have applied, a Building Technician will reach out regarding additional information that may be required and how to make payment.

If drawings are complete and proposed construction meets all applicable law requirements, as outlined in our Applicable Law checklist, a building permit may be issued or refused within the prescribed period which can range between 10-20 business days.

Step 4 - Part 1: Required Forms

Form	When Required
Application for Permit to Construct or Demolish	Every Application
Schedule 1: Designer Information Form	Required when submitting drawings that have NOT been stamped by an Engineer and/or Architect
Applicable Law Checklist	Every Application
Applicable Fee(s) Paid (as per current Building Permit Fee Schedule)	Every Application

All standard forms noted above can be found on our website at www.newmarket.ca.

FILLING OUT THE APPLICATION FORMS

The application is a prescribed document from the Ministry of Municipal Affairs and Housing that all municipalities are required to use. Please ensure the following areas of the application are filled out completely:

	Section	Section Title	Details
Application to Construct or Demolish	Section A	Project Information	- Filled out in full
	Section B	Purpose of Application	- Deck is considered an alteration - Proposed use of building is DECK, covered or uncovered
	Section C	Applicant	- Check off box for either Owner or Authorized Agent of Owner
	Section D	Owner, if different than applicant	- Skip if applicant is the owner
	Section E,F,G	Builder, Tarion Warranty, Required Schedules	- Not applicable for deck application
	Section I	Declaration of Applicant	- Fill out in full + Sign/date bottom
Schedule 1	Section A	Project Information	- Fill out in full
	Section B	Individual who reviews and takes responsibility for the design activities	- Designer to fill out information as required. If homeowner is the designer, homeowner to fill out this section
	Section C	Design Activities undertaken by individual identified in section B	- Designer to check off the work they are taking responsibility for (for deck application, kindly check the “house” box only) - Provide description of work, similar to description of work in Application Form
	Section D	Declaration of Designer	- If homeowner is taking responsibility for drawings, print name as seen in section B, Check the 3 rd box, and write “homeowner” online. - Sign and date

Step 4 - Part 2: Drawings

Each application for permit requires **Drawings** (to scale) that accurately describe the construction proposed. The drawings submitted for permit require enough detail, that anyone reading them could construct the project. Appendix A also provides sample specifications/drawings to assist with drawing production. Please include the following drawings as part of your application package, at minimum:

Drawing	Information Required
Site Plan	<p>Drawing depicting the complete property and its boundaries, and where the location of all structures in relation to these boundaries.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Scale, north arrow <input type="checkbox"/> Lot lines and dimension of lot in metric units <input type="checkbox"/> Existing and proposed deck construction <input type="checkbox"/> Setbacks to all lot lines, measured perpendicular to the lot line, to the closest point of the structure.
Floor Plan	<p>Provide floor plans of <u>proposed</u> + existing deck affected by construction. Each plan to show layout and structural framing of proposed deck, ensure to provide:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Extent of construction including new work <input type="checkbox"/> Size, type and location of deck boards, beams, columns and piers <input type="checkbox"/> Plan for guard <input type="checkbox"/> Location, dimensions, and direction of stairs <input type="checkbox"/> Sectional arrows

	<input type="checkbox"/> References to detailed drawings <input type="checkbox"/> Material specifications and/or construction notes
Elevations	<input type="checkbox"/> Scale <input type="checkbox"/> Extent of new and existing construction (labelled accordingly) <input type="checkbox"/> Vertical dimensions of walls, windows, and doors near proposed deck <input type="checkbox"/> Grade Level (and height of deck floor from grade) <input type="checkbox"/> Areas of all existing and proposed windows/openings <input type="checkbox"/> Area of exterior wall elevation
Cross Section	<input type="checkbox"/> Outlining attachment to existing house <input type="checkbox"/> Scale
Guard Detail	<input type="checkbox"/> Connection detail to deck <input type="checkbox"/> Distance between posts <input type="checkbox"/> Distance between Pickets <input type="checkbox"/> Composition guard and handrail (ie. Wood, aluminum etc.) <ul style="list-style-type: none"> ○ Note that any guard and handrail that is composed of anything other than wood falls outside of the limits of the Building Code and requires Drawings stamped and sealed by a Professional Engineer of Ontario or an Architect

STEP 5: PERMIT ISSUANCE

Review issued drawings prior to commencing work. Ensure that a copy of the permit drawings are kept on the project site at all times. The permit card must be posted in a conspicuous place on your property, prior to starting work. Once the permit is issued, work must commence within 6 months of issuance.

UTILITIES

Contact all utility companies prior to commencing work to determine locations of all nearby underground services.

INSPECTIONS

Required inspections are noted on your issued permit plans. To book an inspection, email our inspections team at inspections@newmarket.ca. An inspector will reach out to you directly to book an inspection within 24 – 48 hours. The following inspections are typical for a deck permit:

- **Excavation/Footings:** This stage includes visual inspection for soil bearing capacity and footing sizes. Foundations are intended to safely carry their own weight, and loads transferred to them;
- **Structural Framing:** Inspector will examine structural integrity of wall, floor and roof systems, means of egress and windows;
- **Final inspection:** All systems are complete including all construction requirements. (all other information can be removed)

Required inspection stages will be noted on the Building Permit documents. It is the responsibility of the permit holder, owner, and contractor to ensure all required inspections are completed in a timely manner and passed (including final inspection).

REVISIONS TO PERMIT

If changes to your proposed and issued permit package are desired or required, please contact your inspector directly to determine if a revision to your permit is necessary. Please see attached Request for Inspection Form.

Appendix A

DECK

Zoning Preliminary Review Info Sheet

This form is to be completed by the applicant submitting the preliminary zoning review for a new or alteration to an existing deck.

Address:

What's My Zoning?

Information on Zoning can be found on our ["Navigate Newmarket Interactive Map"](#).

1. Open the map and type in the address in the top search bar and click enter to locate the subject property.
2. Refer to the "Layer Manager" on the left hand side, and expand the Planning group by clicking on the black drop down arrow. Click to activate the "Zoning 2010-40" and "Zoning 2019-06 Urban Centre" layers.
3. Click on the property, and a pop-up box will appear with the Zone Code information. In the Box that populates, navigate to the second page (bottom right of box), to find the "Zone Code" and "Zone Suffix".

Zone Code:

Zone Suffix (if applicable):

Is this property on a street corner? YES or NO

What is the distance between the closest point of the **existing house** and the:

- A. Side** property line?
- B. Other side** property line?
- C. Rear** property line?

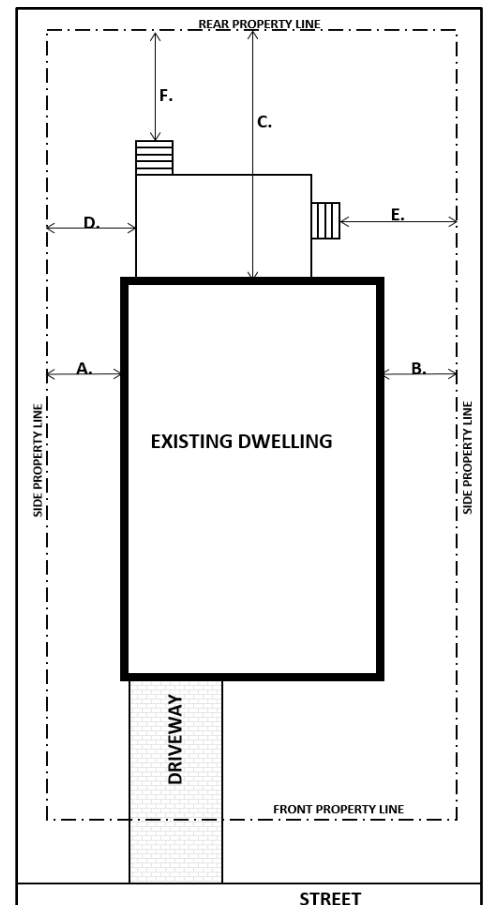
What is the distance between the closest point of the **proposed deck** (including stairs) and the:

- D. Side** property line (same side as A above)?
- E. Other side** property line (same side as B above)?
- F. Rear** property line?

Which floor of the house serves the deck?

Main/First Floor Second Floor Basement

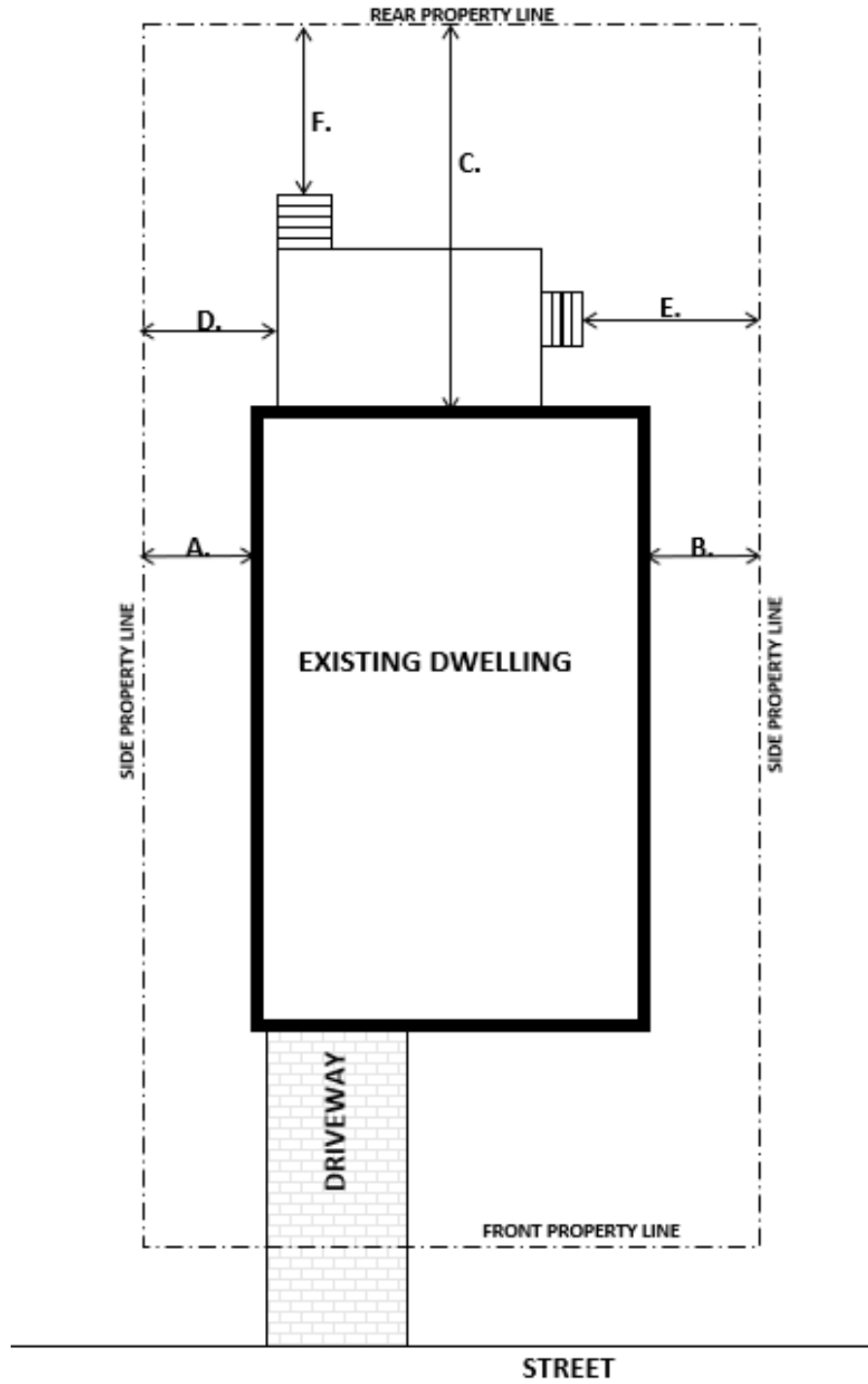
What is **height** of the **proposed deck** from average grade to top of deck surface?



I type name above acknowledge that by submitting this zoning information, I am confirming the accuracy of the answers contained herein. False, incomplete or incorrect submissions may result in stalled processing or revocation of the future issued Building Permit.

NOTE: This form is used to supplement your application. Please ensure to provide a copy of the Siting Plan, and at least 1 front and side elevation in the application for Zoning Preliminary Review.

Sample Site Plan

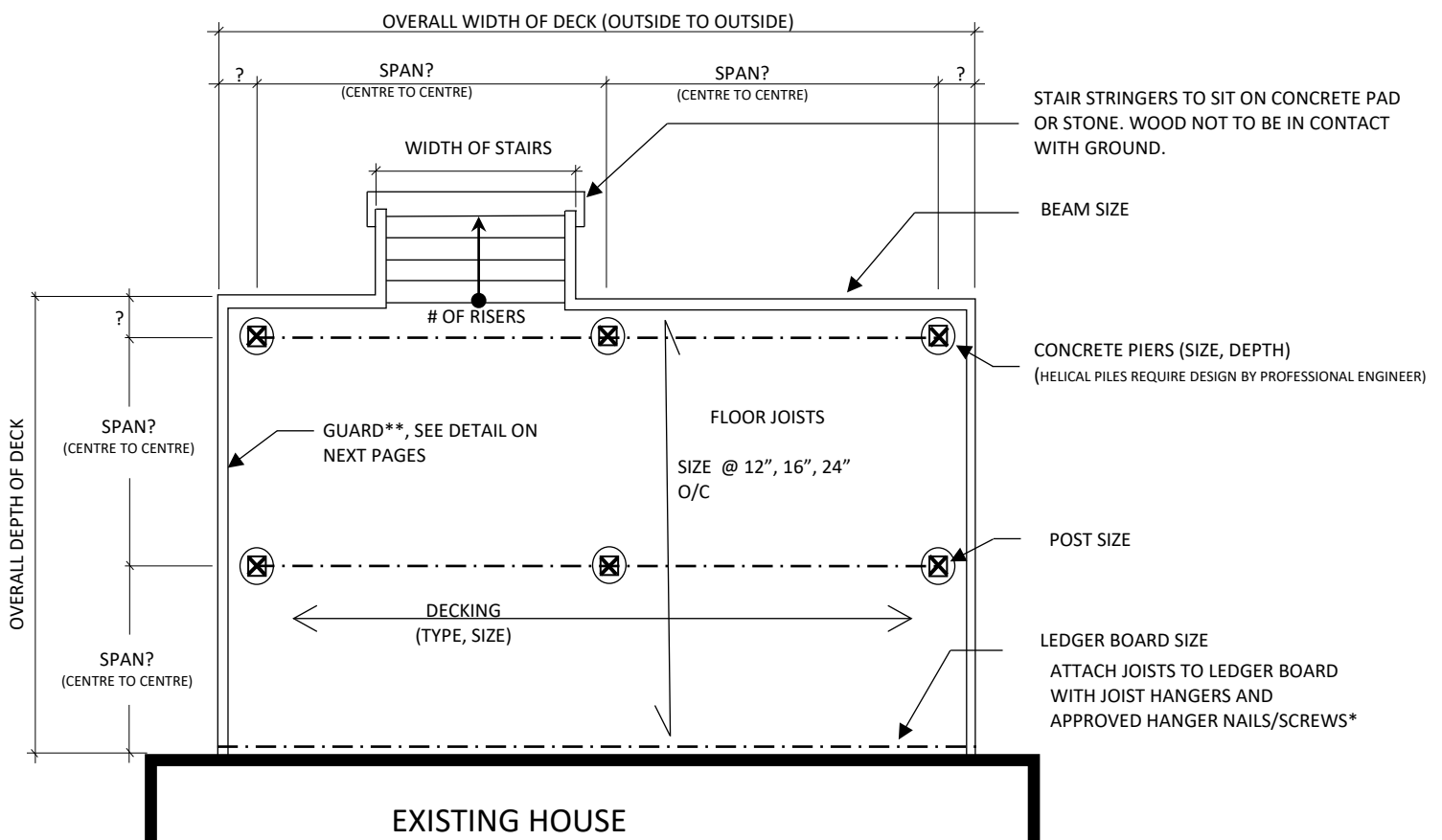


Sample Floor Plan

(Example Only, Refer also to the Ontario Building Code and TACBOC Standard Details)

PROVIDE ON DRAWINGS:

- ADDRESS
- TYPE OF MATERIAL USED FOR STRUCTURE (Posts/beams)
- TYPE OF MATERIAL USED FOR DECKING
- TYPE OF MATERIAL(S) USED FOR GUARD



*LEDGER BOARD TO BE ATTACHED TO HOUSE WITH MIN. 1/2" CONNECTORS AT MAX 32" CENTRES

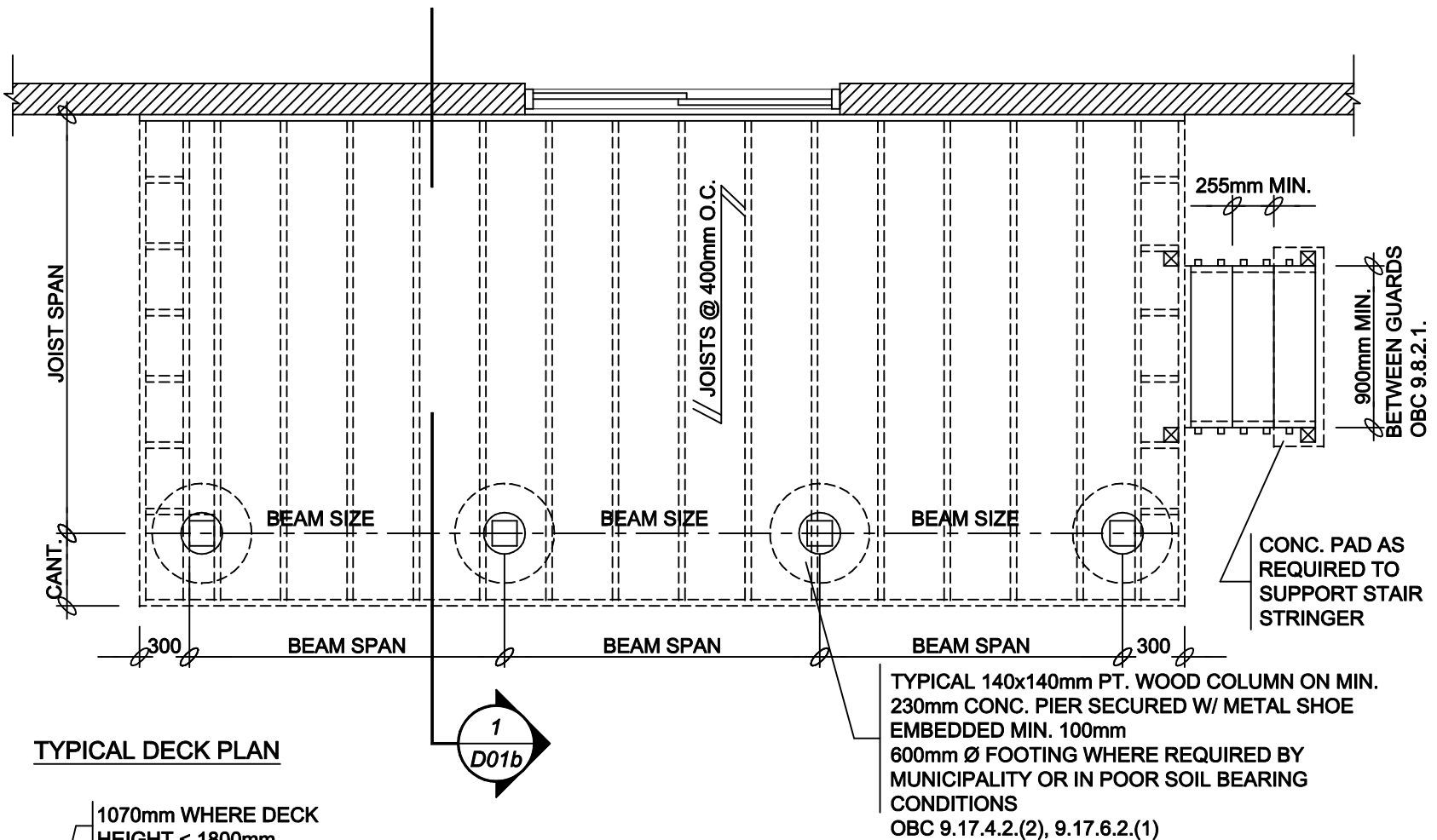
**GUARD REQUIRED WHERE DECK EXCEEDS 24" ABOVE GRADE.

2 PLY BEAM SIZING TABLE A-15			DECK JOIST SPAN - SPF. No. 2 PT. 9 TABLE A5						
SNOW LOAD	BEAM SIZE	BEAM SPAN	JOIST SIZE	SPACING	JOIST SPAN	SPACING	JOIST SPAN	SPACING	JOIST SPAN
2.0 kPa	2-38x184	1800mm	38x184	305mm	4050mm	406mm	3680mm	610mm	3220mm
	2-38x235	2200mm	38x235		5180mm		4700mm		4110mm
	2-38x286	2560mm	38x286		6300mm		5730mm		5000mm
2.5 kPa	2-38x184	1640mm	38x184	305mm	3760mm	406mm	3420mm	610mm	2990mm
	2-38x235	2010mm	38x235		4810mm		4370mm		3820mm
	2-38x286	2330mm	38x286		5850mm		5310mm		4640mm
3.0 kPa	2-38x184	1520mm	38x184	305mm	3540mm	406mm	3220mm	406mm	2810mm
	2-38x235	1840mm	38x235		4520mm		4110mm		3590mm
	2-38x286	2090mm	38x286		5500mm		5000mm		4370mm

3 PLY BEAM SIZING TABLE A-12							GENERAL NOTES
SNOW LOAD	BEAM SIZE	BEAM SPAN	BEAM SIZE	BEAM SPAN	BEAM SIZE	BEAM SPAN	
2.0 kPa	3-38x184	2210mm	4-38x184	2550mm	5-38x184	2820mm	1. MIN. LIVE LOAD OF 1.9kPa SHALL BE APPLIED EXCEPT WHERE LOCAL LOADS ARE IN EXCESS 2. ALL LUMBER TO BE SPF No. 2 OR BETTER AND PRESSURE TREATED 3. USE CORROSION RESISTANT COMMON SPIRAL NAILS OR SCREWS 4. JOISTS SPANNING MORE THAN 2100mm ARE TO HAVE BRIDGING AT LEAST EVERY 2100mm O.C.
	3-38x235	2700mm	4-38x235	3120mm	5-38x235	3490mm	
	3-38x286	3130mm	4-38x286	3620mm	5-38x286	4040mm	
2.5 kPa	3-38x184	2010mm	4-38x184	2320mm	5-38x184	2590mm	
	3-38x235	2460mm	4-38x235	2840mm	5-38x235	3170mm	
	3-38x286	2850mm	4-38x286	3290mm	5-38x286	3680mm	
3.0 kPa	3-38x184	1860mm	4-38x184	2140mm	5-38x184	2400mm	
	3-38x235	2270mm	4-38x235	2620mm	5-38x235	2930mm	
	3-38x286	2630mm	4-38x286	3040mm	5-38x286	3400mm	

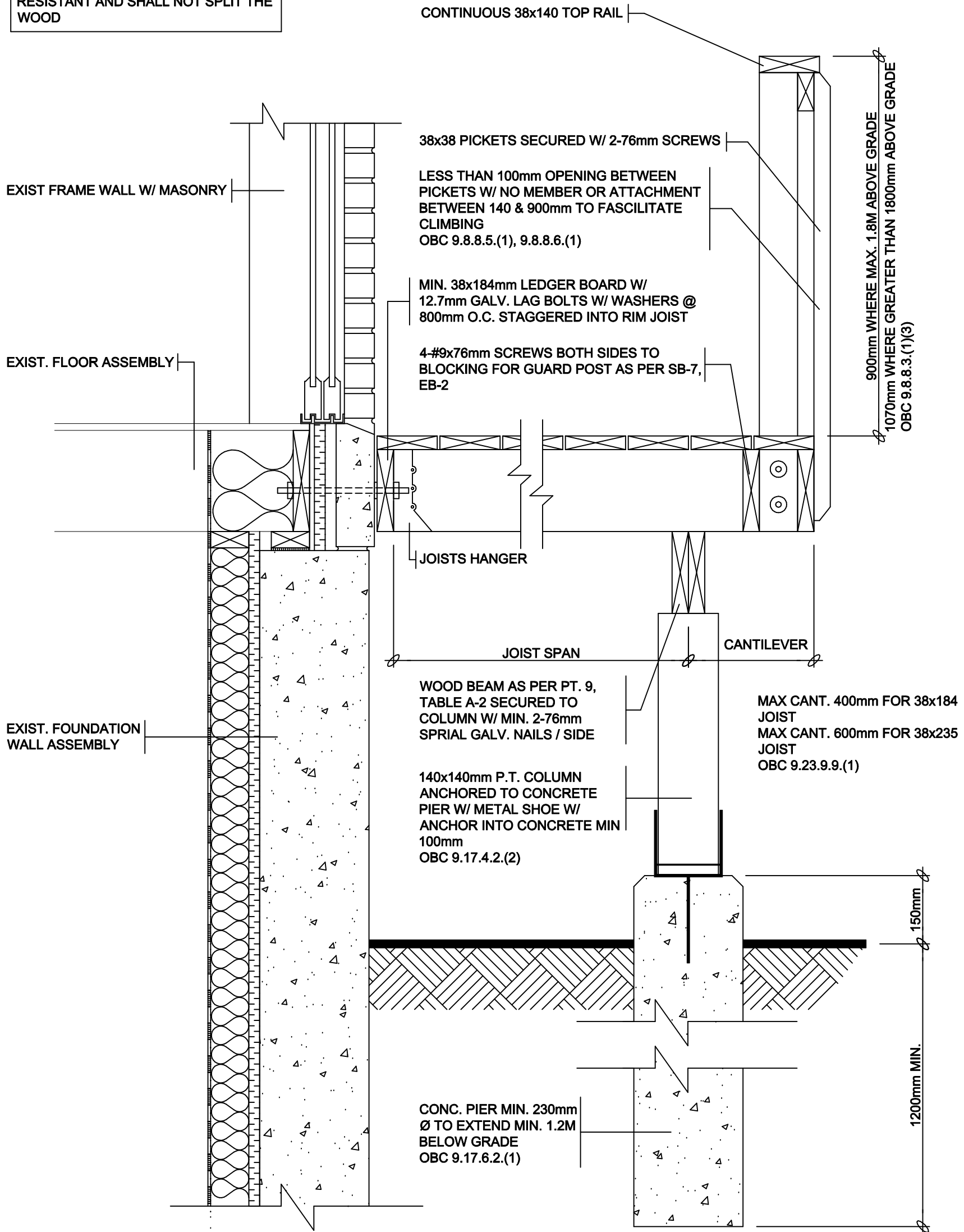
JOIST AND BEAM SPANS OBC 2022

REFER TO MUNICIPAL BY-LAWS FOR ZONING REQUIREMENTS FOR DECKS



GUARD DETAIL AS PER SB-7
 DETAIL ED-1
 - MIN. GRADE OF LUMBER SHALL BE SPF. No.2 AND PRESSURE TREATED
 - LUMBER DIMENSIONS TO COMPLY WITH SB-7 2.1.2.
 - MIN. JOISTS SHALL BE 38x184mm
 - MIN DECKING SHALL BE 25x140mm
 - FASTENERS SHALL BE CORROSION RESISTANT AND SHALL NOT SPLIT THE WOOD

9.4.2.3. (1) DECKS INTENDED FOR AN OCCUPANCY AND SUBJECT TO SNOW LOAD SHALL BE DESIGNED TO CARRY THE SPECIFIED ROOF SNOW LOAD OR 1.9kPa WHICHEVER IS GREATER



STAIR WIDTH TO BE MIN. 900mm BETWEEN WALL FACES OR GUARDS

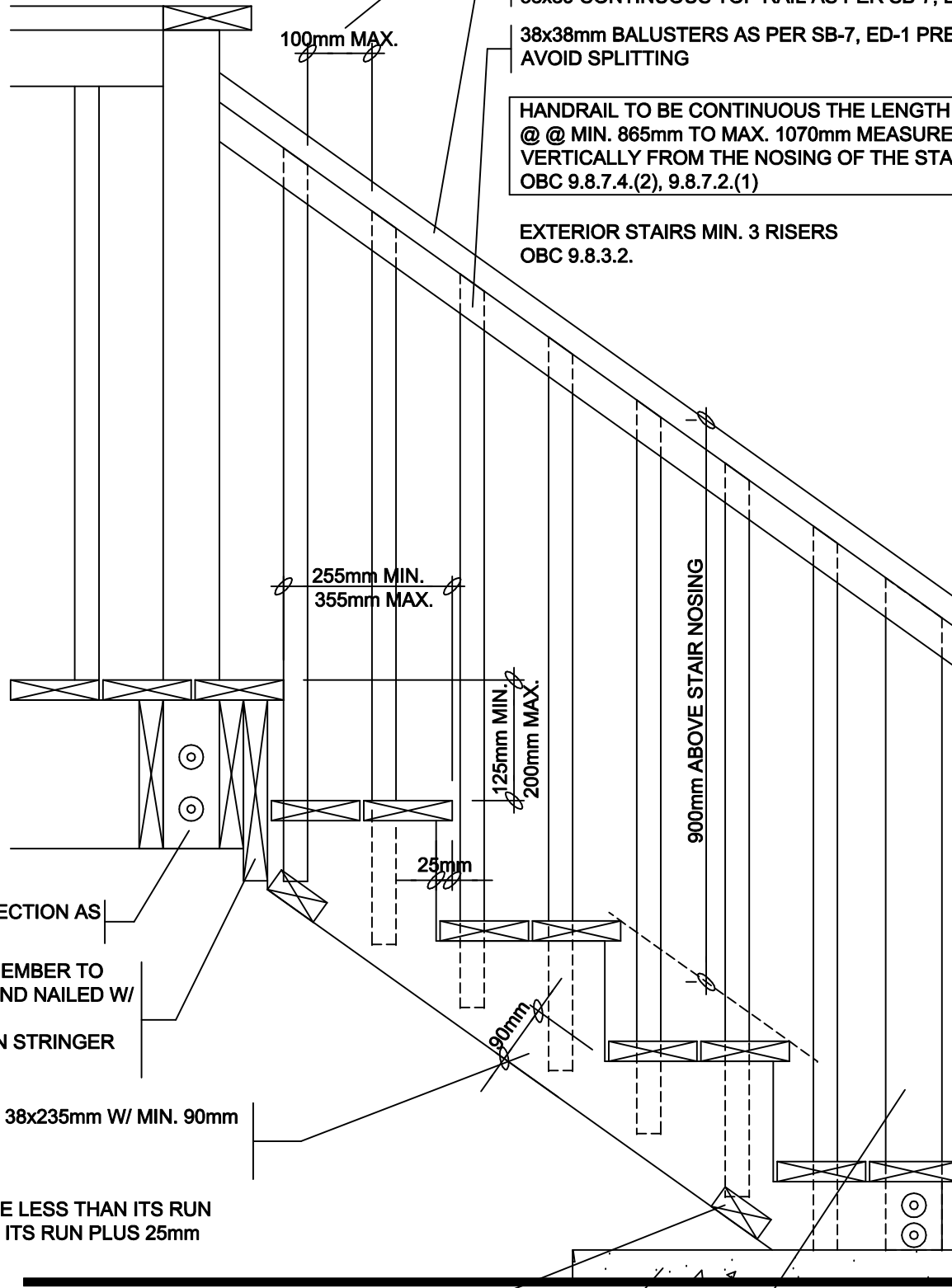
NOT MORE THAN 100mm SPACE BETWEEN BLAUSTERS W/ NO MEMBER OR ATTACHMENT BETWEEN 140mm TO 900mm THAT CAN FACILITATE CLIMBING

38x89 CONTINUOUS TOP RAIL AS PER SB-7, ED-1

38x38mm BALUSTERS AS PER SB-7, ED-1 PREDRILL TO AVOID SPLITTING

HANDRAIL TO BE CONTINUOUS THE LENGTH OF THE STAIR @ MIN. 865mm TO MAX. 1070mm MEASURED VERTICALLY FROM THE NOSING OF THE STAIR OBC 9.8.7.4.(2), 9.8.7.2.(1)

EXTERIOR STAIRS MIN. 3 RISERS OBC 9.8.3.2.



89x89mm POST CONNECTION AS PER SB-7

DROPPED FRAMING MEMBER TO SECURE STRINGER, END NAILED W/ MIN. 2-76mm NAILS MAX. 900mm BETWEEN STRINGER OBC 9.8.9.4.(1)(d)

STRINGER TO BE MIN. 38x235mm W/ MIN. 90mm EFFECTIVE DEPTH OBC 9.8.9.4.(1)(a)(c)

TREADS SHALL NOT BE LESS THAN ITS RUN AND NOT MORE THAN ITS RUN PLUS 25mm OBC 9.8.4.2.

BLOCKING BETWEEN STRINGERS

EXT. WOOD STAIR SHALL NOT BE IN DIRECT CONTACT WITH THE GROUND OBC 9.8.9.3.(1)

89x89mm P.T. WOOD POST ANCHORED TO STRINGER W/ 2-9.5mm THRU BOLTS W/ WASHERS, PROVIDE WOOD BLOCK BETWEEN POSTS