



## Farm Building Construction Projects

This information outlines what a constructor needs to do prior to construction of a farm building:

### Definition: Constructor

As per the Ministry of Labour, Section 1 of The Occupational Health and Safety Act defines “constructor” as “a person who undertakes a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer”. The dictionary definition for “undertake” is “make oneself responsible for”, which means a constructor is a person who is responsible for a project. The definition of “employer” in section 1 of the Act includes contractors and subcontractors. “Project” is also defined in section 1 of the Act.



The intent of the Occupational Health and Safety Act is to have one person with overall authority for health and safety matters on a project. This person is the constructor of the project. The constructor is the party with the greatest degree of control over health and safety at the entire

project and is ultimately responsible for the health and safety of all workers. The constructor must ensure that all the employers and workers on the project comply with the Act and its regulations.

When an owner undertakes a project by contracting with more than one employer (contractor), the owner is undertaking the project and is the constructor.

### Definition: General Contractor

A general contractor is responsible for providing all of the material, labor, equipment and services necessary for the construction of the project. The general contractor hires specialized subcontractors to perform all or portions of the construction work.



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## Action Items for your Project:

**BEFORE** starting a project, understand who has the role of the constructor.



Plan early, expect the approval process to take longer and cost more than you expect. Think about the future (equipment size, solar, other technologies). Hire professionals.

Ensure the following items are considered and if required, are in place, as determined by the project and/or Provincial, Territorial and local regulations:

- MDS Calculation (Minimum Distance Separation)
- Nutrient Management Plan or Strategy
- Conservation Authority Approval
- Geotechnical/Soils Report
- Site Plan/Site Plan Approval
- Engineered and Design Drawings
  - Structural
  - Mechanical
  - Ventilation
  - Commitment to Review
- Engineered Truss Drawing
- Building Permit
- Septic System Design/Approval
- Demolition Permit
- Notice of Project
- WSIB Insurance (Workplace Safety & Insurance Board)
- Builder's Risk Insurance
- Liability Insurance (including verified Insurance of all Trades)
- Signed Contracts with all Trades
- Form 1000 (Ontario Form 016-1000E) for all Constructors and Employers Engaged in Construction on-site
- Copy of the Safety Policy from all Trades





## Where to go for more information:



- Ministry of Labour: [www.labour.gov.on.ca](http://www.labour.gov.on.ca)
- Ontario Ministry of Agriculture, Food and Rural Affairs: <http://www.omafra.gov.on.ca>
- Workplace Safety and Insurance Board: <http://www.wsib.on.ca>
- Local Building Department
- Local Conservation Authority
- Insurance Broker
- Legal Advisor



## The Canadian Farm Builders Association:

- Promotes and advances the construction of structurally sufficient, environmentally sound, efficient farm buildings in Canada.
- Promotes and advances the standards of farm structures through research, education and practical applications.
- Encourages high quality work and fair dealings by association members toward farmers and the general public.
- Represents the association in legislation proposals, codes, safety, labour and other matters administered by governments.
- Organizes and supports meetings for the exchange of information amongst the members of the Association.

Please note - this reference was prepared for information purposes only and is not and should not be construed as legal advice. The CFBA will not be held financially responsible or otherwise for any errors or omissions from the compiled information. The list may be too extensive for some projects/municipalities and may not be complete for others. It is the responsibility of the Owner and / or Contractor to review their project requirements with the appropriate officials to ensure applicable Provincial, Territorial and local regulations are met. Constructor definition retrieved from Ontario Ministry of Labour 'Frequently Asked Questions: Constructor Guideline' (rev. March 2009) [https://www.labour.gov.on.ca/english/hs/pubs/constructor/cons\\_3.php](https://www.labour.gov.on.ca/english/hs/pubs/constructor/cons_3.php)

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