



March 1, 2019

Ms. Hannah Evans, Director, Building and Development Branch
Ministry of Municipal Affairs and Housing
777 Bay St, 16th Floor
Toronto, ON M5G 2E5

Via Email: hannah.evans@ontario.ca

Re: Future changes to Ontario's Building Code

Dear Ms. Evans:

We appreciate the opportunity to participate in the recent Ministry of Municipal Affairs and Housing technical briefing hosted by the Building and Development Branch which highlighted Building Code changes that were consulted on in 2016 and 2017 related to the 2015 National Construction Codes.

The Residential Construction Council of Ontario (RESCON) represents more than 200 residential production builders of high-rise, mid-rise and low-rise buildings in Ontario. Our goal is to work in co-operation with governments and related stakeholders to offer realistic solutions to a variety of challenges facing the residential building industry, to ultimately deliver much needed housing. As such, we welcome the opportunity to provide industry insight regarding future changes to the Ontario Building Code (OBC).

It is our understanding that there is a national undertaking for the provinces and territories to focus on how to increase the harmonization of technical requirements across Canada, as evidenced by the 192 proposals intended to increase alignment between the current OBC and the 2015 National Building Code of Canada (NBC). While RESCON generally supports this harmonization initiative, it is not without its challenges as the housing market in Ontario, particularly the Greater Golden Horseshoe (GGH) where the bulk of new housing is constructed, is vastly different than the rest of Canada.

During the 2016 and 2017 consultations – which included the 192 NBC harmonization proposals for adoption into the OBC – RESCON submitted written comments for many proposals, some of which our industry association supported, supported with modification and some we did not support (see attached for RESCON's earlier submission). Given that we have submitted our comments on these proposals in the past and operating under the assumption that the undertaking to harmonize Building Codes is a national and provincial priority, we will not rehash the technical merits or practicality of these proposals. Instead, RESCON will highlight potential implementation challenges with specific proposals that may pose a problem for the residential building industry, in hopes that the Ministry can phase in certain proposals over an extended implementation period.

RESCON recommends the following implementation timelines for these harmonization proposals once finalized changes are posted by the Ministry:

Code Change	Suggested Implementation Timeline	Comments
B-05-09-01 B-09-11-01 ASTC/Flanking	1-2 years	With flanking noise being a significant issue for home builders constructing various forms of townhouses, as this is a common complaint from residents, implementing the new ASTC metric is welcomed but will take time for the industry to build capacity and explore suitable separation assembly types.
B-03-04-10 B-09-08-01 Stairs	4 years	The initiative to harmonize stair, landing, handrail and guard requirements with the NBC will be a notable shift for the Ontario residential marketplace, especially given the intensification mandate of the Growth Plan for the GGH and the resultant compact housing typologies. Since this change can have a significant impact on the overall footprint and layout of a stairway within a home, this can have far reaching upstream impacts into the development/planning approvals process. Therefore, we recommend a lengthy lead time for these stair related proposals.
B-04-01-12 Earthquake Design	2 years	The introduction of structural requirements for buildings in low-risk earthquake zones and removing the trigger exempting the application of seismic design will be new for structural designers in most of the GGH, specifically Toronto which is where a record number of high-rise residential buildings are being constructed. It will take time for the engineering community, which is already stretched thin, to build capacity and become proficient in seismic design. Furthermore, given the extensive lead time which goes into the architectural and engineering design of a high-rise residential building, as well as the typical practice of building departments using staged, conditional and/or partial permits for large complex buildings, a delayed implementation timeline will mitigate existing projects from being unsuspectingly impacted.
B-04-01-33 Earthquake Glazing	2 years	The current design, fabrication and installation practices of window and curtain wall systems, which are the primary cladding systems for residential high-rise buildings, will be impacted by this change as earthquake displacements on glazing systems are not currently considered. This is despite the proposed Cost/Benefit Implications being listed as "None for glazing that is being properly designed for earthquake effects." Extending the implementation timeline will allow designers, cladding manufacturers and high-rise builders time to prepare for these changes on future projects without impacting existing projects.

Under the premise of increasing harmonization, RESCON recommends the Ministry fast-track the OBC adoption of certain changes currently taking place at the National level:

- **Tall Timber:** Recently, Natural Resources Canada has proposed changes to the model National Building Code (mNBC) to permit 12-storey mass timber buildings. These changes will be published in the upcoming 2020 mNBC. Given the strong interest in tall timber construction, with at least four tall timber demonstration buildings coming to Ontario with the support of the provincial Mass Timber Program, and given the benefits of tall timber construction, including more choice and competition, RESCON would ask the Ministry to fast-track OBC changes that adopt the mNBC tall timber proposals or an improved version thereof.
- **Reference the updated CSA-A277-16 for modular and panelized construction:** By recognizing the acceptability of CSA-A277-16 “Procedure for certification of prefabricated buildings, modules, and panels” in the OBC, the same requirements for site-built and factory-constructed building components are applied. In order to cope with construction labour market issues, factory-constructed building modules and panels will continue to advance with the intent of eventually producing fully closed-in modules and panels. It would then be difficult to determine whether a factory-constructed module or panel complies with the OBC once it has been delivered to the construction site because many of the wall, roof and floor assemblies can be closed in and their components cannot be inspected. CSA A277-16 was developed to address this problem for residential, commercial and industrial buildings. CSA-A277-08 “Procedure for factory certification of buildings” is currently referenced in the current OBC, yet the NBC already references the updated version.

Thank you again for the opportunity to provide input regarding future changes to the OBC. Please do not hesitate to contact the undersigned if you have questions or would like to discuss matters further.

Best regards,

Richard Lyall
President

Paul De Berardis
Director, Building Science & Innovation