

New Year will bring in new beginning for construction through six-storey wood builds

The construction industry is eagerly awaiting the opportunity to build taller wood buildings, starting on Jan. 1, 2015, when the latest revision to the Ontario Building Code takes effect.

Ontario's antiquated, fractured regulatory system can only promise industry some "guidelines" for fire safety during the construction phase of a building. In this instance, we have the spectacle of three government ministries (Municipal Affairs & Housing, Labour, and Community Safety & Correctional Services) unable to set minimum enforceable fire safety levels for six-storey wood buildings that are under construction.

This is one more example illustrating why regulatory reform of building regulations is needed now in Ontario.

Unlike the provinces of Alberta and Quebec (to some extent), and many other progressive jurisdictions all over the world, Ontario has not consolidated its building regulatory system. While Ontario has made significant progress in building regulation and enforcement since the first Ontario Building Code in 1975, it needs to innovate to serve the interests of its citizens.

Why does Ontario charge hundreds of dollars for its building code if the goal of building regulation is to improve knowledge of building code requirements so that buildings are designed and built safely and meet provincial energy efficiency and human dignity criteria? Ontario has not followed the lead of Australia, which will be making all volumes of its 2015 national construction codes available online for free. By eliminating the current \$400 cost, it expects to increase the number of building and plumbing practitioners able to access the codes from 12,000 to around 200,000 across Australia. It is expected that this will result in better quality, safer and more affordable construction, and will help to build Australia's productivity.

Prior to 1975, Ontario municipal building departments rarely used mainframe computers and personal computers had not been invented. 40 years later, the design and development industry uses computers to design buildings and to share drawings and specifications instantly. Why do you have to travel to the local municipal building department and stand in line to apply for a building permit? In the past 40 years, very few municipal building departments have changed their processes to accept permit applications. Practically all municipal building departments will waste permit applicants' time by making them wait in line to apply for a permit. In our computer age, there is no reason to make anyone wait to apply for a permit during office hours. If you can do your banking online at any time, why do you have to drive to city hall to stand in line to apply for a building permit?

Why do you have to submit multiple copies of paper plans for a permit application? Paper plans take up an enormous amount of space for storage in building departments. When permit plans are archived, it takes manpower and time to retrieve them from storage in order to make copies of them. The power and capacity of contemporary network computing allows for readily accessible storage of all plans in computer data banks, without the need for paper copies of plans.

A few municipal building departments, such as the City of Toronto's, are making progress on upgrading their permit systems. Unfortunately, it will be a tremendous waste of money (over \$100 million) if each municipality hires consultants to upgrade its own computer system to handle online permit applications. Why can't the Ontario government take a leadership role and set up one system for all Ontario municipalities for one-tenth the cost? It can be done: Teranet operates Ontario's online Electronic Land Registration System. There is no need for each Ontario municipality to re-invent the wheel.

Why is there a chief building official for Ontario and more than 400 municipal building departments, each headed by a chief building official? The concept of every municipality having its own building department dates back to before 1975, when each municipality could write its own building code. If there is only one Ontario fire marshal for the Ontario Fire Code, why do we need over 400 chief building officials for the Ontario Building Code? Hello!

The Elliot Lake Inquiry's Commissioner Paul Bélanger recognized the undue influence of municipal politicians on municipal building officials in his Recommendation 1.18, where he recommends that building officials should be independent of municipal councils. However, Commissioner Bélanger did not go far enough: if there is one building code for Ontario, why not have one building department headed by ONE chief building official for Ontario? Geography is no longer an issue in our networked electronic age, when plans and permit applications can be sent electronically, without the need to travel to the building department. A central building department could be an independent, not-for-profit corporation, governed along the same lines as the Ontario Electrical Safety Authority or the Ontario TSSA.

Why do you have to apply for a building permit and pay the full permit fee before the municipal building department's plans examiner will discuss any code issues with your project? The answer to this question lies with the cost recovery model of municipal building departments. A building department is not supposed to make or lose money for a municipality over time. In other words, it cannot give out free advice too much --otherwise it will lose money if you don't pay for that advice by getting a permit.

At this point, we come to the issue of Registered Code Agencies (RCAs), which are specifically addressed by the Building Code as private plans review and inspection agencies a developer can hire at an early stage to review design and working drawings before they are finalized for a permit. An RCA may perform plan review and building inspections for a municipal building department. Unfortunately, the Ontario government crippled the RCA concept by not permitting the owner or project developer to select its RCA. At this time, only the municipal building department may appoint an RCA to perform plan review and building inspections in the municipality. Of course, if there were only one building department for Ontario, this would not be much of a problem, would it?

Strong political leadership within the Ontario government is needed to overcome the vested interests of career civil servants intent on preserving their own mini-empires.

About the author: Alek Antoniuk is best known for co-ordinating and managing the technical development of the 2006 and the 2012 editions of the Ontario Building Code. He also played a lead role in managing the code advisory services of the Ontario Ministry of Municipal Affairs and Housing since 1989. He publishes a website for information about construction codes at: www.codenews.ca