

## **Official discusses hurdles, changes to building permit process at CFBA conference**

**Angela Gismondi** March 21, 2019



Building permit hurdles in the approvals process and potential upcoming changes were included in a detailed discussion during the Canadian Farm Builders Association's (CFBA) annual conference held recently in Stratford, Ont.

"You've probably heard already that there is a lot happening with this current government. You are probably going to see a lot of changes happening in the approvals process in the short future, maybe over the longer term but you will see changes," said Matt Farrell, president of the Ontario Building Officials Association (OBOA), in his address.

"We feel it's important to build relationships with the developer community, with the design professional community and other players in this process because the more you understand what other people go through, the easier it is to work through it all."

In terms of where to start, Farrell suggested for any agricultural project, especially when building something livestock-related, the municipal building department should be the first stop,

especially regarding Minimum Distances Separation (MDS), submission requirements and OAL. Most will have information online, he added.

“Building officials are the best source for finding out about some of these approval requirements,” Farrell stated. “Go on the municipal website first, see what you can find.”

The other is the Ontario Ministry of Agriculture, Food and Rural Affairs, which provides information for nutrient management, mapping tools and other resources. They are the most knowledgeable about these requirements, he said.

“In my experience as a building official, they have been one of the best ministries to deal with,” said Farrell.

Other useful resources include the MDS document, Inspectors Quick Check 2011, Reducing the Risk of Fire on your Farm and the National Farm Building Code of Canada. Some of these documents need to or are being updated, he noted.

While some say building officials play a larger role in the application process and assist developers as a “concierge” service, having municipal building departments as advisers be a conflict, said Farrell.

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— Matt Farrell

**Ontario Building Officials Association**

“It gets to be a conflicting role and it’s hard for us to manoeuvre this at times,” said Farrell. “This idea of a ‘development concierge’ is something consistently mentioned by the province. They like this idea of having somebody guide you through the developing process. Who looks after that is the question, the municipality or the province.”

When it comes to fixing the system, there are many factors to consider, including looking at how we got here, looking at the system holistically, avoiding duplication, filling in the gaps and limiting the amount of movement, explained Farrell.

Part of the problem is fixing things with rules, but not considering the consequences.

“You’ve got a problem, you fix it with rules, basically that’s the underlying principle that the government works with,” said Farrell.

“You’ve got another problem, you fix it with more rules and so on and so forth. So what you end up with is layer upon layer of rules that are often implemented and administered by different agencies.

“There is no consideration on effects on the whole approval system and little consideration given to the end user.”

He added, “This is one of the biggest frustrations we’ve heard in the last few years while we’re doing this review is people on the other side of the counter, developers and builders and professionals aren’t given due consideration in the whole process.”

Farrell also talked about how to build a better system. Good legislation has consideration for three controlling factors: policy, what are the rules? People, who does the policy effect, who administers? Risk, what is the chance of something bad happening?

“In my role in past years, I’ve been seldom asked can this work? That’s an important question to ask when you implement any rule,” explained Farrell.

He also discussed where the province is consulting or making changes on aspects of the development system including the Planning Act; the Provincial Policy Statement; The Growth Plan; the Ontario Building Code; and the Nutrient Management Act.

“These are all the changes being announced that they are consulting on or have already announced changes to,” said Farrell. “You might ask, what are the broader implications on the agriculture industry? You would be surprised, there are going to be big changes.”

The Ontario Building Code versus the National Building Code is also something that will be considered in the future.

“The minister has announced that they will be looking at harmonizing with the National Building Code,” said Farrell. “Does that mean there will no longer be an Ontario Building Code? I don’t know. In 2025 the national (code) is already warning that they are going to be looking at more aspects around resiliency and climate change which will be another huge impact.”

He also mentioned the OBOA is working with the **Residential Construction Council of Ontario** on a way to standardize the approval process for building permits.