



November 25, 2019

Transforming and Modernizing the Delivery of Ontario's Building Code Services (ERO 019-0422)

Ontario is home to over 87,000 Professional Engineers and 250,000 engineering graduates. That's one of the largest concentrations of engineering expertise in the world and the largest concentration of engineering expertise in Canada—and OSPE stands as their advocacy body.

OSPE is the voice of the entire engineering community in Ontario, including professional engineers, engineering graduates and students who work or will work in the most strategic sectors of our provincial economy.

The Ontario Society of Professional Engineers (OSPE) is pleased to present the following submission concerning the government's consultation on the Delivery of Ontario's Building Code Services.

Issue

OSPE recognizes that the \$38 billion building industry sector is a key driver of Ontario's economy. In order for this sector to keep growing, there is a need for the government to modernize the way in which it supports professionals that must understand and apply the Building Code Requirements.

Engineers believe that these changes must seek to:

- Enhance public safety
- Promote consistency across the entire province
- Increase customer service
- Streamline approval process

1. Getting People Working in the Building Sector

Examination Development & Delivery

How could the current examination design, content and/or delivery be improved?

- OSPE believes the current examination design and content should match the amount of materials covered across different categories.
- Questions must be written clearly and grammatical syntax should not be an impediment to determine competence and knowledge of the Building Code.
- Exams must seek to identify that individuals are capable of going beyond basic knowledge of the Building Code.
- Syllabi must be re-visited and updated and exams must reflect the content put forward in the syllabi.

Pre-Qualification Training

Are the current training offerings meeting your needs? If not, how could they be improved?

- In order to maintain confidence in the safety of Ontario's buildings, the Ministry should re-visit the online courses administered through institutions like George Brown College, in order to make sure training is sufficient to help individuals succeed in the writing of building code examinations.

Using Coordinating Professionals

Do you think the use of a Prime Consultant, under certain circumstances, would support a more streamlined building permit application process?

The Elliot Lake Commission of Inquiry Report, released in 2014, recommended that owners designate a Professional Engineer or Architect to the role of "Prime Consultant", who would be in charge of coordinating designs and field work.

OSPE welcomes the use of a Prime Consultant and believes its role will streamline the building permit application process.

The Ministry should specify, under what circumstances, a Prime Consultant is required. This will provide clarity to all stakeholders and individuals involved.

2. Promoting sustainability and transparency in the Building Code Profession

Continuing Professional Development

OSPE believes it should be mandatory for qualified and registered building code professionals to take continuing professional development courses. This would be aligned with Recommendation 1.17 of the Elliot Lake Commission of Inquiry Report, which calls for:

"the existing standards for training and certification of building officials and inspectors under the Building Code Act should be amended to require mandatory continuing education".

How many activities or hours of CPD do you feel is reasonable to require of building code professionals? What is the right mix of formal and informal CPD activities that building code professionals should be required to complete?

OSPE believes that the Ontario Building Officials Association (OBOA)'s requirement of 60 credits/hour in a three-year cycle has proven to be a good model and best practice. This program is rigorous, but also allows for flexibility due to its mixed model of formal and informal credits.

Registration Compliance and Enforcement

What types of compliance measures should be put in place to ensure building code professionals are meeting the requirements of their registration?

Public safety should always be paramount. Hence, there should be enforceable compliance measures to hold code professionals accountable. These measures should be transparent and available to the public as well.

OSPE believes the Ministry of Municipal Affairs and Housing's (MMAH) approach is well suited and appropriate. A comprehensive, escalation-based, compliance enforcement framework that defines disciplinary actions in proportion to severity and frequency of non-compliance would help safeguard the public's safety. OSPE also welcomes a formal, documented complaints process that allows the public to submit their concerns regarding the work being conducted by building code professionals.

Under what circumstances do you think it would be appropriate for financial penalties to be used as a means of encouraging compliance with registration requirements?

OSPE believes that financial penalties should not be regarded as best practice. Financial penalties would not necessarily decrease certain wrong doings. Compliance, when addressing public safety should always be the desired outcome.

3. Building Code administration and enforcement

Supporting Local Building Service Delivery

Would it be beneficial for municipalities to have the ability to transfer some or all of their building service delivery to the administrative authority?

OSPE believes that it is extremely important for small municipalities not to face any qualification gaps when having to deliver large, complex building permits. Therefore, OSPE thinks it would be beneficial for small municipalities to transfer some of their building service delivery to the administrative authority.

4. Improving building sector supports

OSPE welcomes the MMAH's commitment to review and revisit Ontario's Building Code in conjunction with the five-year national code development cycle. This will ensure the code is consistent with national constructions codes and would provide the opportunity to update and modernize it accordingly.

Would you support the issuance of technical bulletins and/or code interpretations? Please explain.

OSPE encourages the Ministry to issue technical bulletins and code interpretations, when appropriate. Engineers believe that the Building Code should be applied consistently throughout the entire province. The Ministry should take a leading role in providing guidance.

Digital Service Transformation

OSPE welcomes the adoption of a strong, modernized digitally- based suite of building code resources. In order for Ontario to deliver comprehensive services to its tax-payers, the government should start focusing on way the digital world can enhance its service delivery.

This approach will:

- Increase the availability of information between stakeholders, and building code professionals
- Provide better quality services to the general public
- Standardize development approval processes

OSPE and Ontario's engineers look forward to working with the Ministry of Municipal Affairs and Housing to ensure that the delivery of the province's Building Code Services is improved and enhanced, in order to support the construction and building sectors.

Sincerely,



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