

Executive Summary: Proposed Changes for the Next Edition of Ontario’s Building Code (Winter 2022 Consultation)

Background: Ontario’s Building Code in the Context of Increased Harmonization

Ontario’s Building Code has long established high standards for construction to minimize the risk to the health and safety of the public, address fire safety, accessibility, and structural sufficiency, and promote water and energy conservation.

With this in mind, the Government of Ontario is also committed to increasing harmonization of the technical requirements in construction codes across Canada and streamlining the national and provincial code development process.

While the Building Code will change to be increasingly harmonized, and the code development process will change in accordance with the Reconciliation Agreement on Construction Codes under the Canadian Free Trade Agreement, Ontario will continue to uphold high standards and leading practices for construction, and offer design flexibility through objective-based design solutions.

Greater harmonization with the National Construction Codes will help to maintain the competitiveness of Ontario’s construction sector and reduce inter-provincial barriers for Ontario’s manufacturers and distributors of building, plumbing and fire safety components.

It is expected that the next edition of Ontario’s Building Code will be in-effect in early 2024 pending the release of the 2020 National Construction Codes. This next edition is an important step in the process to support harmonization.

Consultation for the Next Edition of Ontario’s Building Code

As part of the development process for the next edition of Ontario’s Building Code, the ministry is entering a second phase of public consultation:

Fall 2021	The first phase of consultation focused on existing technical variations between Ontario’s Building Code and the National Construction Codes, and some Ontario-specific changes	Status: Posting closed in December 2021. Analysis of feedback ongoing. Follow-up technical discussions planned for Winter 2022.
Winter 2022	The second phase focuses exclusively on 2020 National Construction Code changes	Status: Launching January 2022

The consultation approach for future editions of Ontario's Building Code will differ slightly from previous years as the ministry gradually works to increase harmonization and meet the other commitments made in the Reconciliation Agreement on Construction Codes.

The Winter 2022 Consultation includes a notice on the Regulatory Registry and Environmental Registry, as well as stakeholder engagement sessions. If needed, further discussions may be planned, and interested stakeholders are encouraged to follow-up with ministry staff accordingly.

In addition, the ministry is planning a third phase of consultation later in 2022 to address any outstanding Ontario-specific changes and other issues that may have been raised in the Fall 2021 and Winter 2022 consultations.

Winter 2022 Consultation: Proposed Changes

The 2020 National Construction Codes will introduce significant changes and new areas that are being considered for Ontario's Building Code. These changes include (but are not limited to):

- Farm buildings: establishing a new major occupancy classification (Part 2 changes are largely proposed to address new farm building provisions introduced in the 2020 National Construction Codes).
- Encapsulated mass timber construction: allowing the construction of "tall wood" buildings using encapsulated mass timber up to 12-storeys.
- Earthquake and structural design: updating seismic hazard values and wind data, providing guidance to designers on snow and wind loading on structures with solar panels installed on roofs and addressing snow load due to drifting.
- Accessibility: making certain accessibility enhancements for buildings.
- Energy efficiency requirements for houses and large buildings: enhancing energy efficiency of buildings by adapting Section 9.36. of the National Building Code in lieu of Supplementary Standard SB-12 and replacing Supplementary Standard SB-10 with the 2020 National Energy Code for Buildings.
- Fire safety and fire protection systems: addressing topics such as fire alarms and detection systems.
- Safety glazing in locations subject to human impact in assembly occupancies.
- Plumbing: water temperature control and potable water contamination.
- Home-type care occupancies: allowing home-care services within houses by establishing a new occupancy classification B4.
- Other issues (various): stairs/ ramps/ handrails/ guard design, use and egress, insulated concrete forms (ICF), corrosion resistant ties, etc.

Please note that these are proposed Code changes and have not yet been adopted. Through the consultation process, you are strongly encouraged to provide comments and feedback. These proposed changes are part of a continuous process to further harmonize with the National Construction Codes.

Rationale for the Proposed Changes

Although they represent a high volume of changes and introduce significant differences in approach in some cases, synchronizing Ontario's Building Code with the 2020 National Construction Codes is an important step towards increasing harmonization and fulfilling commitments made in the Reconciliation Agreement on Construction Codes under the Canadian Free Trade Agreement.

Detailed information on the rationale for each change is available in national Proposed Change Forms (PCFs). The information contained in each PCF was developed by the National Research Council for the 2020 National Construction Codes. The hyperlinks to each PCF have been included in the attached proposed code change list ("Proposed Building Code Changes to Align with 2020 National Construction Codes").

The proposed changes in the Winter 2022 consultation include energy efficiency requirements. It is proposed that Ontario adopts the 2020 National Energy Code of Canada for Buildings (NECB), which contains the 2017 edition of the NECB and the changes that are listed in the attached tables. The 2017 NECB is available online and can be accessed by clicking on the link provided in the attached "Proposed Building Code Changes to Align with 2020 National Construction Codes". The corresponding PCFs are also available for these proposed changes.

While there are many benefits to an increasingly harmonized Building Code, it is recognized that there are province-specific considerations that may conflict with some national requirements. The ministry is seeking your input to identify such code changes and understand a path forward that is best suited to Ontario's needs.

Helpful tips on using the National Proposed Change Forms (PCF)

Each PCF contains the originally proposed change followed by the latest version of the change. When reviewing PCFs, please refer to the latest version of the change by scrolling down to the heading "Revised Proposed Change Following Public Review" and finding the National Code Subsection/ Article that corresponds to the Ontario Code Subsection/ Article as listed in the attached code change list.

The latest version of the change is usually followed by the rationale, analysis, and reasons for the proposal. Please note that the Sentence/ Article number for some of the

provisions in the PCFs may be different from the corresponding numbers in Ontario's Building Code.

The 2020 National Construction Codes have not been released yet. Are the code changes proposed in this consultation going to change?

The 2020 National Construction Codes have been delayed and are expected to be released in early 2022. To meet timing obligations under the Reconciliation Agreement and to ensure Ontarians have the opportunity to provide feedback, the consultation is proceeding based on the Proposed Change Forms developed by the National Research Council and any draft versions of the National Construction Codes provided to the ministry (e.g., 2020 National Plumbing Code). It is not expected that the content of the 2020 National Construction Codes will vary from these proposals.

Next Steps in the Development of the Next Edition of Ontario's Building Code

While the posting on the Regulatory Registry and Environmental Registry will close in March 2022, opportunities for discussion during and after the posting are available.

As well, details on a third round of consultation will be shared later in 2022.

Throughout the year, ministry staff will continue to carefully review and analyze the feedback collected through the Fall 2021 and Winter 2022 postings and engagement sessions. This information will assist the ministry in drafting the next edition of Ontario's Building Code.

Building industry capacity to absorb the changes that will be introduced in the next edition is an important consideration. That is why the next edition is intended to be filed in early to mid 2023 and in-effect in 2024 to allow six to twelve months for the industry to become familiar with the changes.