

Building Services Transformation Branch
777 Bay Street, 16th floor
Toronto, ON
M5G 2E5

SUBJECT: Transforming and modernizing the delivery of Ontario's Building Code services

To Whom It May Concern,

Please accept my response to the MMAH consultation on Transforming and modernizing the delivery of Ontario's Building Code services.

As a member of the Ontario Association of Architects, I appreciate the Ministry seeking ways to continually improve the building sector. While many initiatives were discussed in this consultation, I want to respond specifically to the Ministry's plan to interfere with the practice of architecture.

I have recently learned that the Ministry is proposing to implement a Certified Professional Model, similar to that of British Columbia. As a[n] architect / Licensed Technologist OAA, I have signed a solemn declaration to adhere to all applicable laws and by-laws including the Building Code Act and the Ontario Building Code. Ontario architects also agree to the Act and the Code when we fill out the required permit forms for the Authority Having Jurisdiction, in effect duplicating our commitment to be bound.

Regulations governing the practice of architecture identify 54 actions as professional misconduct, but here are the first four in particular:

1. Contravention of any provision of the Act, or the regulations.
2. Knowingly contravening any provision of the Building Code Act, 1992 or the building code.
3. Knowingly contravening any federal, provincial or municipal law, regulation or by-law relating to the construction, enlargement or alteration of buildings.
4. Authorizing, permitting, counselling, assisting, aiding, abetting or acquiescing in any contravention of a federal, provincial or municipal law, regulation or by-law relating to the construction, enlargement or alteration of buildings.

These requirements are well known by all architects, and I take my professional obligations very seriously. If I don't, I could be found guilty of professional misconduct and have my license taken away. Nevertheless, the Ministry wants to create extra layers of approvals that add significant levels of red tape and bureaucracy to a process that already exists, and already works.

The Elliot Lake Commission recommended formalizing a Prime Consultant / Coordinating Professional on building projects. I encourage the Ministry to work with the OAA and the Professional Engineers of Ontario to finalize this important public protection piece. Better coordination serves the public.

However, I cannot support the addition of more **red tape** that only encumbers the profession without adding any public protection beyond what already exists.

Sincerely,

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