



**JOHN REVELL MCIP, RPP**  
**CHIEF BUILDING OFFICIAL**  
PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION

November 22, 2019

Ministry of Municipal Affairs and Housing  
777 Bay Street, 12<sup>th</sup> Floor  
Toronto, ON M5G 2E5

**VIA EMAIL AND POST**

**Attention:** Brenda Lewis – Director, Building Services Transformation Branch

**RE:            Transforming and Modernizing the Delivery of Ontario's Building Code  
Services Discussion Paper and Consultation**

Dear Mrs. Lewis,

On behalf of the City of Windsor, I would like to thank you for the opportunity to provide comments in response to the Ministry of Municipal Affairs and Housing's consultation for *Transforming and Modernizing the Delivery of Ontario's Building Code Service*. In the discussion paper published on September 24, 2019, it was identified that the building sector is a \$38 billion industry and a key driver of Ontario's economy. The discussion paper stated that building sector stakeholders have been asking for better, more modern and timely services and resources to support their understanding and application of highly technical and complex building code requirements. As was explained in this paper, the Ministry has historically provided such services but has not kept pace with sector needs, and a model that promotes consistency and provides better sector support is needed.

### **On Administrative Authorities**

The City of Windsor recognizes the creation of an alternate service delivery model addresses the need for greater capacity in the administration and oversight of the Ontario Building Code (OBC) and the *Building Code Act* (BCA). However, the Ministry's consultation directs the stakeholders' focus towards implementing a non-governmental Administrative Authority (AA) model. The City of Windsor's position is that additional municipal consultation on the oversight, role and funding of an Administrative Authority needs to take place.

Fundamentally, the proposed Administrative Authority model appears to have limited ability to improve timelines where applicable law approvals are causing development delays. We recommend further consideration on how inter-ministry regulations and Provincial Acts influence applicable law and on whether a non-governmental Administrative Authority can influence cooperation between senior levels of Governmental.

### **On Prime Consultants**

The City of Windsor is in support of creating legislative requirements for Prime Consultants to coordinate designs and field reviews with the professionals involved in a development project. The use of a Prime Consultant could greatly benefit development timelines and help create a single source of reporting and project management to ensure accurate, coordinated and completed submissions.

### **On Certified Professionals**

The City of Windsor does not support the use of Certified Professionals. The program proposed would be similar to the existing Registered Code Agency (RCA) in the BCA. RCAs currently receive very limited interest in Ontario. In British Columbia, where Certified Professionals exist, there is no conditional permit provision. However, in Ontario, the BCA provides for the possibility of obtaining conditional building permits to assist with initiating development projects in a more timely fashion. Based on this, we do not believe there is merit to using Certified Professionals in Ontario.

### **On Training & Continuous Professional Development (CPD)**

The City of Windsor is in support of training and continuous professional development requirements for Code regulators and practitioners. These initiatives should include all building practitioners, engineers, architects, constructors and site supervisors.

Currently, there is a gap in Building Code knowledge amongst designers and constructors with no real accountability. This is evident in the quality of permit application submissions, construction methods and management practices used on construction sites. Amended BCA language to require a Code of Conduct and Standards of Practice for all practitioners along with an updated QuARTS database would allow confirmation of qualifications and the ability to monitor registration requirements.

### **On Supporting Local Building Service Delivery and Unincorporated Areas**

The City of Windsor agrees an Administrative Authority could provide for networking opportunities and service level agreements across municipalities, assisting remote and northerly municipalities with limited development in particular. However, the AA model places the financial responsibility on larger municipalities like Windsor because its funding is development-driven.



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Using fiscal policy for social or economic engineering is reasonably the mandate of a Provincial Government using general taxpayer dollars. However, we prefer that construction and development money invested locally in Windsor needs to remain in Windsor. Overall, an Administrative Authority represents very few benefits for the cost to municipalities like Windsor where we have already taken initiative to address many of the issues raised through this consultative process.

Windsor has created a digital permitting system that will bring together internal departments, external stakeholders, applicants, designers, and applicable law agencies into a single cohesive communications platform. The use of this transparent digital program will be very helpful in minimizing timeline gaps for development, greatly enhancing customer service.

Further, Windsor has established internal training and promotions mechanisms for grooming employees to move into Code review and enforcement positions. Our homegrown initiative has proven very successful, drawing the attention of our local Community College (St. Clair) who has expressed interest in developing a stand-alone post-graduate Building Code program with assistance from City of Windsor Building Department staff.

The City of Windsor appreciates the opportunity to provide feedback on *Transforming and Modernizing the Delivery of Ontario's Building Code Services*. Please feel free to contact me directly if you have any questions or if additional consultation opportunities occur.

Yours truly,

**John Revell**  
Chief Building Official

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cc: Mayor and Council