



Staff Report

Planning and Development Services – Building

Report To: Committee of the Whole
Meeting Date: October 28, 2019
Report Number: PDS.19.133
Subject: Building Code Services Transformation
Prepared by: Tim Murawsky, Chief Building Official

A. Recommendations

THAT Council receive Staff Report PDS.19.133, entitled “Building Code Services Transformation”;

AND THAT staff be directed to continue to monitor the proposed changes to the Ontario Building Code Services and report back to Council as required.

B. Overview

The Ministry of Municipal Affairs and Housing has launched a consultation on potential changes to the delivery of building code services. On September 24, 2019, the ministry released a discussion paper titled: *Transforming and Modernizing the Delivery of Ontario Building Code Services* and has invited members of the public, building professionals and building officials to participate in this paper. Interested parties may attend regional information sessions and public open houses or by completing an online survey. The consultation closes on November 25, 2019.

C. Background

The Ministry of Municipal Affairs and Housing is responsible for setting policy direction and establishing regulatory building regulations, overseeing the qualification and registration of building practitioners and providing support to consumers. Within the discussion paper, the government is proposing an administrative authority to transform the delivery of a suite of new and enhanced services to support the building sector. The transformation is expected to help streamline customer service and approval processes, promote a consistent approach to using the Building Code, and promote public safety for all people across Ontario.

D. Analysis

The Ministry of Municipal Affairs and Housing is stating that transferring service delivery to an administrative authority would enable new, modern, user-driven services to be delivered to the building sector. The Province holds the position that an administrative authority can scale and deliver services more nimbly and would be tasked with providing streamlined customer service

to all Ontarians. The authority would also promote a consistent approach to building code interpretation and application. To achieve this the administrative authority would operate on a full cost recovery basis, funded by the sector and would charge fees for directly delivered services and collect a levy calculated on estimated construction value on top of municipal building permit fees.

The proposed enhanced and new services for consultation would look at ways to get people working in the business sector. Possible enhancements could include the modernization of the current Building Code examination process to ensure that building code professionals have the required legal and technical knowledge so that public safety is protected. New services could be included to help support municipalities with recruitment and retention of experienced building officials. The introduction of a Coordinated Professional position may be implemented to facilitate projects, ensure Code compliance and streamline the permit approval process.

Proposed enhanced and new services would look at ways to promote sustainability and transparency in the Building Code profession by transforming the current public registry and registration process for building professional to be more streamlined and user-friendly. Continuing Professional Development activities may be introduced for building professionals to regularly maintain knowledge in their area of practice so they can understand and apply new or amended building code requirements. A new service could be introduced to establish a comprehensive, compliance-based enforcement framework to ensure that building code professionals are meeting their qualification and registration requirement. The framework may include a code of conduct for all building code professionals, a complaint process for public concerns, financial penalties and increased transparency of disciplinary actions.

Building Code administration and enforcement could enhance municipal enforcement to promote public safety by allowing the use of administrative penalties to help municipalities address non-compliance with the *Building Code Act* or the *Ontario Building Code*. New administrative services could also be provided where municipalities may enter into an agreement with the administrative authority to deliver full or partial building services on their behalf for smaller, rural or northern municipalities.

Proposed enhanced and new services that support improving building sector operations could be introduced to promote a consistent understanding and application of building code requirements with additional and more comprehensive tools and services in a timely manner to provide clear, standardized, technical advice and interpretation. A new service could enable modern digital services and may include the development of a digital version of the Building Code. The creation of an Administrative Authority is not intended to replace Municipal Building Departments, or any current roles mandated to the Municipality but instead enhance services, support and streamline processes.

The Town of The Blue Mountains Building Services Department continues to make efforts to stay involved in the consultation process. The Chief Building Official is scheduled to attend the information session and public meeting on October 16, 2019 in Vaughan. Staff will provide updated reports to council when new information becomes available.

E. The Blue Mountains Strategic Plan

Goal #4: Promote a Culture of Organizational & Operational Excellence
Objective #3 To Consistently Deliver Excellent Customer Service
Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

F. Environmental Impacts

No direct environmental impacts are anticipated from the recommendations of this report.

G. Financial Impact

The ministry is proposing to fund service delivery through a blended revenue model that includes allowing the administrative authority to charge fees for directly delivered services and collect a levy on top of municipal building permit fees. The levy amount is anticipated to be 0.016% of the construction cost estimate noted on a building permit application. For example, a building permit with an estimated construction cost of \$500,000, the levy would be \$80.00 on top of building permit fees already charged by municipalities.

It is anticipated that the total construction value of all building permits issued in the Town of The Blue Mountains for 2020 is approximately \$165,000,000. 00 Based on the proposed levy of 0.016%, the total amount of fees that would have to be collected by the Building Services Division for the new administrative authority would be an additional \$26,400.00

H. In consultation with

Nathan Westendorp, Director Planning Services

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Tim Murawsky, CBO@thebluemountains.ca

J. Attached

There are no attachments to this report.

Respectfully submitted,

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Director of Planning and Development Services

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