

Guideline for Requesting Changes to the Building Code

Request a Code Change

Ontario's Building Code improves with each edition thanks to the contributions of building officials, designers, builders, contractors, product manufacturers, researchers, building owners and the public. Typical changes accommodate new materials, systems and building design, clarify requirements, or update references to standards.

The Building Code is a regulation made under the Building Code Act, 1992. Given the joint Federal/Provincial/Territorial Code development process, changes developed by the Canadian Commission on Building and Fire Codes (CCBFC) for the model National Building Code (mNBC) and the model National Plumbing Code (mNPC) are considered for inclusion in Ontario's Building Code. Suggestions for changes to the Building Code made by members of the public may also be considered. Potential changes to the Building Code are generally developed following a public consultation process and review by a Building Code technical committee.

Suggestions to improve the Building Code may be submitted to the Building and Development Branch of the Ministry of Municipal Affairs and Housing. The following points should be considered in developing a request for a Building Code change:

Clarity

Code change requests should clearly identify the specific change being proposed, current Code provisions that would be affected by the change, and the rationale for proposing the change. Proposed language for new Code provisions is helpful.

Supporting Documentation

Code change requests should be accompanied by sufficient documentation to support the need for the change. Documentation may include research, testing results, statistics, case studies, etc.

Cost/Benefit Analysis

Code change requests should include information on implementation costs and the benefits likely to be achieved.

Assessment of Conformance

Code change requests may not be viable if there are no practical means of assessing conformance with the proposed new requirement. Requests should consider whether there are existing tools or models that can be used to assess the conformance of designs or construction with the requirements of the proposed Code change.

Requests also need to consider whether the implementation of Code changes would have implications for enforcement bodies.

Timing

Although requests for changes to the 2012 Building Code can be made at any time, it is likely that most changes will be considered for inclusion in the next edition the Building Code. However, "interim" Code changes to the 2012 Code are possible.

Objectives

The objectives of the Building Code's requirements ("acceptable solutions") are set out in Division A. Code change requests should link proposed changes to at least one of the Code's stated objectives. The addition of a provision that cannot be linked to one of the currently stated objectives would require the addition of new objectives.

Focus on Generic/Widespread Issues

The Building Code's standards are of general application and it is therefore impractical for the Building Code to deal with specific products or with situations that arise only rarely.

However, innovative products that are not yet covered by standards or mentioned in the Codes are not necessarily excluded from use. Current administrative procedures to enable the use of innovative products are listed in Division C, and include Alternative Solutions, the Building Code Commission, the Building Materials Evaluation Commission and Minister's Rulings.

Code Change Request Form

The attached form should accompany requested changes, although its use is not mandatory provided the criteria stated above are considered. Where the form does not provide sufficient space for the information you wish to include, you are encouraged to attach additional pages as necessary. Additional electronic copies of the Building Code change request form may be obtained from the Building Code website at: www.ontario.ca/buildingcode.

Building Code Development Process

Ontario's Building Code is based on the model National Building Code (mNBC) but includes some differences from the mNBC that are determined by Ontario-specific priorities such as high standards for energy efficiency and greenhouse gas reduction, additional sections to deal with specific building types and elements such as public pools and spas and rapid transit stations and Part 11 to address renovations to existing buildings.

New editions of Ontario's Building Code generally follow the cycle of the mNBC and may include technical and editorial changes throughout the Code. Proposed changes are typically posted on the Ministry of Municipal Affairs and Housing web site for public consultation. Comments received through that public consultation process are considered by Technical Advisory Committees, including designers, builders, regulators and other expert Code users, before final recommendations are submitted to the Provincial Government for approval.

The Building Code may be amended at any time and each edition of the Code may be amended several times during the life of that edition. However, the Code is not amended each time an individual Code Change Request is submitted to the Ministry.

All Code Change Requests are logged on receipt and may be considered as part of a general amendment package once sufficient proposals are received. Other amendments may address changes related to specific topics such as sprinkler requirements or barrier-free design.

2024 BUILDING CODE CHANGE REQUEST FORM**CONTACT INFORMATION:**

DATE : November 4, 2024

Do you agree to permit sharing all information on this form with Building Code Review Committees and the Canadian Commission on Building and Fire Codes for the purposes of code development?

- YES
 NO

I am submitting this on behalf of: Myself, or
 Organization:

The Corporation of the Municipality of St.-Charles

Your Title:

Chief Administrative Officer

Your Name: Denis Turcot
Address: 2 King Street East P.O. Box 70
City: St.-Charles
Province: Ontario
Postal Code: P0M 2W0
Telephone: 705-867-2032 x 206 or 705-561-8257
Facsimile: 705-867-5789
Email: cao@stcharlesontario.ca

Your function:

(if submitting on behalf of yourself)

- Builder / Contractor
 Building Official
 Building Owner / Manager
 Designer / Architect / Engineer
 Home Owner / General Public
 Supplier / Manufacturer
 Other: Municipality

CODE CHANGE REQUEST:

Change an existing code provision: *O. Reg. 332/12: BUILDING CODE under Building Code Act, 1992, S.O. 1992, c. 23 General 1.7.1.1 Table 1.7.1.1 item 5, column 2*

Code Reference of the Requested Change:

Division, Part, Section, Subsection, Article, Sentence, etc. eg: Div. B, 9.32.3.5.(1)

Add a new code provision

Have you forwarded this change to the Canadian Commission on Building and Fire Codes as a proposed amendment to the model National Building or Plumbing Codes?

- YES
 NO

Personal information submitted on this form is collected under the authority of the Building Code Act, 1992 and will be used for the purpose of Code development. Please direct any questions about the collection of information by mail to the following address:

Manager, Code Development
Building and Development Branch,
777 Bay Street 2nd Fl., Toronto, Ontario M5G 2E5
Telephone: (416) 585-6666
or by Facsimile at: (416) 585-7455
Email: Codeinfo@ontario.ca

<p>REQUESTED CHANGE/ADDITION: What wording do you propose for the change?</p>	<p><i>“All municipalities and territory without municipal organization located in the Sudbury and District Health Unit</i></p> <p>a) <i>except for the Corporation of the Municipality of St.-Charles, the Corporation of the Municipality of Markstay-Warren, the Corporation of the Municipality of French River, and the Corporation of the Municipality</i></p>
<p>PROBLEM: Why should the existing provision be revised? If requesting an addition to the Code, what is missing?1.</p>	<ol style="list-style-type: none"> 1. Duplication of service: We have already staff attending most of the new or expanding construction where sewage system are being built. Having someone driving one hour or more to verify that the system is built to specification is being paid by our residents. 2. Increase inspection opportunities: Less delays, Able to monitor throughout construction period, we are local and most of the time already onsite with building inspection to complete sewage system inspection. 3. Local: Though past plans had the intention of having a Health inspector based in Sudbury East, there has never been one based in this region, they are all out of Sudbury. Residents must rely on phone or email conversation. Our proposal would have staff in the community on a regular basis that would allow easier access to in person meeting either in office or on-site. 4. Reducing cost: We struggle as municipalities to be generate income, Sudbury East municipalities have come together to try to be more efficient in our shared service of a building department and by-law enforcement operation, we struggle to be revenue neutral. We are already onsite for most of the application, we would improve our cost efficiency and reduce the number of contact that are require. 5. Environmental Protection: Properly maintained sewage systems are crucial for protecting local ecosystems. Inspections can prevent leaks and overflows that could harm wildlife and pollute rivers and lakes. Regular inspections with possible re-inspection program in environmentally sensitive area could help identify and address issues with sewage systems that might otherwise lead to contamination of drinking water sources, posing serious health risks to the community. Currently there are no re-inspection programs in our region. Being local we can react quickly on complaints ensuring compliance. 6. Compliance and Accountability: Ensuring that all sewage systems comply with current regulations helps maintain a standard of quality and safety. This can also hold property owners accountable for maintaining their systems. Municipal staff visit local property owners on a regular basis and would have a more frequent visitation to various properties. 7. Preventative Maintenance: Regular (re) inspections can catch small issues before they become major problems, potentially saving property owners from costly repairs and the municipality from dealing with large-scale environmental cleanups. Past efforts from council to implement a re-inspection program went nowhere. 8. Community Trust: By actively managing and inspecting

	<p>sewage systems, the municipality can build trust with residents, showing that it is committed to maintaining a safe and healthy environment.</p>
<p>JUSTIFICATION/EXPLANATION: How does the requested change address the problem?</p>	<ol style="list-style-type: none"> 1. Duplication of service: We would have a central number where residents would call for Building and by-law enforcement including sewage system application and complaints. This would simplify our any application process for new system and potentially uncover building that were built with improper sewage system approvals. 2. Increase inspection opportunities: Staff would either be in the community on a regular basis or be on site when new or renovation permits are applied for. 3. Local: Municipal staff keep regular visit to our four local municipalities. 4. Reducing cost: Especially when applying for a new construction or renovation permit, the fee cost of the sewage system could be incorporate share inspection cost, giving more opportunities for cost recovery. The building and by-law department shared service came as a result of not having enough application individually as a municipality to keep full time staff, having additional service that we would be able to charge a fee for would get us closer to revenue neutral for our service and or reducing our fees. 5. Duplication of service: There would be only one point of contact especially when it comes to new and renovation construction applications. When pre-consultation is required for severances, one point of contact rather than two would be achieved. Reduce our carbon foot print by reducing duplication and the extended drive from the City of Greater Sudbury. 6. Increase inspection opportunities: Our staff visit on a regular basis construction site, attend to by-law complaint, this would allow staff the power to address or question any possible sewage system issues. 7. Local: We would continue to have staff in the community on a regular basis that would allow easier access to in person meeting either in office or on-site. 8. Reducing cost: Reducing travel cost in the overall permit system and duplication of time onsite would be achieved almost immediately. 9. Environmental Protection: Would provide an opportunity for local Elected Council to implement re-inspection programs in our region. Being local we can re-act quickly on complaints ensuring compliance. 10. Compliance and Accountability: We currently have professional staff that are more than capable to inspect >\$1M builds, the same degree of professionalism would be extended to this service. 11. Preventative Maintenance: Regular (re) inspections can catch small issues before they become major problems, potentially saving property owners from costly repairs and the municipality from dealing with large-scale environmental

	<p>cleanups. Past efforts from council to implement a re-inspection program went nowhere.</p> <p>12. Community Trust: The shared service has greatly improved the level of service and professionalism for this department, we would build on this trust.</p>
<p>OBJECTIVE(S): Which of the Code’s objectives does the requested change address? (See Part 2 of Division A of the Building Code for the list of objectives.)</p>	<p>The objectives are To allocate the Principal Authority for Sewage system permitting and inspection to the Sudbury East Municipalities of St-Charles, French River, Markstay-Warren and Killarney.</p>
<p>COST/BENEFIT IMPLICATIONS: Will the change entail any added costs (material, long-term or operational)? Will it provide benefits that are measurable? (e.g. energy efficiency, enhanced fire safety, accessibility, operating costs)</p>	<p>This request in change would only impact Sudbury East municipalities and Public Health Sudbury District. I cannot speak to the impact to PHSD.</p> <p>Our Costs</p> <ol style="list-style-type: none"> 1. Initial Setup Costs: <ul style="list-style-type: none"> ○ Training and Equipment: The municipality will need to invest in training personnel. ○ Administrative Costs: amending the current administrative framework to manage permits and inspections. 2. Ongoing Operational Costs: <ul style="list-style-type: none"> ○ Regular Inspections: Incremental cost of conducting regular sewage system inspections would be added to most building permit application. ○ Maintenance and Repairs: Where no building permits are required, additional staff time for intake and subsequent inspection to be added. <p>Benefits</p> <ol style="list-style-type: none"> 1. Public Health and Safety: <ul style="list-style-type: none"> ○ Rapid and local response to request or complaints re: sewage systems. 2. Environmental Protection: <ul style="list-style-type: none"> ○ Local decision responding to resident concern on the environment. ○ Reduce our carbon foot print by reducing duplication and the extended drive from the City of Greater Sudbury. 3. Economic Benefits: <ul style="list-style-type: none"> ○ Attracting Investment: A municipality with robust infrastructure and responsive is more attractive to businesses and investors, potentially boosting the local economy. 4. Cost Savings: <ul style="list-style-type: none"> ○ Duplication: Current PHSD fee structure includes travel time from Sudbury and with staff already attending most of the properties there will be cost saving that can either reduce future fees or make the department revenue neutral. <p>Measurable Benefits</p> <ul style="list-style-type: none"> ● Operating Costs: Dual inspections services (building and sewage) can lead to more efficient use of resources, potentially lowering long-term operating costs . ● Community Trust: Demonstrating a commitment to

	<p>maintaining a safe and healthy environment can build trust with residents .</p> <ul style="list-style-type: none"> • Reduced carbon foot print by reducing duplication and the extended drive from the City of Greater Sudbury.
<p>ENFORCEMENT IMPLICATIONS: Can the requested change/addition be enforced by the infrastructure available to enforce this Code? Will its enforcement require an increase in resources?</p>	<p>There should be no enforcement implications, Sudbury East Municipalities employ a full time CBO, seasonal inspector and three by-law officers. We have sufficient staff to deliver the anticipated demand in service. All sewage system approval are verified by our staff as part of the applicable laws in the application process for a building permit.</p>
<p>EFFECT ON OTHER CODES: Will the proposed change affect other Codes? (e.g. Fire Code, Electrical Safety Code, Gas Utilization Code) If so, have you consulted with the appropriate authority? (e.g. Office of the Fire Marshal, Electrical Safety Authority, Technical Standards and Safety Authority, etc.)</p>	<p>There are no other implications other codes other than assigning Principal Authority for sewer system inspection to the municipality.</p>
<p>OTHER COMMENTS: For example, identify other Code requirements affected by the requested change, etc.</p>	<p>Past comment from Public Health Sudbury District have said no to relinquishing being Principal authority for sewage system, one of the comments was that they would in part continue to enforce in the un-organized area sewage system. We would just wish to say that our resident pay for their service and un-organized territories should be responsible for the cost of service provided to them.</p> <p>We would be willing to set any transfer or Principal Authority as a pilot project where regular reporting is made to the ministry with a final report after 1 year to determine if the assignment of Principal Authority for Sewage system permitting and inspection is successful.</p>
<p>ATTACHED SUPPORTING MATERIAL: (e.g. research, test results, statistics, case studies - List and attach.)</p>	<p>The request is not without a precedent, Huron County took over Sewage inspection from their Health Unit https://www.huroncounty.ca/news/huron-municipalities-take-on-plumbing-and-sewage-inspection-responsibilities/</p>

Present only one change request per form. Duplicate the form as necessary. You may attach additional pages or use any other format to submit your request as long as all the information indicated above is included.

Send to: Manager, Code Development, Building and Development Branch
Ministry of Municipal Affairs and Housing
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Toronto, Ontario M5G 2E5
Fax: (416) 585-7455
Email: Codeinfo@ontario.ca