

Established in 1889, the Ontario Association of Architects (OAA) is the self-regulating body for the province's architecture profession. It governs the practice of architecture and administers the Architects Act in order to serve and protect the public interest.

Building Code Short-Term Advisory Body
Building and Development Branch, Ministry of Municipal Affairs and Housing
12th Floor, 777 Bay Street
Toronto, Ontario
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Sent by email to: buildingcode.advisorybody@ontario.ca

August 12, 2026

Re: Consultation on Reducing Regulatory Burden in Ontario's Building Code

Dear Chair and Members of the Advisory Body,

As the provincial regulator for the practice of architecture, entrusted to protect the public interest, the Ontario Association of Architects (OAA) appreciates the opportunity to respond to the Building Code Short-Term Advisory Body's *Consultation on Reducing Regulatory Burden in Ontario's Building Code*. The OAA supports efforts to enable more efficient and affordable housing delivery while maintaining the safety, accessibility, and performance standards that protect the public interest.

Clarity, coordination, and predictability in the regulatory framework

The OAA recognizes the importance of a regulatory framework that is clear, coordinated, and predictable. Meaningful reductions in regulatory burden may be achieved through improving the clarity of the Ontario Building Code (OBC), increasing consistency in its application, and reducing unnecessary administrative complexity, while preserving the professional requirements established under the *Architects Act*. Regulatory burden is often created not by technical requirements themselves, but by uncertainty in how requirements are interpreted, applied, and administered. The OAA encourages continued efforts to improve consistency across jurisdictions and stakeholders through clear guidance, interpretation resources, and communication of OBC expectations.

Predictable approval pathways enable stakeholders to better anticipate project requirements, development approval timelines, and associated costs. As such, the Association urges the Advisory Body to review the documentation that is required to obtain a building permit.

For example, on smaller projects where the designer has specified a pre-engineered system, requesting engineered drawings in addition to those provided by the manufacturer at the permit stage, rather than a process by which this is submitted to the on-site inspector, can burden projects with upfront costs and lengthy delays. When budgets are tight or tariffs are an issue, there are often substitutions once construction starts and thus these permit stage requests become double submission requirements that add cost and delay.



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Greater predictability supports the delivery of housing (and all building types) by reducing unexpected procedural delays and allowing project teams to make informed decisions earlier. Streamlined processes reduce duplication of documentation submission – getting the appropriate documents at the appropriate point in the project process.

Consideration could be given to opportunities to improve transparency and predictability throughout the building permit process, including the availability of accessible and well-organized information that enables permit applicants and other Code users to more easily identify applicable requirements; understand approval process expectations, anticipated review timelines, and key milestones; and navigate the regulatory framework.

Approaches, such as the City of Toronto's 2021–2023 pilot of the Concept2Keys (C2K) program, may provide the Advisory Body with insights and lessons learned about tried and tested ways to streamline and clarify the development approval process. C2K was launched to modernize and streamline the planning and development application review process in Toronto from pre-application consultation to occupancy. It created coordinated, interdivisional staff teams to triage applications in order to improve collaboration with applicants and accelerate project delivery.

The OAA appreciates the Ministry's commitment to reducing regulatory burden and encourages an approach that improves the clarity, consistency, and predictability of Ontario's regulatory framework while maintaining the safety, accessibility, and professional safeguards that protect the public interest. The OAA welcomes the opportunity to continue working with MMAH and the Advisory Body to support efficient housing delivery through a Building Code that is clear and aligned with the *Architects Act*.

Harmonization with the National Energy Step Codes

The OAA has long encouraged the implementation of energy step codes, both in the Ontario and National Codes. The Association supports objective targets based on Total Energy Use Intensity (TEUI) for a wide range of building occupancies as a best practice, which is demonstrated by the OAA's own [TEUI tools](#).

Objective, tiered performance metrics help everyone understand energy use in buildings and can help position Ontario and Canada to achieve their emissions-reduction targets. Further, the metrics:

- reduce red-tape;
- reduce barriers to interprovincial trade and advance Ontario's ability to meet its Canada Free Trade Agreement obligations;
- are standards-agnostic;
- provide a framework to move toward net-zero standards; and

- improve the efficiency of designers by allowing use of a wide range of standards to arrive at TEUI goals and eliminate the need for modelling against a reference building to prove a “better than” scenario.

With the release of the 2025 National Model Codes, which include explicit, measurable requirements to limit operational greenhouse gas (GHG) emissions, as well as new compliance pathways and updated climatic data, there appears to be an acknowledgement that energy efficiency is, in fact, a building code issue. The 2025 Codes maintain the previous national tiered framework for building performance. Ontario and the other provinces can leverage this framework to facilitate consistent climate action nationwide, as well as include performance and prescriptive requirements to limit operational GHG emissions.

The passage of Bill 98, *Building Homes and Improving Transportation Infrastructure Act*, 2026, has prohibited mandatory municipal enhanced development standards (i.e. municipal green standards). This means there is increased urgency for Ontario to harmonize with the National Codes on building performance.

As the Province has been clear about its intent to streamline the Ontario Building Code “so it better meets modern changes, while maintaining Ontario’s high health and safety standards”, the OAA strongly believes there is an opportunity to demonstrate leadership on climate action by integrating this ready-made solution into the OBC. The Association encourages the Advisory Body to advance harmonization with the National Codes regarding building performance.

Supporting Innovation in the Ontario Building Code

The OAA has continuously applauded government for its development and implementation of legislative and regulatory changes that support innovations in design and construction and urges government to continue to explore opportunities for further innovation, including associated education opportunities for all industry stakeholders.

In particular, the OAA applauds the work that government has done to advance the use of encapsulated mass timber construction (EMTC), especially via Bill 109, *More Homes for Everyone Act*, 2022, and amendments to the OBC effective January 1, 2025, which permit EMTC up to 18 storeys.

Ontario has the potential to become a global leader in the use of sustainably harvested wood for building construction. Not only do trees capture carbon during their growth, but that carbon is also sequestered within buildings over their entire life cycle and not emitted into the atmosphere. Where trees are cut down, new trees can be planted in their place to begin the process anew. In addition, mass timber products and construction have a significantly lower embodied carbon impact compared to other traditional building materials. The use of wood in building construction can have a significant impact on greenhouse gas reductions, positive contribution to local economies, and can provide more expeditious approaches to building construction.

The OAA also supports legislative changes that government enacted via Bill 109 to make modular, multi-unit residential buildings feasible in Ontario. This form of construction, which includes prefabricated modular units as well as prefabricated construction components, can:

- include a greater degree of quality control;
- utilize less energy (and therefore carbon) during the on-site assembly process;
- reduce solid waste; and
- integrate Building Information Modelling (BIM) design workflows directly with the off-site manufacturing process.

Additionally, the pre-manufacturing process may be economically beneficial and broaden the availability of quality-controlled construction that has advantages for shipping to remote communities and communities with limited construction or material resources.

However, despite legislative changes to support innovations in construction, OAA members report that they continue to face significant hurdles at the municipal level to prefabricated construction. As such, the Association encourages the Advisory Body to consider ways to streamline permitting and reduce bottlenecks that inhibit modular and prefabricated construction.

A key regulatory barrier to widespread adoption of modular and prefabricated construction in Ontario is the systemic duplication of building inspections between manufacturing facilities and local municipalities. Under the current application of Division C of the OBC, components built and pre-certified to CSA A277 standards within accredited, quality-controlled factories are routinely subjected to discretionary on-site inspections. For example, OAA members report that local building officials frequently demand that closed-wall assemblies be opened or structurally altered to satisfy local interpretation which slows down the processes, erodes predictability, and negates the cost, speed, and quality advantages of using modular and prefabricated construction.

The OAA suggests that the Advisory Body consider amending OBC Division C (Part 1, Section 1.3) to establish a strict jurisdictional boundary to clarify that CSA A277 certification documentation constitutes proof of compliance for all factory-assembled structural, mechanical, electrical, and building envelope components. That would leave local municipal authority restricted to site-specific conditions, including foundation engineering, utility servicing, module-to-module and component-to-component connections.

The industry and government have embraced many exciting and effective design and construction solutions in recent years. However, adoption has often occurred at different speeds across jurisdictions and amongst stakeholders. Continued education and alignment among authorities having jurisdiction (AHJs), clients, consultants, and

contractors will help reduce inconsistencies in interpretation and implementation, allowing successful innovations to achieve their full potential.

In its April 2022 response to the MMAH consultation on Interim Changes to the 2012 Building Code to support innovation, increase housing supply, and improve fire safety, the Association commended government for taking steps to advance housing affordability, including allowances for modular multi-unit residential buildings. However, the submission also noted that the CSA document, *"Exploring the Existing Regulatory Framework for Modular Construction in Canada,"* published in July 2021, points to a significant knowledge gap amongst AHJs regarding their inspection role both off-site and on-site. The Association strongly urges the Advisory Body to consider opportunities to additional education for AHJs to facilitate more widespread application of modular and prefabricated construction.

The OAA enjoys a longstanding, collaborative relationship with the Ontario government. On behalf of the Association, I look forward to continued work with the Building Code Short-Term Advisory Body and the Ministry of Municipal Affairs and Housing to ensure the public interest is protected and promoted through the review of Ontario's Building Code.

Please do not hesitate to contact the Association if you require additional information.

Yours truly,



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