

**CCBFC/PTCBS**

**Joint Task Group on the Model Codes  
Review and Development Process**

Report of the Fourth Meeting  
1,2 February 1998  
Toronto, Ontario

**Members present:**

Chair: Bruce Clemmensen  
Ann Borooh  
Mike Dwyer  
Chris Fillingham  
Serge Goulet  
Rick McCullough  
Dick Miller  
Fred Nicholson  
Ross Rettie  
Jack Robertson  
Ted Ross  
Chris Tye

**IRC Staff:**  
John Berndt  
Richard Desserud

**Members absent:**

Tom Makey

**Visitors:**

John Wright- OBOA/TACBOC  
Brian Horseman- OBOA/ACBOA  
Terry Preston - OBOA  
Allan Larden - Ontario Association of  
Architects  
Gina Cody - Professional Engineers of  
Ontario  
Don Johnston - Canadian Home  
Builders' Assoc.  
Michael Heitshu- Ontario Ministry of  
Municipal Affairs  
and Housing  
David MacKinnon- Canadian Steel  
Construction  
Council

Peter Goldthorpe- Ontario Home  
Builders' Assoc.  
Laurie Macdonald- Professional  
Engineers of  
Ontario  
Rod McPhee- Canadian Wood Council  
Ali Arlani- Ontario Ministry of  
Municipal Affairs  
and Housing  
Krystyna Paterson- Office of the Fire  
Marshal, Ontario  
Solomon Ko- Canadian Standards  
Association

## **REPORT OF THE 3<sup>rd</sup> MEETING**

The report of the third meeting was approved with some amendments. (The corrected version is now posted on the Task Group Web Site in both French and English).

### **PRESENTATIONS BY VISITORS**

Three presentations were made to the Task Group

Ontario Building Officials Association/ Toronto Area Chief Building Officials Committee  
OBOA/TACBOC- John Wright (The full text of the presentation is attached as Appendix A)

Ontario Association of Architects- Allan Larden (Secretary's Note: Mr. Larden's presentation was subsequently reviewed and endorsed by the OAA Council on March 5. The endorsed version is attached as Appendix B)

Ontario Home Builders' Association- Peter Goldthorpe (The full text of the presentation is attached as Appendix C)

Comments and recommendations made in these presentations will be discussed fully at the next meeting of the Task Group.

Ms. Gina Cody representing the Professional Engineers of Ontario stated that PEO will be consulting with sister engineering associations with the view to preparing a position reflecting the collective views of engineers nationally. Don Johnston of CHBA said the homebuilders will be taking a similar approach.

### **DISCUSSION OF RECOMMENDATIONS AND COMMENTS MADE AT THE 3<sup>RD</sup> MEETING BY THE CITY OF MONTREAL AND M. ANTOINE TABET**

The Task Group discussed the recommendations included in the presentation from the City of Montreal and M. Tabet at the 3<sup>rd</sup> meeting. Key points not discussed previously by the Task Group, or for which special emphasis was made include the following:

- Involvement of municipalities in the decision-making process has been lacking.
- Many disputes could be avoided if the codes left more room for local political, social and economic choices.
- The national model codes should concentrate on technical issues leaving political or economic choices to be made at the level.
- The City of Montreal needs the authority to make changes and additions to the model code.
- Existing Buildings are not adequately accounted for.
- The need for committees at the provincial level as the entry point for the Code development process. With greater participation by representatives of the various Code users on the these committees
- Emphasis on greater consistency or greater clarity of the text, with special emphasis on the French version.

The Task Group will ensure that these points will be considered during its deliberations

## “STRAW” CODE REVIEW AND DEVELOPMENT MODELS

A number of possible models and options for a new code development system were discussed, including a review of the existing CCBFC process. (These are attached as Appendix D).

Regarding the existing system, strengths and weaknesses were identified.

### Strengths

- NRC acting as an entry point allows for early technical evaluation
- Standing Committees have strong technical capabilities with a reputation for being thorough and credible
- Highly consultative with code users
- Overall system can work very effectively
- Strong staff support from IRC to facilitate development including research input.
- Public review process rigorous and open (no second-guessing)
- No Federal political intervention opportunity (no undue influence)
- CCBFC in a position to integrate NBC/NFC/CPC

### Weaknesses

- Staff as the entry point (responsibility for decision to refer a matter to Technical Committees or to CCBFC/PTCBS is seen as possibly having too much control)
- Input only at National level
- P/T review process needs to be higher up (i.e. coordinated)
- Standing Committees may be too focused on technical & not have an overview of bigger picture.
- Reliance on committee volunteers to do a lot of work (difficulty of getting time of key people)
- Staff support perceived as being under-funded
- Public review not regionally oriented
- Code cycle results in large volume for public review
- Many are not aware of process
- There will always be people who intervene only at end of process (esp. in provinces)
- No provincial political accountability at early stages
- Each decision causes incremental change – need better overview perspective & direction setting
- If a proposal is rejected it doesn't go to public review

During the review of the “Straw” models the following principles emerged.

- There appear to be four principal stages in the process; Point of Entry, Technical Review, Stakeholder Consultation and Final Approval. Involvement by adopting authorities at each of these stages was cited as vital for success.
- An issue is how proposals come into the system and how decisions are made to proceed with them or not. Advantages/features were identified for a provincial/territorial point of entry.

-easier access at regional level to the national system

- could agree on screening criteria for receiving proposals e.g. rationale, cost criteria
  - could allow interaction/guidance at P/T level
  - P/T should not have the option to prevent forwarding to National
  - could be an inter-provincial mailbox staffed by shared services (e.g. NRC)
  - P/T can choose to have various levels of triage
  - need to be aware of what's happening in other P/T's (circulate all proposals to all P/T's)
  - could publish/circulate all proposals for P/T review
  - allow earlier involvement of P/Ts
- Before going for general review, there needs to be an opportunity for P/T assessment to flag potential issues & maybe discuss with each other to develop common view. Flagged items would go back to CCBFC for further treatment or action or to go ahead for public consultation.
  - In reality, even if a perfect national system existed the ability of a P/T to change the core code for any reason, always remains .
  - Regulatory authorities must be confident that the system meets their needs with respect to technical soundness, accountability, economic impact analysis, stakeholder buy-in and decision-making.
  - A complete and user friendly tracking and information system, using the world-wide web for example, would enhance openness and comfort by provinces and territories that stakeholders are involved and aware of status of code development.
  - The national process might deal only with agreed-upon “core codes,” which should rarely require change by adopting authorities. However, there would be provision for adopting authorities to make changes and additions.
  - There is a need to expand awareness of all code users including the public with respect to the code process.

It was agreed that a hybrid “straw” model encompassing as many of these features/principles as possible be prepared for the next meeting.

It was also agreed that it was time to co-ordinate the work of this Task Group with that of the Task Group on Objective-Based Codes. A presentation on the progress of the transition to Objective-Based Codes will be made at the next meeting.

## **CODE DEVELOPMENT AND REVIEW COMPARISON TABLES**

The Task Group refined the comparison tables describing the differences among various code development systems used by the provinces, territories and CCBFC for building, fire and plumbing codes. There are still some gaps in the tables and attempts will be made to fill in the unknowns.

The semi-completed Tables are shown in Appendix E

## **TIMING AND SCHEDULE**

A meeting of the Deputy Ministers responsible for building regulations is proposed for November 1998. The recommendations of this Task Group will be one of two main agenda topics (the other is Objective-Based Codes). Since this Task Group has scheduled its last meeting for September, getting CCBFC and PTCBS buy-in for the recommendations prior to the DM meeting is problematic.

PTCBS next meeting is May 1998. The one following will be immediately before the DM meeting.

The next CCBFC meeting is in March, 1998. The report of this Task Group to the CCBFC will focus on the major principles and issues unearthed so far and not contain detailed information, such as the "straw" models.

It was agreed that the Deputy Ministers should be asked to endorse a set of principles, as opposed to a fully developed process. The Task Group is confident that it should be possible to agree on these principles at the meeting in Halifax, with ratification and refinement completed at the Edmonton meeting.

## **AGENDA ITEMS FOR THE NEXT MEETING**

Further information on the Australian system as gathered by Russ Thomas during his recent trip will be included.

## **FUTURE MEETINGS**

The next meeting is scheduled for March 29 and 30 in Vancouver. Future locations are detailed in the Communiqué. If possible meetings are to be on Sunday and Monday and will normally end at 3 p.m. the second day.

## Appendix A

Ontario Building Officials Association  
Toronto Area Chief Building Officials Committee  
brief to  
CCBFC/PTCBS Joint Task Group on the Model Codes Review & Development Process

The Ontario Building Officials Association and the Toronto Area Chief Building Officials Committee support greater harmony among building regulations across Canada.

The current discussion at the national level should build on the Ontario experience of moving from a mainly elective system of local NBC derivatives to a mandatory, uniform code in 1975. There was a dramatic loss of local flexibility in favour of the certainty offered by a uniform provincial building code. The same issues are now at play. Advocates of greater flexibility in building regulations are vocal and their arguments promoting innovation are appealing. Most code users and construction practitioners, however cite the certainty assured by a uniform code as the higher priority.

The Task group has already identified the national benefits of uniformity in building regulation. Whenever advocates raise the notion of uniformity, they must understand that in practice it will always be imperfect. The delivery of construction regulations in Ontario is far from uniform. Absolute uniformity will elude us as long as there are no prescribed service levels. This is more administrative than technical, but the issue is critical to the successful delivery of technical uniformity. The OBOA and TACBOC support level standards against which code delivery may be benchmarked.

Besides its code development activity, the Ontario Buildings Branch provides essential support to the municipal delivery of the OBC. We must maintain and improve access to training, technical support, and appeal bodies. The introduction of objective-based codes will amplify the need for provincial support services. Municipal delivery of a uniform building code will not succeed without such provincial support.

With respect to technical uniformity, OBOA/TACBOC supports the limitation of provincial code development to unique provincial issues. Technical code development should also be confined in its scope by a legislated statement of purpose. Such a statement appears in the Ontario Building code Act. Principles to guide code development akin to those set out in Ontario's 1996 consultation paper "Back to Basics" should be established. Where the public understands and validates such principles code development will be focussed, less controversial and more reflective of public expectations. The Building Code as political policy instrument will be confined by its stated purpose.

The Internet offers the most promising opportunity for improving both the delivery of national building regulations and public access to their development. This technology is mature, economical and proven. We should not regard it as simply a supplementary distribution channel but rather an opportunity to revolutionize the way we conduct code development and maintain the knowledge it is based on. The technology is neither simple nor inexpensive. The successful implementation of an Internet channel requires a substantial resource commitment but may offer significant revenue opportunities.

Every effort should be made to simplify and to streamline building regulations. The many regulations that pertain to buildings should be consolidated to reduce duplication, conflict and confusion. Such confusion is no more evident than in regulations that apply to existing buildings. OBOA/TACBOC support the creation of a unified code for existing buildings.

John Wright     February 1, 1998

Appendix B

ONTARIO  
ASSOCIATION  
OF  
ARCHITECTS

March 12 1998

Canadian Codes Centre, Institute for Research in Construction National Research Council of Canada  
Montreal Road Ottawa, Ontario K1 A OR6

Attention: Joint Task Group of the Canadian Commission on Building and Fire Codes and the  
Provincial/Territorial Committee on Building Standards.

Re. **Commentary to the CCBFC/PTCBS Joint Task Group on Code Review and Development  
Process**

I am pleased to provide a copy of the enclosed Report prepared by Mr. Allan Larden, Chair,  
Committee on Regulations Affecting Building Design & Construction, on behalf of the Ontario  
Association of Architects (OAA).

As you are probably aware, Mr. Larden attended the February 1 meeting of the Joint Task Group in  
Toronto and presented, orally, the information contained in the attached Report.

For your information, the Report has been reviewed by members of OAA Council and the content was  
endorsed by Council at its March 5, 1998 meeting.

sincerely

Brian J. Watkinson, BES, B.Arch., OAA, MRAIC  
Executive Director

c. Allan Larden, Chair, Committee on Regulations Affecting Building Design  
& Construction.

Jon Hobbs, Advisor, Professional Services, Committee of Canadian  
Architectural Councils/National Practice Program

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March 12, 1998

**Ontario Association of Architects Commentary to:  
CCBFC/PTCBS Joint Task Group on the Code Review and Development Process**

The Ontario Association of Architects (OAA) welcomes the establishment of the Joint Task Group of the Canadian Commission on Building and Fire Codes (CCBFC) and the Provincial/Territorial Committee on Building Standards (PTCBS) on the building and fire codes review and development process. The OAA has spent a good deal of time and effort monitoring the National and Ontario Building Code development processes in the last several years and agrees that a review of the code development processes could be very beneficial.

It is widely recognized that the National Building and Fire Codes have been invaluable resources in the promotion of building safety and development of information for the building industry since the inception of the National Codes.

For many years, the National Building and Fire Code processes were the only major focus for industry input into the development of new regulations affecting building design. However, with the establishment of the provincial codes over the last 20 or so years, additional foci of industry interest for code development were established. The provincial authorities developed their own varying means of reviewing proposed code changes and establishing code content. Subsequently, there has been more interest in provincial code development processes on the part of some industry stakeholders than in the national process.

In general the building industry, including the architectural profession, understands that both the national and provincial code development processes can have major impacts on building design and construction. It is, therefore, necessary for these stakeholders to monitor and respond to both the NBC/NFC development processes and the provincial development processes.

The obvious negative aspect of this situation is an element of redundancy in having to devote energy to both these processes.

On the positive side, the provincial review processes give stakeholders a second chance to influence the evolution of code content which they may not have understood or successfully influenced - or even been aware of - during the NBC/NFC development activity.

The separate review processes for revising provincial building and fire codes is an opportunity for provincial governments to respond to the interests of their particular jurisdictions and to integrate building and fire codes with other provincial regulations and policies. Ontario's program of consolidating other provincial legislation and regulations affecting building design into the Ontario Building Code is a prime example of acting on this opportunity, and has been strongly supported by the OAA.

For architects, there is a particularly strong affiliation with provincial regulatory process. The statutes and regulations under which the professional design groups exist and function are created and maintained by provincial legislatures and governments. The legislative instruments for building by-laws, planning activities, construction safety, building systems, etc. are all provincially derived and are intrinsically connected to building design and construction activities. The provincial building and fire codes must take all this into account, which lends a broader significance to the development and content of such codes.

Provincial building and fire codes are, of course, substantially derived from the NBC and NFC. These latter documents are, therefore, tremendously important as they provide the basic core principles of fire and life safety and constitute the means by which a variety of national standards for building products and systems are brought into effect. They also benefit from the research activities and expertise resident at NRC.

However, it is apparent that the NBC processes can occasionally result in code content with which industry - or even provincial governments - find themselves in disagreement. On this basis, the existing code development process may be considered unsatisfactory to some extent.

It is desirable to improve on this situation. We do not believe that such improvement would necessarily mandate a single code development process and one code, with no deviation from coast to coast. But there could, potentially, be a significant increase in acceptance of future national process and new code content and a lessening of the need for extended consideration of changes on the part of the provincial governments and provincial stakeholders.

Since the establishment of the PTCBS, the apparent role for that committee has been advisory and not necessarily one which provides firm direction for new initiatives or forcefully vets code development activities. We are aware that more has been said recently about the ability of the PTCBS to influence or even disapprove of NBC or NFC code development activities or drafts, etc., but the impression is that this prerogative does not seem to have been put into effect and, psychologically at least, it does not seem to have been realized or acted upon.

**It appears that the most significant change that could be made in achieving a more nationally unified code development process would be to put the provinces (who have the jurisdictional responsibility for building codes) in charge of the National Building and Fire Codes development process in terms of monitoring and approving new initiatives and of approving code content.**

If a stronger management ("board of directors") role is established for the PTCBS, it is anticipated that the provincial representatives on such a governing body would be very sensitive to the interests of elected officials who have to deal with stakeholders affected by regulation. They may be more sensitive to issues than the appointed members of code committees who don't have to answer to the same constituencies and who may have narrower interests than the provincial governments.

There should also be an increased sensitivity to problems and suggestions for change or improvement of regulation originating with the front line users of the codes - the owners, designers, builders and officials who understand that their provincial government is directly responsible for turning model codes into law.

This clarification of authority would clearly recognize provincial constitutional prerogatives and the need for the provincial governments to monitor code-related issues that affect provincial stakeholders or impact on policy.

There may be those who would question the appropriateness of such an evolution on the basis that provincial authorities, in determining allowable code content, could be politically or ideologically swayed by particular interests to the detriment of the general public. In response, one could point out the ability of all facets of society to address concerns to - and vote for or against - provincial governments. In the end, provincial governments are responsible for building regulations, and may be held accountable for their exercise of such responsibility and their determination of those views which will be reflected in their building and fire codes.

For convenience, further comment is based on items contained in the December 17, 1997 communiqué forwarded to various stakeholder associations relative to the scope of work of the task group. Numbers correspond to the four-part delineation of issues in that communiqué; the words in italics are copied from that material as the subject of individual comments.

*1. How could a uniform code technical development and review process be achieved?*

A totally uniform process is, in principal, desirable, but it may not be fully achievable. It would certainly be desirable to have a more uniform process or perhaps a more coordinated process.

*Designation of provincial/territorial authorities as the point of entry to the code development process?*

This concept is worth considering. Stakeholders have a more direct relationship with the jurisdictional authorities and may be more effective in having code proposals put on the table and accepted, in principal at least, by the provincial authorities. If this is the case, those authorities may have more influence in having such code revisions reviewed in the National code process.

*Improved liaisons between the CCBFC and provincial/territorial code development councils and committees*

This is appropriate in principal but may be difficult in that provincial/territorial advisory committees are not necessarily permanent. Not all provincial/territorial governments may wish to establish such committees.

*Improved liaisons between the CCBFC and provincial/territorial code authorities?*

Yes, there is a need for more effective liaison between the CCBFC and provincial/territorial code authorities. More importantly, there is a need for more active directing of code development and handling of major technical issues on the part of provincial/territorial code authorities.

See our opening comments and our following comments at the end of our response to item 1 of the communiqué.

*Greater representation of provincial/territorial authorities on CCBFC Committees?*

Yes, we agree that such increased representation on standing committees and major task groups would be appropriate.

*Earlier involvement of provincial and territorial authorities in the CCBFC code development process?*

There is a very definite need for the involvement of provincial and territorial authorities in the early assessment of and the continuing monitoring of major technical and procedural issues. This would help assure that evaluative criteria for such issues would be in place and appropriately addressed during the course of review.

*Joint review of technical changes by provinces and territories prior to wider public review, or separate provincial public reviews funneled into a National process?*

This question raises a number of other questions. Whose changes would be reviewed prior to the public review? Changes obtained directly from the public or industry? Changes derived from the National process?

Who would be conducting the review on a provincial basis? Authorities only or committees with stakeholder representatives?

Delineation of a number of procedural options for further consideration would be helpful.

*Inclusion of all provincial/territorial amendments in a national review package?*

All provincial/territorial amendments should be included in any National review package on the basis that such amendments (to the model National Code) were viewed as worthy of incorporation into regulation.

*Greater involvement of provincial and territorial [authorities] in the process of selecting members for the CCBFC and its standing committees?*

There should definitely be greater involvement of the provincial and territorial authorities in the process of selecting members for the committees which are responsible for the evolution of the NBC and NFC. It may not be necessary for the various provincial jurisdictions to actually nominate individuals but they should be fully involved in developing and monitoring the criteria for membership matrices, individual member selection and procedures for maintaining the

propriety of the process. These subjects are themselves worthy of considered, detailed review and consultation with stakeholder groups.

*CCBFC decisions on code change made subject to a ratification by provincial/territorial authorities, such as used by some Canadian Standards Development Organizations?*

The CCBFC (or other NBC committees, depending on future committee structures) decisions on code change should be made fully subject to ratification by the provinces and territories. There is some question, perhaps, of voting procedure in the case of differences of opinions between provincial/territorial authorities. There may be concerns about consensus or the proportional influence of relatively small provincial populations. However, in the end, provinces should not be obliged by the process in terms of the eventual content of their individual regulation.

*A more frequent or continuous process instead of scheduled or periodic public reviews?*

A more frequent or continuous review would enable more effective utilization of advisory and secretarial resources and may be less likely to overload stakeholders who may wish to assess and respond to issues and proposals. The formal publication of code revisions could remain periodic.

The questions raised under Item I appear to presuppose a continuation of existing roles for the CCBFC and PTCBS. It may be appropriate to blend or even replace the CCBFC with a supervisory committee ("board of directors") constituted of provincial/territorial authorities or their delegates.

If the recommendation highlighted in bold print on Page 2 of this paper was to be acted upon, it would necessitate a revision to the organization chart depicting NBC/NFC development responsibilities.

The most important change would be at the top of the chart. Two alternatives are suggested.

In one version, the PTCBS is placed at the top, with the CCBFC reporting to the PTCBS. Ultimate responsibility for determining evolution of policy and resolution of major issues would reside with the PTCBS.

in an alternate version, the CCBFC and the PTCBS are blended (with a substantial, if not a majority, representation of provincial/territorial authorities) and there may be no need for a separate provincial/territorial advisory committee.

2. *Considering geographical and economic realities, how could greater participation in a co-ordinated national/provincial/territorial code development and review process be achieved?*

*More code development originating at the provincial/territorial level?*

*More meetings held across Canada?*

Code development originating at the provincial/territorial level may well be appropriate for the reasons noted above. In fact, for provincial jurisdictions where the service provided for administering building regulations is adequate, this may be a preferred approach. In provinces where there is no resource for such procedure, it may be appropriate to maintain the ability for code users to make proposals directly to the National code secretariat.

If more code development originates at the provincial/territorial level, we don't know whether more meetings would be needed to be held across the country.

Again, this issue of the point of origin of code development may be modeled with several options and variations for further consideration.

*Enhancement of the present decision-making process used by the CCBFC (broad consensus, public review, balanced matrix, individuals as members)?*

More explanation is needed in respect of the intent of this particular question in the communiqué.

We are not sure whether or not this question is being raised only for the CCBFC proper or whether it is intended to include decision-making processes on the part of the standing technical committees.

With respect to the standing technical committees, it is extremely important that the committees represent an appropriate balance of interests. In general, there is concern that the committees do not currently represent an appropriate balance of interests. More specifically, there is concern that there is over-representation from the enforcement community and government bureaucracies while there is significant under-representation on the part of building owners and users.

To our recollection, the traditional three categories of membership in the NBC/NFC committees have been enforcement, industry and general interest. The composition of "industry" component is of particular concern. The ability of materials interests or system suppliers to influence code development to the benefit of their narrower commercial interests is questionable.

A model which postulates that the essential balance of interests should be between the enforcement group on one hand and the ownership/building user group on the other is worth considering. The relative strength of representation of the owner/user group should not be diluted by being included in a too-broad "industry" category.

Another significant component in the membership matrices should be the people who have design responsibility and are, therefore, knowledgeable about building technology, client interests and responsibilities for public safety. Architects are particularly suitable for inclusion in this latter component, in consideration of their central, co-ordinating role in programming, designing and construction review of buildings.

Consideration needs to be given to how committee members are chosen, their prerogatives and responsibilities while committee members, and termination of membership. It may be considered that particular stakeholder groups or sectors of industry should have the right to determine who will represent their interests, subject only to appropriate qualifications.

*National conferences to discuss/decide code development as it occurs in the U.S.A. ?*

The American code development processes are significantly different from Canadian -either National or Provincial. The American processes are governed by private industry organizations of building officials and the prerogative to vote on proposed changes is exclusively that of the member building officials.

While there are some advantages in terms of openness, procedure and the rights of individuals for hearings in respect of the American procedures, they are also inappropriate in terms of their exclusivity regarding non-building officials.

There may be difficulties in getting adequate participation in such conferences compared to the American approach. In the U.S.A., building officials on trips to such conferences generally have their way paid by their municipal employers. The spectrum of balanced representation which would be appropriate for partaking of such conferences (at least if decisions are made) may constitute a hardship for private interests.

It may be possible to enhance public participation in review of proposed code changes by having open review committee meetings - especially if more code changes originated provincially.

*Greater use of the Internet?*

Posting of all proposals for code change as well as commentary received would offer a significant advantage to persons interested in commenting.

3. *How should the process deal with the possibility of contradictory policy and technical advice from stakeholder groups?*

*Require stakeholder groups to refer issues to the Provincial/territorial Committee on Building Standards (PTCBS) first?*

Requiring that major policy and technical issues be referred first to the PTCBS would have the advantage of alerting various provincial/territorial jurisdictions to the need to review such issues with stakeholders. This is also consistent with the notion that the PTCBS should be the governing body for purposes of policy evolution and decisions on major technical issues in respect of the NBC/NFC development process.

*Create partnership agreements with provincial/territorial decision-making authorities specifying to whom the process will refer policy issues?*

This suggestion requires more explanation in order for us to comment.

*Create liaison agreements between the process and stakeholder groups, such as the Canadian Council of Fire Marshals and Fire Commissioners (CCFMIFC), the Canadian Advisory Council on Plumbing (CACP) and the Federal(Provincial/territorial Subcommittee on Building Codes and Housing)?*

Notifying stakeholder groups of major initiatives (and thereby affording them an opportunity for input) is appropriate, but "liaison agreement" implies more than providing information. Additional description of what such agreements may contain is required for considered comment.

*Establish a dispute resolution mechanism?*

It may be necessary to establish such a mechanism for determining final code content, if PTCBS or CCBFC consensus is not to be used. Who are the disputing parties considered to be under this question?

4. *Are there characteristics of model building, plumbing and fire codes that need to be accounted for in a Code development process?*

*Restrict the model building, plumbing and fire codes to a set of core minimum requirements and rely on provinces and territories to develop provisions for issues that do not have widespread application?*

This approach seems appropriate, in principal.

*Base the model codes, to the greatest extent possible, on technical correctness only?*

What is technical correctness? What other potential types of "correctness" are implied in the question? The question needs further explanation before a response can be formulated

*Give due consideration to cost impact?*

Very definitely. If the model codes don't, the provinces may have to do so. The model codes should not put the provinces in awkward circumstances by not paying sufficient heed to cost-effectiveness in new code content.

*Increase the scopes of the model codes only when there is strong evidence of wide support in the code-affected community and among adopting authorities?*

Yes. The temptation to cover all possibilities should be resisted if there is not full support on the part of provincial and territorial authorities.

A final general comment concerns the potential future establishment of *objectives-based* codes and their impact on code development.

While the potential positive factors associated with an objectives-based code are acknowledged, there is also concern that an objectives-based code could "enshrine" inappropriate or unnecessarily restrictive code content in a manner that would make adoption of such document as a regulation difficult. Additionally, if there will be a companion "deemed to comply" document, it may be necessary to revise both it and the objectives-based code when changes are required. It may be necessary for individual provinces to vary the content of an objectives-based provincial code if portions of the model document are unacceptable.

More review and debate on objectives-based codes relative to future code development and amendment procedure would be appropriate.

Appendix C

RESOLUTION #4 (External)

Submitted to: Ministry of Municipal Affairs and Housing

Submitted by: Ontario Home Builders' Association

Date: September 25, 1997

Subject: Harmonization of OBC and NBC

Whereas one of the objectives of the 1997 amendments to the Ontario Building Code (OBC) was to make the OBC more consistent with the National Building Code (NBC); and

Whereas the Canadian Commission on Building and Fire Codes is consulting with the provinces to find ways of harmonizing provincial codes with the NBC; and

Whereas greater harmonization of the code development process at the national and provincial levels could reduce inefficiencies and thus save the government and the industry time and money; and

Whereas it is unlikely that a national code development process, subject as it is to interests across the country, can entirely accommodate the needs of Ontario;

Therefore be it resolved that the government pursue harmonization of the OBC and NBC to the extent that harmonization does not conflict with the following principles:

1. without prejudice to provincial policy and the interests of the Ontario construction industry, the NBC be used as a starting point for development of the OBC;
2. a provincial review structure remain in place for development of an OBC that would take the form of the NBC with Ontario exceptions;
3. the Ontario exceptions should, among other things, ensure that OBC standards are cost-effective; and
4. provincial structures for interpretation and enforcement of uniform standards across Ontario remain in place

M: Jose Geda

S: Mike Ross

Amended

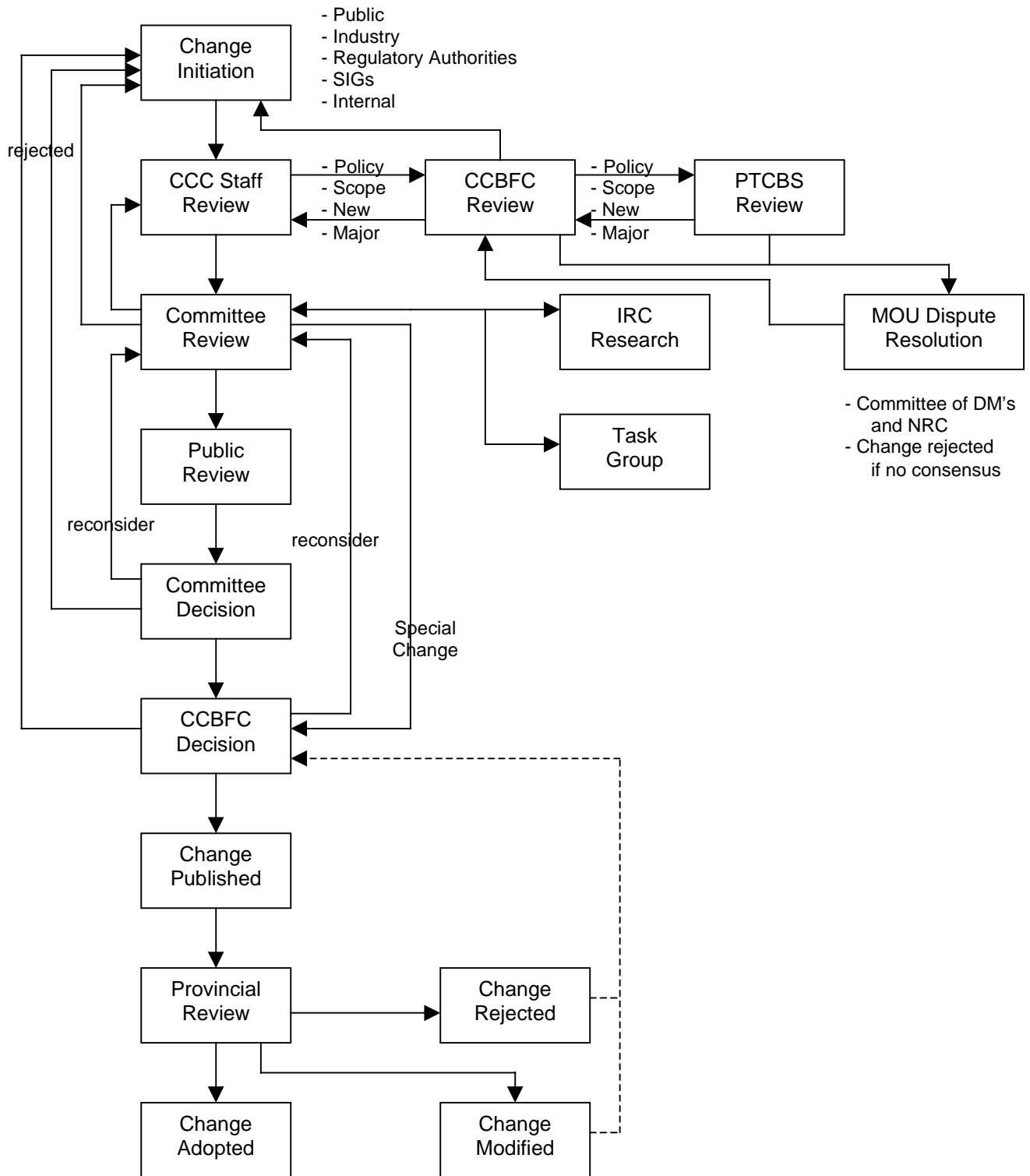
M: Paul Rawlings

S: David Hirsh

Carried

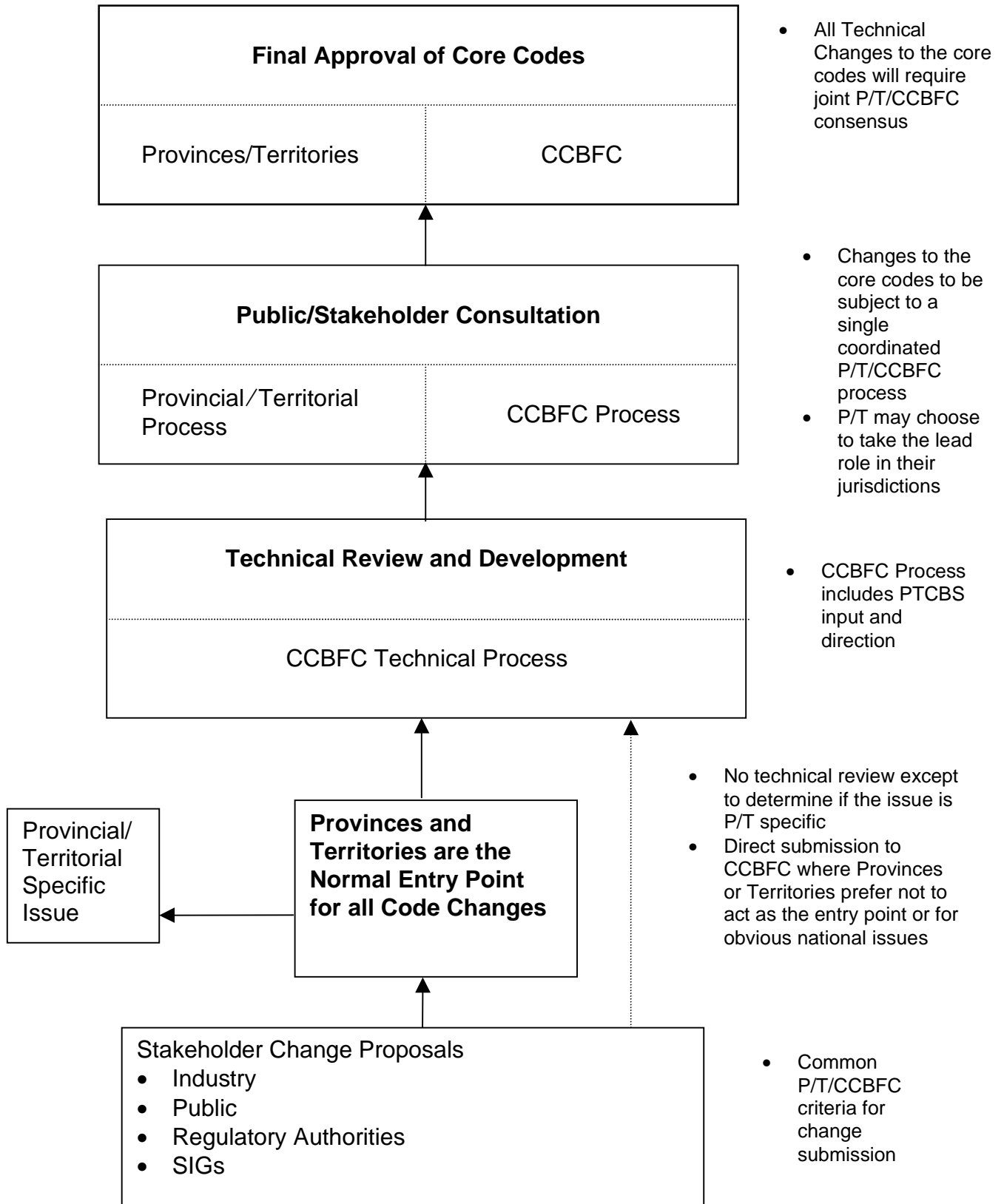


### Appendix D Existing CCBFC Code Development Process



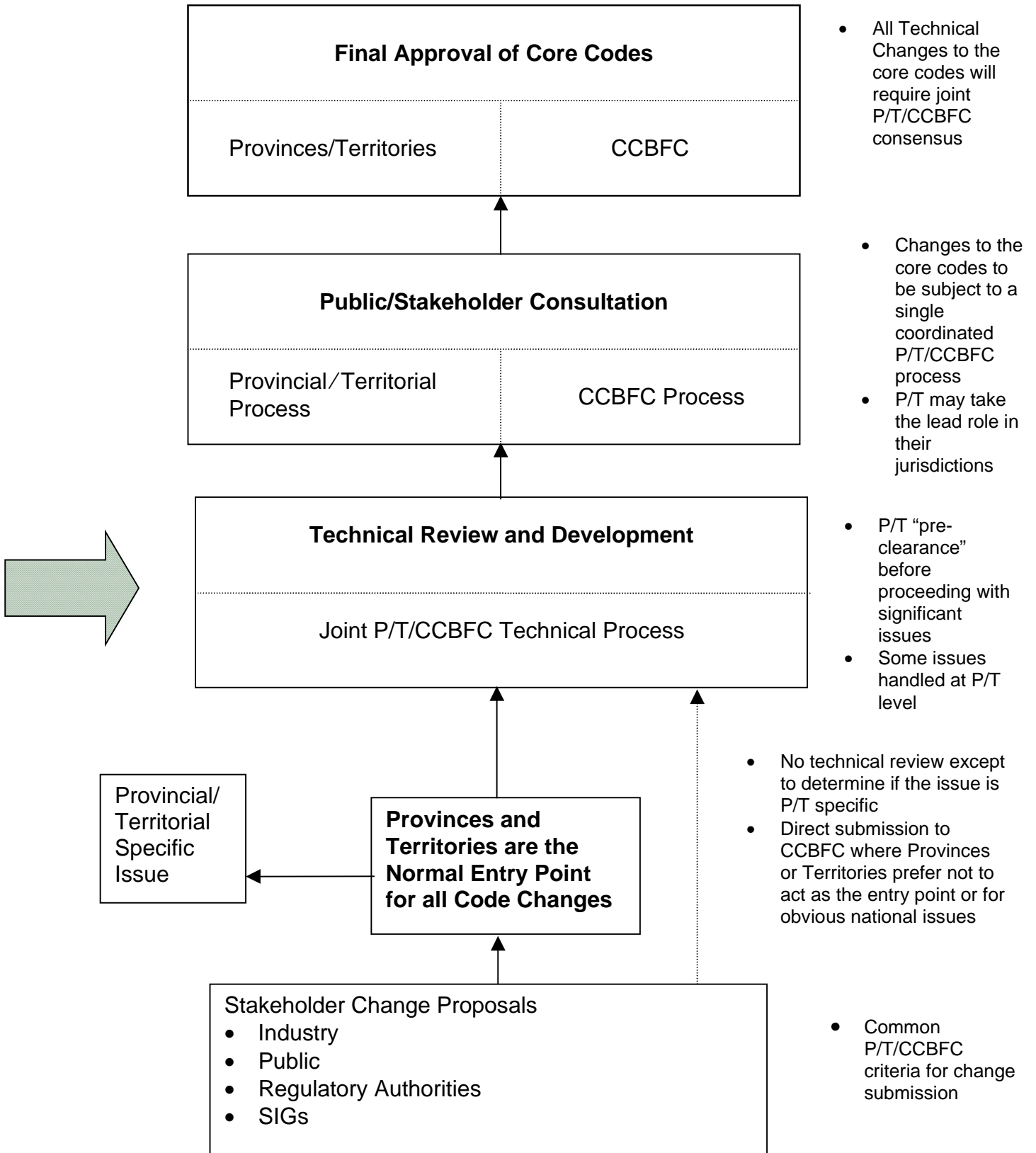
# Possible Code Development and Review Process

## Mark 1 – Provinces/Territories as Entry Point for Code Changes



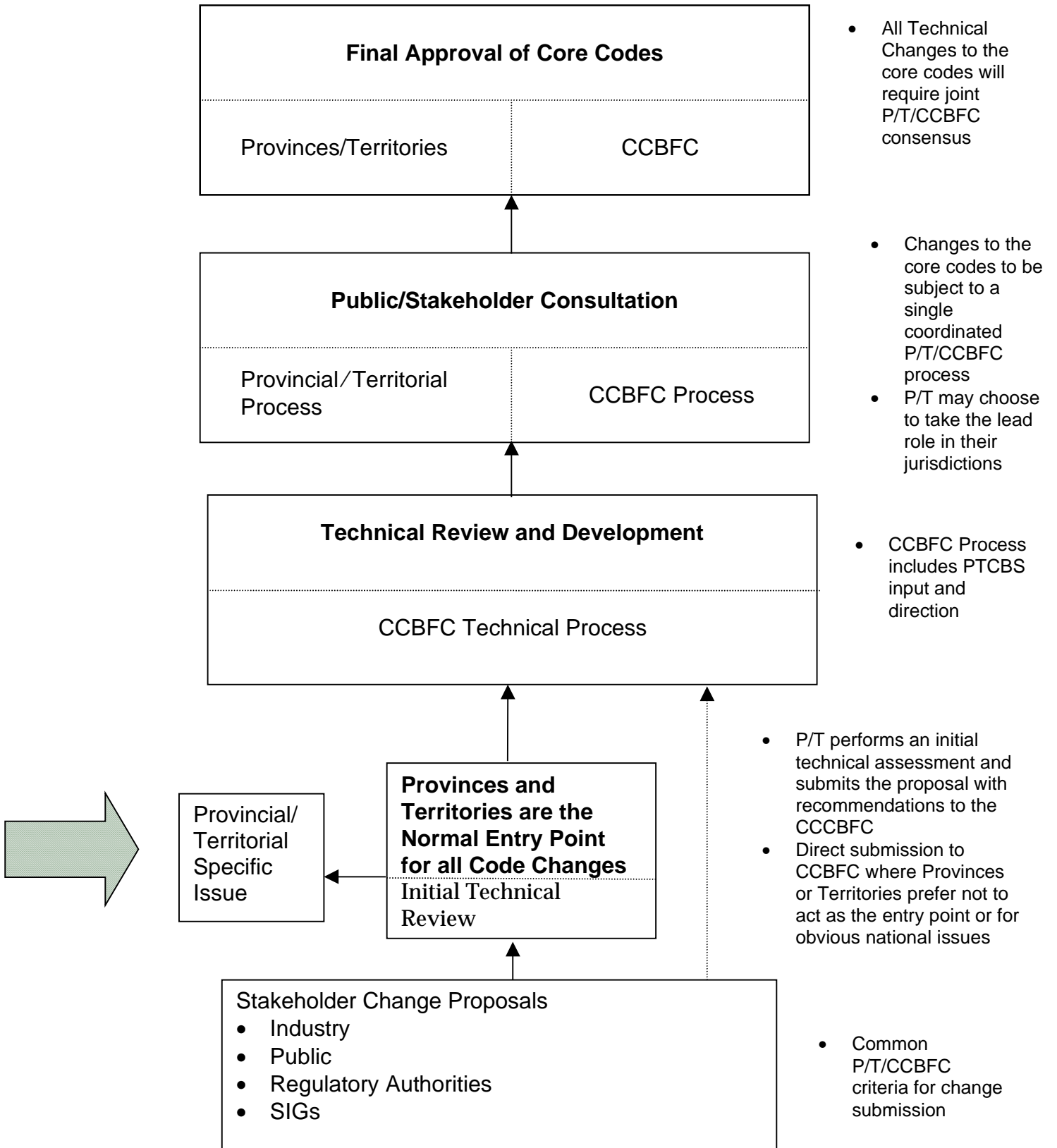
### Possible Code Development and Review Process

#### Mark 2 – Greater Prov/Terr. Involvement in Technical Decisions



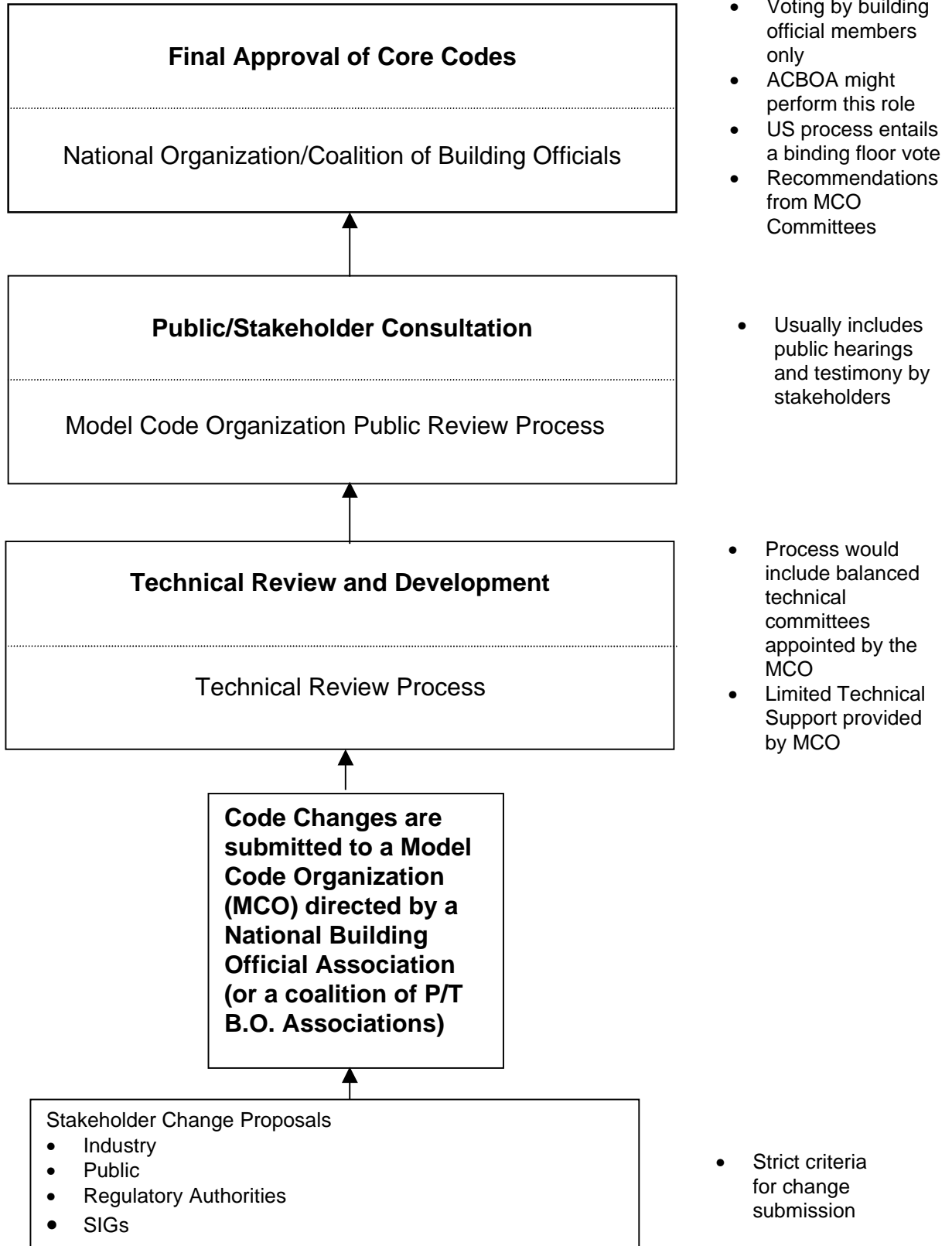
# Possible Code Development and Review Process

## Mark 3 Initial Technical Review by Prov./Terr.



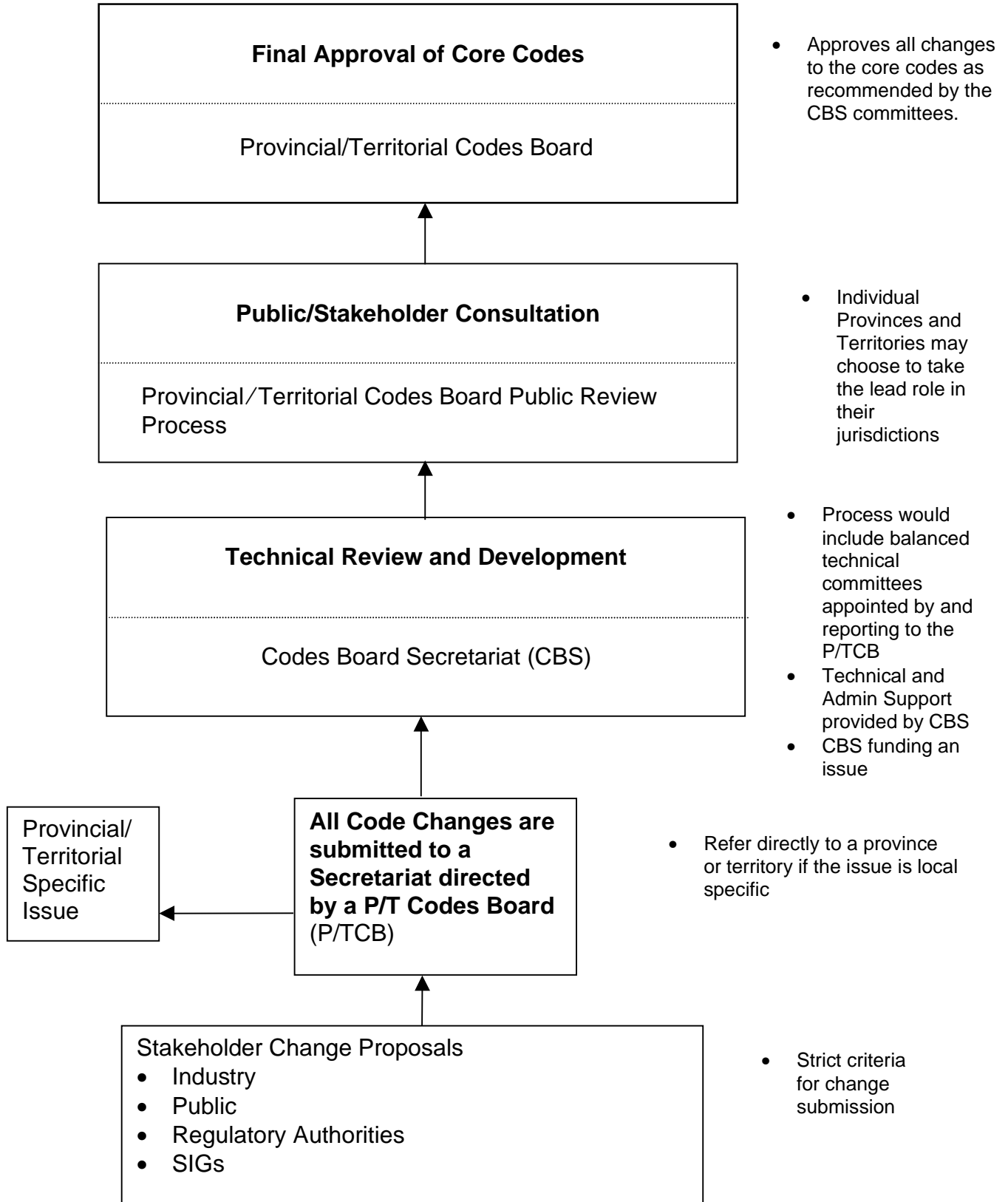
# Possible Code Development and Review Process

## Mark 4 US Model



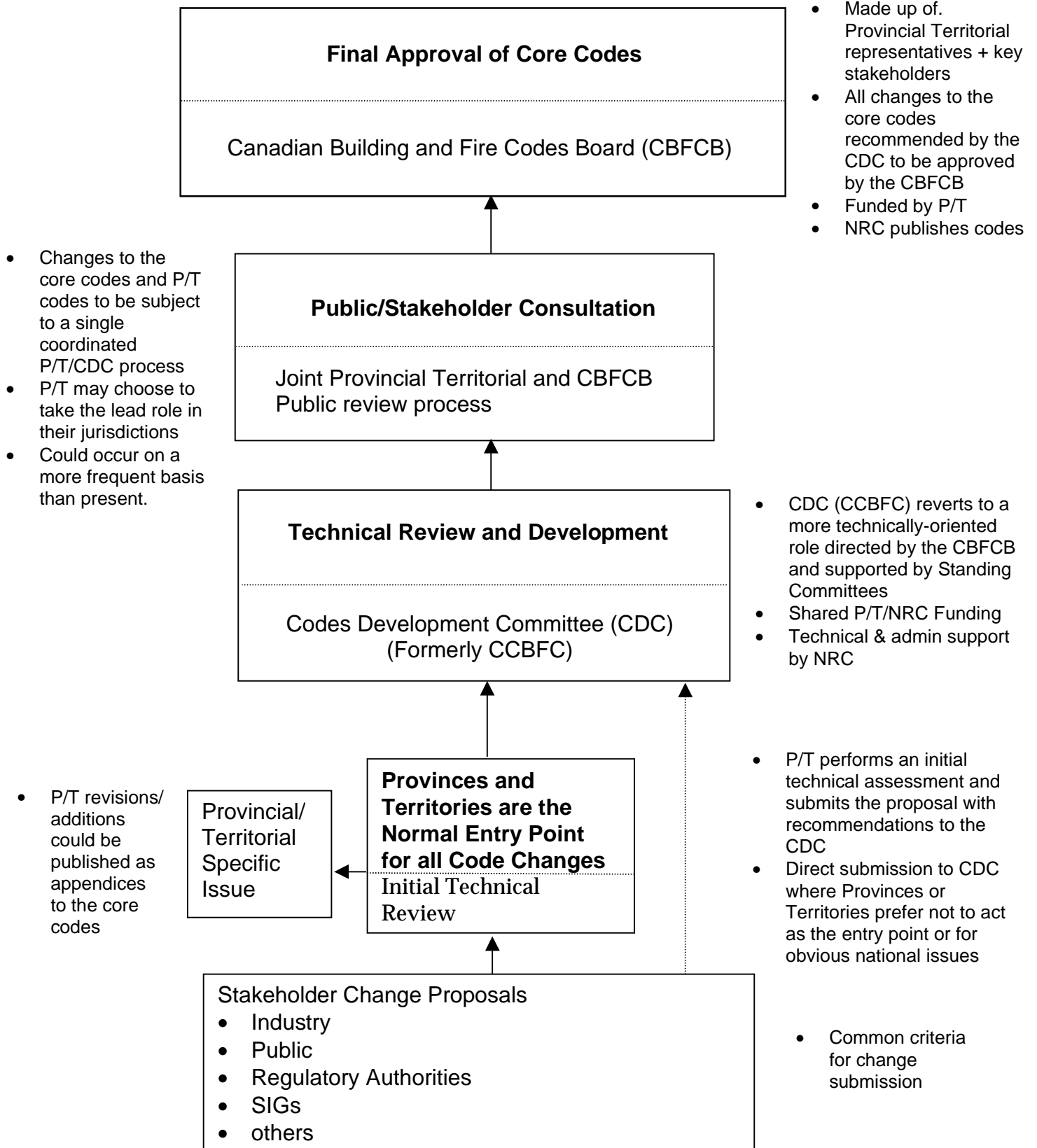
# Possible Code Development and Review Process

## Mark 5 – Provincial/Territorial Directed Model



# Possible Code Development and Review Process

## Mark 6 Modified Australian Model



## Appendix E

### Comparison Charts