

*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.*

The Honourable Monte McNaughton  
Minister of Labour, Training and Skills Development  
400 University Avenue, 4<sup>th</sup> Floor  
Toronto, ON M7A 1T7

March 9, 2022

Dear Minister,

While the Ontario Association of Architects (OAA) has already provided feedback directly to Ministry officials through various avenues, this letter serves to collect these thoughts on the aspects outlined in the current *Fair Access to Regulated Professions and Compulsory Trades Act, 2006* (FARPACTA) regulatory proposal.

### **Canadian Experience Definition and Exemptions**

In the case of the architecture profession, three alternative pathways assist internationally trained applicants (ITAs) in achieving licensure in Ontario:

- the [Broadly Experienced Foreign Architects \(BEFA\)](#) Program of the Canadian Architectural Certification Board (CACB);
- the [Internship in Architecture Program \(IAP\)](#); and
- request for a direct exemption from the legislated requirements for a licence, which is subsequently assessed by the OAA [Experience Requirements Committee \(ERC\)](#) and determined by OAA Council.

BEFA is administered nationally, while the IAP is administered provincially (i.e. by the OAA in Ontario). However, both are national programs that have a Canadian experience component. If Canadian experience was no longer a requirement for ITAs to receive their licence to practise architecture in Ontario, then changes to both BEFA and IAP would also be required.

In the case of BEFA, a new way of assessing jurisdictionally relevant competence—previously assessed by way of the requirement for six months of local experience—would be needed. As this is a national program, the alternative means of assessing competence would need approval by all 11 Canadian architectural licensing authorities comprising the [Regulatory Organizations of Architecture in Canada \(ROAC\)](#).

In the case of the IAP, the local experience requirement could be amended at the provincial level and an alternate means of assessing competence would need to be approved, developed, and implemented to ensure the public's health and safety are protected. However, this may have ramifications on the national mobility of architects licensed in Ontario if there is no longer harmony with the licensure requirements of the other provinces and territories.

Applicants seeking licensure through the OAA directly have the ability to seek an exemption from the experience requirements specified in the regulations to the *Architects Act* (the Act). In order to obtain an exemption, the applicant would be subject to an assessment interview before the aforementioned ERC as an alternative means of determining entry-level competence.

If the ERC deems that the applicant is competent, the recommendation is referred to the OAA Council, which may exempt the applicant from the prescribed experience requirements. The ERC may also decide the applicant needs to gain additional experience to achieve competency and require they do so and return for a subsequent assessment.

### **Language Proficiency Tests**

Academic standards for entry into the architecture profession are set nationally by ROAC (formerly known as the Canadian Architectural Licensing Authorities [CALA]). Academic certification for all 11 Canadian jurisdictions is undertaken by the CACB. Alternative pathways, such as the BEFA Program (for those licensed as architects outside Canada), or the Royal Architectural Institute of Canada (RAIC) [Syllabus Program](#) are similarly managed on a national level. The OAA can influence, but not control, those decisions.

The CACB—not the OAA—administers language proficiency tests, using the Immigration, Refugees, and Citizenship Canada (IRCC) English and French language proficiency tests. The OAA supports continued use of these tests for the CACB process. The OAA cautions that any decision to extend the acceptability of expired language tests must be evidence-based, and should not run contrary to recommendations of the assessment bodies themselves.

### **Decision-Making Timeframes**

The OAA interprets the decision-making timeframes for an application for registration/licensure, as posted to the Regulatory Registry on February 8, 2022 by the Ministry of Labour, Training, and Skills Development (MLTSD), to refer to complete applications for licensure from a qualified candidate. Based on this understanding, the OAA does not anticipate needing to alter its current process to meet the proposed timeframes.

In terms of ITAs, the OAA understands “qualified candidate” to mean an international applicant who has met or has established equivalency to the academic, experience, and examination licensure requirements.

With respect to [reporting](#) on the ability of applicants eligible for unconditional registration to become registered within one year of receipt an application inclusive of any third-party processes (e.g. qualification assessments), the OAA will need to consider if further database development is required to meet the requirements. It must also further explore the administrative burden associated with the Office of the Fairness Commissioner’s (OFC’s) “continuous improvements” as it relates to decision-making timeframes.

The challenge with the third-party CACB academic certification process is that submissions are largely applicant-driven. As such, they are out of the control of the CACB and the OAA. Therefore, should this one-year timeframe become a requirement, the OAA would need to collaborate with the CACB’s academic certification program and BEFA, as well as potentially the [Committee for the Examination for Architects in Canada \(CExAC\)](#). Discussions and buy-in would need to be sought, including from all Canadian architectural licensing authorities, to amend BEFA’s eligibility requirements and to arrive at an acceptable timeframe and, if necessary, alternative for demonstrating competence.

Agreements and program requirements would need to be revised and ratified to achieve compliance with the proposed standards. Major roadblocks to consider include the requirement for all licence applicants to complete six months of Canadian experience within three years of application, and that eligibility for the BEFA Program requires at least seven years of post-registration/licensure experience in architecture within the last 12 years. Case management and data management systems would need to be significantly changed and, in some cases, developed anew.

The licensing exams are a nationally coordinated annual undertaking. Much like the CACB and BEFA processes, any contemplated revision to the examination scheduling would require additional discussions and buy-in from all ROAC jurisdictions. Funding assistance from the MLTSD and OFC to support the development of an online examination process would be of benefit.

Further, any proposals to reduce timelines for international trained individuals would have to be equally applicable and inclusive of domestically trained individuals. Any future tracking and reporting of timeframes would have to consider matters beyond the OAA's control.

### **Registration Processes during Emergencies**

The OAA has not experienced any type of emergency that requires a more expeditious registration process for architects in Ontario. As the global COVID-19 pandemic unfolded, the OAA's registration processes have adapted to handling requests and processing applications remotely, and plans are in place to maintain a hybrid model moving forward. The Association has not experienced legislative or regulatory barriers that have limited its own ability to adapt to remote administration.

Licensing examinations for architecture, like many other regulated professions, are administered nationally. Adaptation measures, which require buy-in from all 11 Canadian jurisdictions, were undertaken during the pandemic to offer an online exam. ROAC is studying a permanent online option. The OAA can influence, but not control, the outcome of this or any other national decision.

In addition to the remote option for the licensing examinations, BEFA adapted to remote assessment interviews and plans to continue this practice into the future.

The OAA enjoys a longstanding, collaborative relationship with the provincial government, and looks forward to continued work alongside your Ministry in order to promote and protect the public interest.

Sincerely,



Susan Speigel, Architect  
OAA, FRAIC  
President