

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.

James Ross, Manager
Building Code Policy Development Unit
Ministry of Municipal Affairs and Housing
College Park, 16th Floor, 777 Bay Street
Toronto, Ontario
M7A 2J3

March 11, 2022

Re: Proposed Interim Changes to the 2012 Ontario Building Code to Exempt Sheds from Building Code Requirements

The Ontario Association of Architects (OAA) reviewed the proposed amendment that would exempt sheds less than 15 m² in area from Ontario's Building Code requirements. Our governing Council, with the assistance of the OAA's Sub-Committee on Building Codes and Regulations (SCOBCAR), has analyzed the information posted via [Ontario's Regulatory Registry](#). By way of this letter, I am advising the OAA does not support the proposed change.

The existing maximum size for a structure not to be considered a building is 10 m², with no plumbing. While the Ministry has indicated an intention to "provide more flexibility for property owners," no clear justification has been given as to why this needs to be increased either in general or with specific conditions.

The OAA submits the following concerns:

- 1) The exempt shed is defined as one storey, used only for storage, a maximum of 15 m² with no plumbing. There is inadequate definition or control of what could be stored in such a shed (e.g. hazardous materials). It could be any height (to accommodate a sailboat for example), and include multiple mezzanines provided they were not large enough to constitute a storey.
- 2) Anecdotally, there are enough examples of structures less than 10 m² being unstable, improperly anchored, not adequately braced for wind, snow, or other loads, and, ultimately, unsafe. Any increase in the size of such structures not subject to either permitting or building code minimum construction standards seems likely to decrease public safety.

In particular, the larger building area would mean larger wall areas, making an unanchored structure more prone to being blown over and collapse.

- 3) Given the land required to satisfy a 3-m clearance to other structures (including fences), most occurrences are likely to be on rural or more spacious urban lots that may make them less subject to regulatory oversight. In those instances, there may be little to prevent such a shed from becoming a workshop, artist's studio, yoga studio, bunkhouse, garage, or other unanticipated use.

- 4) While the regulatory registry posting specifically states the 3-m clearance includes "from fencing," this wording does not appear in the regulatory amendment.

Given these concerns, the OAA does not support the proposed change as it does not appear to be in the public interest as currently stated. The OAA remains available to further discuss these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Speigel". The signature is fluid and cursive, with a prominent initial "S" and a dot above the "i".

Susan Speigel, Architect
OAA, FRAIC
President