

Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Ministry of Municipal Affairs and Housing  
College Park  
17<sup>th</sup> Floor, 777 Bay Street  
Toronto, Ontario M7A 2J3

June 29, 2023

RE: Changes to the Building Code regarding Professional Coordination

Dear Minister,

On behalf of the industry group Engineers, Architects, and Building Officials (EABO), we are writing to recommend that changes be made to the *Building Code Act* (BCA) and the Ontario Building Code (OBC) to provide clarity and consistency regarding professional coordination in the design and construction industry. This is a pivotal time as the Ministry continues to advance changes to the OBC. By establishing this much needed clarity and consistency around **professional coordination**, government is uniquely positioned to advance the work it is already doing to address both the housing affordability and the long-term care crises, and has the potential to reduce delays with related building permit reviews.

### **About Us**

As you may be aware, EABO is comprised of representatives from the Association of Consulting Engineering Companies—Ontario (ACEC—Ontario), Ontario Large Municipalities Chief Building Officials (OLMCBO), the Ontario Association of Architects (OAA), the Ontario Building Officials Association (OBOA), and the City of Toronto, Building Department. This group has been in existence since 1993 and works to address issues of mutual interest with a view to finding common ground and developing best practices in our industry.

Each of the members organizations of EABO enjoy a longstanding, collaborative relationship with the Provincial government and we look forward to continued work with you and the Ministry of Municipal Affairs and Housing.

### **Industry Challenge**

Project Coordination is important for any construction project, particularly for large and/or complex buildings. From project inception, through design development and regulatory approvals, to the completion of construction, it is essential that the work of the various disciplines conforms with project requirements and properly integrates into the overall project.

Professional coordination facilitates the coordination of architectural design with the designs of engineers and other consultants, as well as the coordination of the management of the project including program, budget, schedule, communications, construction contract administration, and general reviews as required by the OBC. In doing so, it minimizes red tape and project delays and directly addresses the public interest.

There are currently no OBC requirements for a property owner to retain and designate a professional coordinator of consultants, who is either an architect or engineer. However, the provision for a professional coordinator was a recommendation within the report of the Elliot Lake Commission of Inquiry (dated October 15<sup>th</sup>, 2014) from Justice Paul Belanger, who was appointed by the Province to lead an independent public inquiry into the collapse of the Algo Centre Mall.

In response to the recommendations within this report, each regulator has issued directives to their membership as to how professional coordination services should be carried out. Please refer to the following for more information from the [OAA](#) and [PEO](#).

OAA website link: <https://oaa.on.ca/knowledge-and-resources/practice-advisory-knowledge-base/practice-advisory-knowledge-base-detail/PT-27-Professional-Coordination-of-Consultants>

PEO website link: <https://www.peo.on.ca/sites/default/files/2021-02/CoordinatingLicensedProfessional.pdf>).

## Recommendation

In order to address this legislative gap, EABO strongly urges government to make changes to the BCA and the OBC so that a chief building official can require the identification of an individual or firm that will provide the necessary professional coordination services on a project before issuing a permit. The amendment is quite simple.

No other legislative or regulatory changes are required as the remainder of the EABO proposal utilizes existing provisions and authorities within both the *Architects Act*, RSO 1990, c. A.26 and *Professional Engineers Act*, RSO 1990, c. P.28, to govern how this work is to be carried out.

Furthermore, government should introduce a definition of “prime consultant” into the *Building Code Act*. Both pieces of legislation already contain an explicit provision that “[a]n architect or a professional engineer may act as prime consultant for the construction, enlargement or alteration of a building.”

We thank you for your consideration of this important matter and are available to meet with you to discuss this further at your convenience.

Sincerely,



Kyle Bentley, P.Eng.  
EABO Chair  
[kbentley@pickering.ca](mailto:kbentley@pickering.ca)  
905.420.4660, ext. 2070



Kristi Doyle  
EABO Vice Chair  
[kristid@oaa.on.ca](mailto:kristid@oaa.on.ca)  
416.449.6898, ext. 212

Copy: Jennifer Quaglietta, CEO & Registrar, PEO  
Daniel Abrahams, Vice-President, Policy & Governance & Chief Legal Officer, PEO  
Bruce Matthews, Executive Director, ACEC-O  
Settimo Vilardi, President, OAA  
Lawrence Wagner, CEO, OBOA  
Colin Brook, Chair, OLMCBO