TO: Chair and Members Planning Committee  
WARD(S) AFFECTED: WARDS 12, 14 and 15  

COMMITTEE DATE: May 15, 2012

SUBJECT/REPORT NO: Proposed Change to Part 8 of the Ontario Building Code (PED12073) (Wards 12, 14 and 15) (Outstanding Business List Item)

SUBMITTED BY:  
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SIGNATURE:

RECOMMENDATION

a) That Report PED12073, respecting a proposed change to Part 8 of the Ontario Building Code, be received for information.

b) That the matter of the Municipality of East Ferris’ communication respecting a Council resolution on a proposed amendment to Part 8 of the Ontario Building Code be identified as complete and removed from the Planning Committee’s Outstanding Business List.

EXECUTIVE SUMMARY

This Report is in response to the direction given by Council at its meeting of February 8, 2012, to report back to the Planning Committee on the resolution passed by the Council for the Municipality of East Ferris regarding a proposed amendment to Part 8 of the Ontario Building Code. Part 8 of the Building Code regulates the design, construction,
operation and maintenance of various classes of sewage systems located within properties.

The Building Code is a regulation made under the Building Code Act, 1992 and is reviewed and updated on a regular basis. As part of this review the Ministry of Municipal Affairs and Housing began working on the next edition of the Building Code in the Fall of 2010 and carried out two rounds of public consultations, the first in late 2010 and the second in the Spring of 2011.

As part of the second round of consultations one of the proposed changes to the Ontario Building Code is to require the installation of a tertiary treatment unit on properties within vulnerable areas located in a source water protection area. It should also be noted that this amendment would only apply to new and replacement installations and it is proposed to take effect on December 31, 2016. The Building Services Division supports this proposed amendment.

Alternatives for Consideration – Not Applicable

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: There would be no financial impact since any amendment to the Building Code Act or Building Code would be covered by permit fees with no impact on the general levy.

Staffing: Not applicable

Legal: Not applicable

HISTORICAL BACKGROUND (Chronology of events)

On December 13, 2011, the Council for the Municipality of East Ferris passed a resolution requesting that a proposed amendment to Part 8 of Division B of the Ontario Building Code requiring the installation of tertiary treatment systems for new or replacement septic systems within vulnerable areas as described in Drinking Water Source Protection Assessment Reports where septic systems are deemed to be a significant threat, not be approved. This resolution was forwarded to all Ontario Municipalities. At its meeting of February 8, 2012, City Council considered this communication and referred it to the General Manager of Planning and Economic Development for a report back to the Planning Committee.

POLICY IMPLICATIONS

Building Code Act
RELEVANT CONSULTATION

Planning and Economic Development Department – Strategic Services / Special Projects Division

Public Works Department - Infrastructure and Source Water Planning Section

ANALYSIS / RATIONALE FOR RECOMMENDATION

The Ministry of Municipal Affairs and Housing began working on the next edition of the Building Code in the Fall of 2010. As part of this review there have been two rounds of public consultation. The first round, held in late 2010, set out potential changes that reflected changes made to the National Building Code and other Ontario based code change requests received from industry stakeholders and the public.

The second round of public consultation took place in the Spring of 2011 and focused on potential changes to the Building Code in a number of key areas such as energy conservation, water conservation and environmental protection (which included on-site sewage systems). One of the proposed amendments to Part 8 of Division B of the Building Code was to require the installation of a tertiary treatment unit on properties within a vulnerable area located in a source water protection area. These at-risk areas are currently only located in Wards 12, 14 and 15. The reason for this proposed change is to minimize pathogens released into the environment and to abate nutrients levels (i.e., phosphorous and nitrates). This would contribute to public health and safety and environmental protection by reducing the release of pathogens into ground water and water bodies. At the present time the Building Code does not contain requirements for nutrient abatement. This would support both Building Code objectives as well as meet the objectives of the Clean Water Act, 2006 in protecting sources of drinking water. If this proposed amendment is approved a typical homeowner of a single family dwelling would have to pay approximately $20,000 to $25,000 for a tertiary sewage treatment system versus $15,000 to $20,000 for a conventional sewage system. However, this amendment would only apply to the replacement or installation of a new septic system and would not take effect until December 31, 2016. The Building Services Division supports this proposed amendment since it would assist in the implementation of the Clean Water Act, 2006.

ALTERNATIVES FOR CONSIDERATION

Not applicable.
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

**CORPORATE STRATEGIC PLAN** (Linkage to Desired End Results)


**Environmental Stewardship**
- Natural resources are protected and enhanced.
- Aspiring to the highest environmental standards.

**Healthy Community**
- Human health and safety are protected.

**APPENDICES / SCHEDULES**

Not applicable.

JC:fd