



**Ontario**  
Home Builders'  
Association

## Get Ready...

### **2012 Building Code Requirements for New Construction**

***New Building Code requirements come into effect on January 1, 2012.  
These relate to energy efficiency and occupancy permits.***

#### *Energy Efficiency*

If you apply for a building permit on or after January 1, 2012, the proposed construction must comply with enhanced energy efficiency requirements of Ontario's Building Code.

The 2006 Ontario Building Code set out a "roadmap" for energy efficiency to be implemented from January 1, 2006 through to December 31, 2011. As part of that roadmap, the Code set out energy efficiency benchmarks for houses and for large buildings. Subsequent Code amendments provided additional compliance paths that are consistent with those benchmarks.

The Building Code provides that construction for which an application for a building permit is made on or after January 1, 2012 must meet the following energy efficiency requirements:

- **Houses and other Part 9 residential buildings** must meet the performance level that is equal to a rating of 80 or more when evaluated in accordance with EnerGuide80 (based on the Hot 2000 V9.34c1,2 software), be certified and labeled under the Energy Star for new homes program, or conform to Supplementary Standard SB-12, which is referenced in the Building Code. The alternative compliance paths set out in this Supplementary Standard are referenced in an amendment to the Building Code which came into force on January 1, 2010. For more information about the updated Supplementary Standard SB-12 follow the link to Service Ontario's publications site at [www.mah.gov.on.ca/Asset9372.aspx?method=1](http://www.mah.gov.on.ca/Asset9372.aspx?method=1)

- **Other buildings** including Part 3 residential and commercial buildings, must conform to Supplementary Standard SB-10 (July 1, 2011 update), which is referenced in the Building Code. This Supplementary Standard indicates that the energy efficiency of these buildings shall be at least 25% greater than the energy efficiency levels attained by conforming to the 1997 Model National Energy Code for Buildings, but provides additional compliance paths to achieve them. The updated Supplementary Standard SB-10 is referenced in an amendment to the Building Code which came into force on July 1, 2011. For more information about the updated Supplementary Standard SB-10 follow the link to the Ministry of Municipal Affairs and Housing's Building Code website at <http://www.mah.gov.on.ca/Page9528.aspx>

OHBA has been advocating on behalf of its membership for the past several years to ensure the implementation of these energy efficiency Code changes are brought forward with as much forethought to the potential impact to our industry as possible. OHBA was successful in requesting that the Ministry of Municipal Affairs and Housing develop prescriptive tables for building to the equivalent of the EnerGuide 80 requirement. As such, there are now over 30 possible options from which builders and designers can choose.

OHBA also advocated that SB-12 reference the Energy Star for New Homes program to ensure that builders who wish to continue using this very popular labelling program will be seen to have automatic compliance. We are pleased to advise that as of December 6, 2011, MMAH announced that the Building Code will now recognize Energy Star as a compliance path option for SB-12. Other changes included with the December 6<sup>th</sup> announcement are listed as follows:

- Airbarrier requirements moved from SB-12 Chapter 3 to Sec. 9.25.3
- Basement walkout provisions were redefined for more clarity
- Additional footnotes to tables were added specifically – Package 'M' (note 8) for combo units with respect to condensing units and (note 7) HRV testing procedures
- Spray foam insulation is now referenced and allows trade-offs to standard insulation requirements
- Sentence 2.1.1.7 properly recognizes a reduction of insulation at eaves and above attic hatches
- Windows can now be tested to either CSA A440 as well as NFRC 100 standards

- Renovations to existing buildings (additions) have their own table if the mechanicals aren't touched
- Under Performance Compliance you can get credit for advanced framing techniques
- Also under the Performance Compliance, you can get credit for having tighter home construction if the house can perform better than 2.5 ACH for detached or 3.0 ACH for attached homes
- As mentioned, Energy Star specifications were added under 2.1.3 Other Acceptable Compliance Methods
- Finally there are more explanatory notes in Appendix regarding software; (A-2.1.2.1)

OHBA has been diligently working with the building enforcement community through a joint working group with OBOA, LMCBO, MMAH and EnerQuality to ensure that there will be a smooth, uniform transition of the new energy Code requirements across all Ontario municipalities. Attached to this message is a form/checklist that we have jointly assembled. You should be seeing this form used in conjunction with the standard building permit application form and will be available through your local municipal building department or online. We strongly encourage you to circulate this form to your house designers and/or anyone else who may be involved in the permitting process.

If Code Users haven't done so already, they may wish to participate in technical training courses on the Building Code's energy efficiency requirements developed by MMAH. For more information follow the link to the Ministry of Municipal Affairs and Housing's Building Code website at <http://www.mah.gov.on.ca/Page8526.aspx>

OHBA and EnerQuality have developed additional training courses that have been offered through many local home builder associations. For more information on training courses or to schedule something in your area, please contact EnerQuality at: [zygmunt@enerquality.ca](mailto:zygmunt@enerquality.ca)

### *Occupancy Permits for Certain New Residential Buildings*

Amendments to the Building Code which come into force on January 1, 2012 will also require an inspection to be made and a permit be issued prior to persons occupying certain new residential buildings for which an application for a permit is made on or after January 1, 2012. The amendments to the Code include criteria that must be met for such an occupancy permit to be issued.

The new occupancy permit requirements will apply to buildings intended for residential occupancy that are: three or fewer stories in building height and have a building area not exceeding 600 square metres; have no accommodation for tourists; do not have a dwelling unit above another dwelling unit; and do not have any dwelling units sharing a common means of egress.

These requirements will not apply to existing buildings, or parts of existing buildings, that have been subject to renovation, including an extension to the building, a material alteration or repair. Please see Section C 1.3.3.1 of the Building Code (2006 edition, as amended by O. Reg. 503/9) for details. For more information follow the link to the Ministry of Municipal Affairs and Housing's Building Code website at <http://www.mah.gov.on.ca/Page8810.aspx>.

### *Next Edition of the Building Code*

The development of the next edition of the Building Code continues. The timing and development of the next edition does not affect the timing of the energy efficiency and occupancy permit requirements of the 2006 Building Code described above, which will take effect on January 1, 2012. OHBA continues to advocate on behalf of its members for Building Code changes that consider affordability, address actual problem areas within the current Code, and that make sense.

### *OHBA Builder & Renovator Forum*

For those looking for more information and training opportunities, register for the upcoming Builder & Renovator Forum – February 1-2, 2012 – Village at Blue Mountain, Collingwood ([www.ohbaforum.ca](http://www.ohbaforum.ca) – will be active soon)