

# A Practical Guide for Architectural, Construction and Engineering Service Companies Working in Canada



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July 2000

# Preface

In today's global markets, economic integration is expanding rapidly with firms of all sizes becoming involved in exporting, joint ventures, strategic alliances and direct foreign investment.

This practical guide has been prepared by the U.S. Commercial Service and the Toronto Construction Association to assist architectural, construction and engineering (ACE) service firms that want to enter the global arena by doing business in Canada First!. The information contained in this guide is offered as a general introduction to the Canadian market. Prospective exporters and investors should always seek professional guidance before implementing any plan to enter Canada's construction market. For more detailed information on matters discussed in this guide, refer to the key industry contacts listed in each section. These contacts are provided for the reader's convenience and their listing should not be perceived as an endorsement by the U.S. government or the Toronto Construction Association.

The U.S. Commercial Service can be your strategic partner in Canada and can help any U.S. company save time and money in developing new business in Canada. The U.S. Commercial Service offers valuable guidance and direct assistance to U.S. firms as they work to meet their specific export marketing goals in Canada.

The Toronto Construction Association (TCA), established in 1867, is one of the oldest, largest and finest construction associations of its kind in North America. With a specific focus on the ICI (industrial, commercial, institutional) sectors of the construction industry, TCA provides a broad range of services and programs to its members. Its membership is comprised of general contractors, trade contractors, manufacturers, supply and service firms and the allied professionals – architects, engineers, lawyers, accountants and consultants. The Association's programs and services include: marketing opportunities; access and networking with industry leaders; advice and assistance; industry specific information; government liaison and lobbying initiatives; continuing education; project information and plans display, including a fully functional electronic plans room; publications; trade show; discount programs; social events; research and development assistance and recognition awards.

TCA has had a long-standing working relationship with the U.S. Commercial Service in Toronto and has assisted in the production of this guide to aid firms interested in working in Canada and more specifically in Canada's largest and most diverse construction market – The Greater Toronto Area (GTA). TCA recognizes the problems of working in unfamiliar territory and trusts that this guide will assist interested firms to launch their business activities in Canada with a minimum of downtime.

The Toronto Construction Association and the U.S. Commercial Service would like to extend a general expression of gratitude to all those who generously provided time and information for the development of this document.

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# Chapter I

## Facts on Canada

Canada is the world's second-largest country (9,970,610 km<sup>2</sup>), surpassed only by the Russian Federation. The capital, Ottawa, is located in the province of Ontario. Canada has 10 provinces and three territories: British Columbia; Saskatchewan; Alberta; Manitoba; Ontario; Quebec; New Brunswick; Prince Edward Island; Newfoundland; Nova Scotia; Nunavut; Northwest Territories and Yukon Territories.

Diversity is the keynote of Canada's geography, climate, and people. Canada's fertile plains, vast mountain ranges, lakes and rivers, wilderness forests and arctic tundra provide many climatic variations ranging from the permanently frozen icecaps north of the 70th parallel to the luxuriant vegetation of British Columbia. Canada's 1996 Census recorded Canada's population at more than 30 million people with a profile just as diverse as is its geography. Immigrants from the United Kingdom and Europe have traditionally made up the largest proportion of Canada's ethnic population, however, high levels of immigrants coming from different countries have dramatically changed Canada's ethnic mix. Prior to 1961, immigrants of British and European origin accounted for 90.1 percent of all new immigrants to Canada, a sharp contrast to 22.6 percent for the period between 1988 and 1991. Canada's fastest growing groups of new immigrants are of Asian and Middle Eastern origins.

Canada's leading industries include the automotive sector; pulp and paper; iron and steel work, machinery and equipment manufacturing, mining, extraction of fossil fuels, forestry and agriculture. The Canadian economy grew by 3.6 percent in 1999. A consensus of private sector forecasters estimates that growth in the first two years of the new millennium should remain robust, at 3.5 percent in 2000 and 3.0 percent in 2001.

Canada has an affluent, advanced industrial economy, which resembles the United States in terms of its per capita output, market orientation and pattern of production. In many ways, Canada and the United States have developed along similar lines and U.S. exporters and investors will find a familiar market environment and business climate in Canada.

The United States and Canada share the largest and most important bilateral trade relationship in the world, with more than 1.5 billion dollars in goods and services crossing our common border each day. Our long standing and dynamic trade relationship has been reinforced by the significant benefits created by the Free Trade Agreement (FTA) and the North American Free Trade Agreement (NAFTA).

## **Facts on Ontario**

Ontario is Canada's largest province (total land area = 1 million square kilometers) with a population of 11.5 million people. Ontario lies at the heart of North America's consumer and industrial markets and is home to almost 40 percent of Canada's population.

In 1999, the province of Ontario accounted for 41.5 percent of Canada's GDP, 53.2 percent of Canada's total manufacturing shipments, and 40 percent of Canada's population. Ontario is expected to grow faster than any of the G-7 countries in the next four years with a projected GDP growth of 4.6 percent in 2000 and 3.1 percent GDP growth in 2001. Ontario's robust automotive, computer, software, telecommunications and medical technologies are among the fastest growing industries in the province. Its heavy reliance on trade with the United States insulated it from the economic downturn in Asia and other parts of the world. The Ontario economy today is in better shape than at any time since the late 1980's. Unemployment has declined to 6.4 percent, while the economy has generated more than 540,000 jobs in the past four years.

Ontario's economy is highly diverse and developed by North American standards. The province's modern transportation infrastructure is fully integrated, with road, rail, water, and air shipping and transportation systems facilitating the north-south flow of people and goods between Ontario and its major trading partner, the United States. As well as possessing modern and efficient airports, highways and railways, Ontario is a leader in the technologically advanced infrastructures vital to business: digital switches, fibre optic cables, and other state-of-the-art telecommunications networks. Major new infrastructure projects recently completed, include a new superhighway north of Toronto (the capital of Ontario) and the widening of other highways. Extensions of Toronto's rapid transit and subway systems and new telecommunications network infrastructures are underway.

Ontario is a major trading economy with per capita exports higher than Japan or Germany. In 1998, Ontario's exports totaled US\$118 billion and imports US\$133.4 billion. Ontario is the third largest trading partner of the United States (after Canada and Japan).

## **Facts on Toronto**

With a population of about 4.7 million in 1998, Toronto, the capital of Ontario, is the largest city in Canada and the sixth largest city region in North America. One quarter of Canada's population lives within 160 kilometers (100 miles) of Toronto and represents some 100 nationalities. This diversity is embodied in an entrepreneurial workforce and business community that is familiar with and well connected to business partners around the world. As the country's commercial center, Toronto is home to half of Canada's 20 largest companies, 90 percent of its international banks, and most U.S. subsidiaries in Canada. It is not by chance that Fortune magazine recently rated Ontario's capital, Toronto, as the best city in the world for business.

# Chapter II

## The Canadian Construction Market

Canada's construction industry is a significant contributor to the Canadian economy. In 1999, expenditures in this industry were valued at CDN\$107 billion (US\$73 billion), which represented five percent of Canada's total Gross Domestic Product (GDP). The Canadian construction industry accounts for roughly half of new investments in Canada each year and approximately US\$9.6 billion in annual tax receipts for the Canadian government. Expenditures in residential and non-residential construction represent 45 percent and 55 percent of total expenditures respectively. The industry also has a strong multiplier effect with every job created in the construction industry accounting for three jobs in the general economy.

The composition of the construction industry in Canada has strong European roots, which are reflected in construction processes and the industry's sharp focus on quality and cost of construction. Recent shortages in skilled construction workers, the mainstay of Canada's industry, have prompted strong interest in, and the development of, innovative construction machinery, equipment and building techniques for phases of the construction process.

Construction is the second largest industry in the province of Ontario representing 32 percent of total construction expenditures in 1999, followed by Quebec (19 percent), Alberta (19 percent), and British Columbia (17 percent). The construction industry in Ontario provides employment to three times as many workers as the Ontario automotive industry and is recognized as a world leader for its very high safety standards. The Greater Toronto Area represents 75 percent of total construction expenditures in Ontario and has, by far, the largest construction activity in all the Province.

## Engineering Services Information

The Canadian consulting engineering industry has a strong reputation both internationally and domestically and is among the leading knowledge-based industries in the Canadian economy. In 1997, the industry generated close to US\$4.5 billion in direct revenues. More than 6,000 firms, employing approximately 70,000 persons, contributed to this stream of revenues. Approximately 15 percent of engineering services performed in Canada are attributed to consulting engineering firms. Canadian consulting engineering firms generally fall into three broad categories:

A) General Services: such as feasibility studies; preparation of detailed drawings, specifications and contract documents; and supervision and construction.

B) Specialized Services: such as design and development; and project management.

C) Comprehensive Turnkey Services: such as Management Engineering, Procurement Construct projects (MEPC) (includes the packaging of engineering services with procurement, equipment supply, and construction services); and Build Own Operate and Transfer (BOOT) projects (project bidder finances, builds, and operates the facility until the costs are fully recovered).

Five types of Canadian consulting engineering activities account for over 80 percent of the industry's total billings:

- A) Design services - 46 percent;
- B) Advisory services - 23 percent
- C) Project management - 13 percent;
- D) Construction management - 10 percent; and
- E) Turnkey projects - 8 percent.

More than 60 percent of Canadian engineering fees are generated by firms located in the provinces of Ontario and Quebec. Ontario's strength lies in structural, mechanical, and electrical building services and in environmental services. Quebec's strength lies in power generation projects, mining and metallurgy industries. In the provinces of Alberta, Saskatchewan, and Manitoba the strongest field of specialization for engineering firms is in the oil, petroleum, and natural gas sectors. British Columbia, the Yukon, and the North West Territories generate 50 percent of their engineering revenue from the pulp and paper, mining, metallurgy and primary metals industries.

Canada's mining, metallurgy, primary metals, pulp and paper, oil, petroleum and natural gas processing industries represent 26 percent of total revenues for the Canadian engineering industry. Environmental services and building services are the next most important areas of activity. Each represents 13 percent of total revenues generated by the industry. The transportation and power generation sectors represent eleven percent each and municipal services account for nine percent of total industry revenues.

Canadian consulting engineers have achieved considerable success on a global basis and are active in more than 125 foreign countries. More than 200 Canadian engineering firms are working abroad and their ranks continue to grow. Canada's exports of consulting engineering services have grown at an annual rate of three percent over the last decade, and today Canada ranks fourth in the world as an exporter of consulting engineering services, after the Netherlands, Great Britain, and the United States. Canadians earned approximately 30 percent of their total foreign revenue in this sector in the United States; 30 percent in Asia; and 20 percent in Africa. Canadian foreign billings were primarily based in five project areas of activity, i.e. building; water and sewer; waste treatment; manufacturing; and hazardous waste treatment.

## **U.S.-Canada Inter-Recognition Agreement**

In June 1995, representatives of the Canadian Council of Professional Engineers (CCPE) and the United States Council for International Engineering Practice (CIEP) and the Comité Mexicano para la Práctica Internacional de la Ingeniería (COMPII) signed a mutual recognition document (MRD) entitled Mutual Recognition of Registered/Licensed Engineers by Jurisdictions of Canada, the United States of America and the United Mexican States. This MRD was agreed to under the provisions of Chapter 12 of the North American Free Trade Agreement (NAFTA) to facilitate trade in professional services. Essentially, this agreement allows licensed engineers from the signatory members to work anywhere within the NAFTA region, providing their licensing boards agree to reciprocal recognition. To date, all Canadian provinces and territories have acceded to this agreement. On the other hand, none of the U.S. States have signed on to the MRD.

U.S. licensed engineers interested in having their accreditation recognized in Canada should contact the Professional Engineers Association in each of the provinces and/or territories. For further information on accreditation in Ontario, interested professionals should contact the Professional Engineers Ontario.

Professional Engineers Ontario  
25 Sheppard Avenue West  
Suite 1000  
Toronto, Ontario  
Canada M2N 6S9  
Tel: (416) 224-1100  
Fax: (416) 224-8168  
E-mail: [webmaster@peo.on.ca](mailto:webmaster@peo.on.ca)  
Website: [www.peo.on.ca](http://www.peo.on.ca)

## **Architectural Services Information**

Canadian architects are recognized for their expertise in the design of commercial, entertainment, office and institutional buildings, such as hospitals, educational facilities, museums and airports. Canadian architects are also noted for their expertise in wood frame structures, engineered wood products, and cold climate construction. In 1995, the industry generated more than US\$599.6 million in revenues; with over 3,500 firms employing approximately 11,500 support staff and 7,700 architects contributing to this stream of revenues.

### **ARCHITECTURAL ACTIVITIES ACROSS CANADA**

The Canadian architectural services industry focuses mainly on the domestic market. Numerous Canadian firms are also active abroad. The nature of projects undertaken by Canadian architects varies by geographic region and size of firm. The institutional

market accounts for the largest share of architectural revenues - almost 45% nationally. The main components of this market are health care and educational facilities. The second most important market segment is the commercial market (hotels, restaurants, office buildings, retail stores). Third, in terms of relative importance, is the residential market. Typically, Canadian architectural firms will only become involved in residential projects involving an investment of more than US\$200,000. These typically include multiple-units or high-end, single-family houses. Much of the residential design and renovation work performed in Canada is handled by architectural technologists or developers' in-house staff.

In the Western Provinces and in the Province of Ontario, Canadian architects have experienced increased demand for their services as a result of population growth, improved economic conditions, release of pent-up demand, shortage of commercial space and liberalized zoning laws allowing an increase in the number and combination of mixed-use buildings (e.g. office or institutional/residential buildings). Overall demand for Canadian architectural services will experience moderate growth over the next several years. Over the long term, there are areas projecting growth. These include the design of retirement and long-term care facilities and the renovation and modification of existing buildings.

The Canadian architectural services industry is a mature industry composed mainly of small firms that are subject to provincial licensing authorities. These firms are primarily focussed on the domestic market. Canadian architects are internationally respected for their expertise in a number of areas, only a small percentage of Canadian firms provide integrated services needed to pursue large-scale international contracts. In fact, multidisciplinary consulting firms and design-build firms are uncommon in Canada. As a result, many Canadian firms lack experience delivering integrated projects, which normally require well established links with engineers, developers, financiers and others who could partner in national and international design-build projects. Therefore, Canadian firms are eager to forge strategic alliances with other small to medium sized architectural firms as a way to pool resources and share risks associated with bidding on large design-build projects in local and international markets.

In 1995, according to Statistics Canada, this industry generated US\$12 million or about two percent of total architectural revenues through exports of architectural services. A number of Canadian architectural firms have established subsidiaries abroad in order to better serve their foreign clients and some have successfully completed projects in the Middle East, Africa, Europe, the United States, and Asia. They are recognized as leaders in the design of wood frame buildings, including low to medium density wood frame housing, wood frame three-storey commercial and institutional buildings, as well as resort, ski and marina developments. The removal of trade barriers has contributed to the export of Canadian architectural services. However, to stay competitive in the global market, Canadian firms seek strategic alliances to better position themselves both nationally and in foreign markets.

### **U.S.-Canada Inter-Recognition Agreement**

The architectural sector was among the first service industries targeted by the U.S.-Canada Free Trade Agreement for the elimination of barriers to trade in services. The Canada-US Inter-Recognition Agreement was signed by the Committee of Canadian Architectural Councils (CCAC) and the National Council of Architectural Registration Boards (NCARB) in 1994. To date, thirty-nine states and all ten Canadian provinces have agreed on a framework to grant reciprocal privileges in licensing their respective architects.

The Inter-Recognition Agreement has eased cross-border practice requirements for U.S. architectural firms and allows U.S. architects to qualify for a foreign license. However, there are still local requirements that must be met before an architect can practice in Canada. To enter the Canadian market, U.S. architects must become knowledgeable about local building codes, the implications of different climatic conditions, and the impact of cultural differences on building needs and design preferences.

An additional regulation that potential market entrants need to be aware of is the increasing importance on architects' ability to satisfy well-recognized quality assurance standards. International standards such as ISO 9001, developed under the auspices of the International Organization for Standardization, provide clients with a higher level of confidence in the work performed by architects. ISO registration, however, has been problematic for many Canadian architectural firms because of the costs of complying with requirements and because ISO accreditation does not provide an advantage in most of the firms' traditional markets. Small to medium sized Canadian architectural firms are generally influenced by the management style of their principals and have little need for formalized management procedures as elaborate as ISO 9001.

U.S. licensed architects interested in having their accreditation recognized in Canada should consult the agreements carefully. For further information on the agreements, interested professionals may also wish to consult the following organizations, or their State Architectural Licensing Authority

National Council Of Architectural Recognition Boards (NCARB)  
1735 New York Avenue N.W., Suite 700  
Washington, D.C.  
20006  
Tel: (202) 783-6500  
Fax: (202) 783-0290  
Website: [www.ncarb.org](http://www.ncarb.org)

Committee Of Canadian Architectural Councils  
c/o Royal Architectural Institute Of Canada  
55 Murray Street, Suite 330  
Ottawa, Ontario  
Canada K1N 5M3

Tel: (613) 241-3600  
Fax: (613) 241-5750  
Website: [www.raic.org](http://www.raic.org)

## Construction Services Information

The Canadian construction contracting industry consists of general contractors, who undertake the construction of entire structures; trade contractors, who perform specialized services such as site preparation, structural work, mechanical and electrical systems installations; and subcontractors, who perform other interior and exterior work. The Canadian construction contracting industry was valued at US\$43.5 billion in 1998, representing approximately two thirds of the Canadian construction market of US\$66 billion. The Canadian construction contracting industry includes a large number of small, highly specialized companies employing approximately 20,000 general contractors and 110,000 trade contractors. Canadian construction contractors generally fall into three major construction sub-sectors that respond to different market forces, use different construction techniques and materials, and employ different labour forces:

- Residential construction, which includes all dwellings from single-family homes to large apartment buildings;
- Institutional, commercial, and industrial construction (ICI), which encompasses all building that is not residential; and
- Engineering construction, which covers all non-building construction such as roads, sewers and water, bridges, airports, oil and gas facilities, etc.

The Province of Ontario is by far the largest construction market in Canada. In 1999, the Ontario construction market was valued at CDN\$32.5 billion (US\$22.3 billion), representing 32 percent of Canada's total construction expenditures of US\$69.2 billion. The Province of Alberta represented 20 percent of Canada's total construction expenditures, Quebec 19 percent and British Columbia 16 percent. In the remaining nine provinces and territories of Canada, construction expenditures were estimated at CDN\$3.9 billion (US\$2.6 billion). As these figures indicate, the Canadian construction contracting industry is heavily concentrated in Ontario, Alberta, Quebec and British Columbia.

Canadian owned firms account for approximately 94 percent of the industry. Most of these specialize in one particular aspect of the construction process or operate in a particular region of Canada. Only a handful of foreign-controlled contractors operate in Canada. For the most part, these are subsidiaries of large multinational firms, such as Bechtel Canada Inc., Fluor Daniel Canada Inc., and Dumez Nord Amerique Inc., who initially entered the Canadian market to construct major projects requiring unique capabilities.

The Canadian construction industry has a world-wide reputation for its reliability and innovative designs. Productivity and costs associated with Canadian construction projects are very competitive with other developed nations. The industry is particularly known for the design and construction of hydroelectric plants, repair and maintenance of salt-damaged structures and cold weather construction.

Despite the growing number of public-private infrastructure (PPI) projects in the horizon, Canadian construction firms have been slow to take advantage of new opportunities in the global market. It is estimated that only one percent of total Canadian construction revenues come from exports. The few Canadian construction contractors that are successfully working offshore, have technical expertise in energy, transportation, telecommunications and environmental sectors.

The North American Free Trade Agreement (NAFTA) permits construction managers, architects and engineers from NAFTA countries to work temporarily at job sites in the region. Therefore, U.S. construction firms that qualify under the NAFTA provisions can bid on Canadian government-owned corporation contracts valued at more than CDN\$8 million (US\$5.3 million) and Canadian government construction contracts over CDN\$6.5 million (US\$4.3 million). Non-NAFTA contractors are restricted by the rules outlined in the General Agreement on Trade and Services (GATS).

Despite NAFTA, market entry to Canada may be impeded by local regulations, technical requirements, product standards and discriminatory processes favoring local contractors. U.S. construction contractors may also be inhibited by the substantial up-front costs involved in bidding on Canadian projects or establishing a presence in this market. To overcome these obstacles, U.S. construction contractors should consider partnering with Canadian contractors that are familiar with local market opportunities. U.S. construction contractors interested in exploring the Canadian construction market should become familiar with the Canadian government's electronic tender and bidding service for projects subject to international agreements (see paragraph below) and other public sources of information listed below that provide information on upcoming projects.

For information on how to find the appropriate partner in Canada, contact one or all of the following Associations or private firms:

Canadian Home Builders Association  
150 Laurier Avenue West, Suite 500  
Ottawa, Ontario  
Canada K1P 5J4  
Tel: (613) 230-3060  
Fax: (613) 232-8214  
Website: [www.chba.ca](http://www.chba.ca)  
E-Mail: [chba@chba.ca](mailto:chba@chba.ca)

Canadian Construction Association

75 Albert Street, Suite 400  
Ottawa, Ontario  
Canada K1P 5E7  
Tel: (613) 236-9455  
Fax: (613) 236-9526  
Website: [www.cca-acc.com](http://www.cca-acc.com)

GPC Canada  
200 King Street West  
Suite 1702, Box 21  
Toronto, Ontario  
Canada M5H 3T4  
Tel: (416) 598-0055  
Fax: (416) 598-3811  
Contact: Mr. John Foden, Senior Consultant  
E-mail: [jfoden@gpc.ca](mailto:jfoden@gpc.ca)  
Website: [www.gpcinternational.com](http://www.gpcinternational.com)

Toronto Construction Association  
70 Leek Crescent  
Richmond Hill, Ontario  
Canada L4B 1H1  
Tel: (416) 499-4000, ext. 16  
Fax: (416) 499-8752  
Contact: Mr. Temple W. Harris, President  
E-Mail: [tharris@tcanetworks.com](mailto:tharris@tcanetworks.com)  
Website: [www.tcanetworks.com](http://www.tcanetworks.com)

# Chapter III

## Establishing a Business in Canada

U.S. businesses considering establishing operations in Canada must adhere to a number of Canadian federal and provincial regulations. The preceding guidelines extracted from official Canadian government documents and information bulletins, are provided to assist U.S. firms establishing operations in Canada to comply with Canadian regulations. U.S. firms, however, are advised to consult with the relevant Canadian or Ontario government departments, listed in the sections that follow.

## Establishing a Business in Ontario

### Registration And Licensing

In general, all Canadian provinces require that foreign or extra-provincial companies be registered or obtain a license. Ontario's 1991 Business Names Act governs registration requirements in the Province of Ontario. All businesses, including those offering services that were previously exempt, must now register their business name with the Companies Branch of the Ministry of Consumer and Commercial Relations.

The law requiring U.S. companies to register their business with the Companies Branch applies to:

- i) Sole proprietorships carrying on business under a name other than the owner's name
- ii) Partnerships carrying on business under a name other than the names of the partners
- iii) Limited liability partnerships
- iv) Corporations carrying on business under a name other than their corporate name
- v) Effective July 15, 1996, an existing General partnership or Limited Partnership may register an additional business name.

U.S. companies should note that the registration of the business name does not in itself ensure the exclusive use of that name in Ontario for the individual registering it. The Ministry of Consumer and Commercial Relations has no obligation to avoid name duplication or to advise anyone registering a name that has been previously registered.

Ontario Ministry of Consumer and Commercial Relations  
Companies Branch  
393 University Avenue, 2nd Floor  
Toronto, Ontario  
Canada M7A 2H6

Tel: (416) 314-8880  
(800) 268-1142  
Fax: (416) 314-4852  
E-mail: [ccrinfo@ccr.gov.on.ca](mailto:ccrinfo@ccr.gov.on.ca)  
Website: [www.ccr.gov.on.ca/MCCR/companies.htm](http://www.ccr.gov.on.ca/MCCR/companies.htm)

Generally, each Canadian municipal government has the authority to issue its own business licenses within its jurisdiction. Since there is no uniformity throughout Ontario regarding municipal licenses for businesses, U.S. firms should consult with the appropriate local officials to determine if their proposed business operation in Canada will be affected by local regulations, licenses, municipal business tax or zoning requirements. In Toronto, the Municipal Licensing and Standards office issues licenses to various types of business and trades.

The U.S. business intending to lease a premise for which a license is required should be sure to include a clause or condition in the offer to lease stating that the offer will be void if a license is not granted for zoning reasons.

Purchasers of property should verify zoning permission and costs required to meet the Ontario Building Code Standards for the type of license required.

Toronto Municipal Licensing and Standards  
License Application and Renewal  
112 Elizabeth Street  
Toronto, Ontario  
Canada M5G 1P5  
Tel: (416) 392-3046  
Fax: (416) 392-3196  
Website: [www.gov.on.ca/MBS/english/government/cities/index.html](http://www.gov.on.ca/MBS/english/government/cities/index.html)

The Canada-Ontario Business Service Centre is a single telephone access point to information on federal and provincial government programs, services and regulations. Faxables that describe a program, service or regulation, highlighting the major points that the responsible government departments or organizations wish to communicate to their clients can be ordered seven days a week using a touch tone telephone.

Canada - Ontario Business Service Centre  
151 Yonge Street, 3rd Floor  
Toronto, Ontario  
Canada M5C 2W7  
Tel: (416) 954-4636  
(800) 567-2345  
Fax: (416) 954-8597  
Info-Fax: (416) 954-8555 or (800) 240-4192  
E-mail: [info@cobsc.org](mailto:info@cobsc.org)  
Website: <http://www.cbosc.org/ontario>

# Chapter IV

## Investing in Canada

Under the Investment Canada Act, (ICA) the Canadian government reviews foreign acquisitions of Canadian businesses over certain monetary thresholds, and requires disclosure of all other foreign acquisitions of Canadian business and certain new foreign investment. The stated purpose of the ICA is to encourage investment in Canada which contributes to economic growth and employment opportunities, and to provide for the review of significant investment in Canada by non-Canadians in order to ensure that they provide net benefit to Canada.

Under the ICA, the requirement for government review and approval of investments by non-Canadians is generally limited to acquisitions of control of large Canadian businesses. Review may be required for smaller acquisitions and establishments of new businesses by non-Canadians in particular industries identified as important to Canada's "national identity" or "cultural heritage" if the federal Cabinet considers such a review to be in the public interest.

A direct investment by a WTO member is reviewable if the asset value of the Canadian business being acquired exceeds US\$128.8 million (C\$184 million). An indirect acquisition is not reviewable unless the value of the assets of the business located in Canada amount to more than 50 percent of the asset value of the transaction. The threshold for review for a direct acquisition is US\$3.5 million (C\$5 million), and US\$175 million (C\$250 million) for an indirect acquisition if the Canadian business:

- i) engages in the production of uranium and owns an interest in a uranium producing property in Canada
- ii) provides any financial service
- iii) provides any transportation service; or
- iv) is a cultural business.

However, apart from those investments that are required to be reviewed under the ICA, it is still necessary for foreigners to notify the Canadian government every time they commence a new business activity in Canada and each time they acquire control of an existing Canadian business, even if acquisition of control is not a reviewable transaction. Notification is to be given in writing to Industry Canada not later than 30 days following the acquisition or new business establishment.

Industry Canada  
Investment Review Division  
235 Queen Street, Room 301B  
Ottawa, Ontario  
Canada K1A 0H5

Tel: (613) 954-1887  
Fax: (613) 996-2515  
E-mail: [investcan@ic.gc.ca](mailto:investcan@ic.gc.ca)  
Website: <http://investcan.ic.gc.ca>

## Investing in Ontario

Each Canadian province has a department charged with developing growth in industry and trade and assisting provincially based industries and businesses in specific sectors. Within the Ontario Ministry of Economic Development, Trade and Travel, the International Investment Services Branch assists foreign companies that wish to establish operations in Ontario. Business incentives are, on the whole, available to foreign investors on the same basis as they are to local investors.

Ontario Ministry of Economic Development Trade & Tourism  
International Investment Services  
Hearst Block 5th Floor, 900 Bay Street  
Toronto, Ontario  
Canada M7A 2E1

Tel: (416) 325-6833  
Fax: (416) 325-6814  
Website: [www.ontario-canada.com](http://www.ontario-canada.com)  
[www.2ontario.com/investment/home.html](http://www.2ontario.com/investment/home.html)

Contact: Brent Kears, Manager of International Investment Services  
To encourage investment in Ontario, this Province has an Investment Branch within the Ministry of Economic Development, Trade and Tourism for the purpose of helping foreign companies set up in Ontario.

# Chapter V

## Taxation Issues

The Canadian federal government and all provincial governments, with the exception of the province of Alberta, impose sales taxes.

### Federal Goods And Services Tax

The Goods and Services Tax (GST) is a multistage value added tax that is charged on most goods and services provided in Canada. The tax is imposed at each stage of distribution by requiring a vendor to collect GST from the purchaser at the rate of 7 percent. An importer is also required to account directly for the GST at a rate of 7 percent on taxable imported goods or services.

Foreign companies have to register for GST if they sell or provide taxable goods or services in Canada and if their total revenues collected from a commercial activity in Canada total more than US\$21,000 (C\$30,000) during a calendar year. Such activity includes carrying on business in Canada or receiving income from commercial real property located in Canada.

Special rules apply to Canadian branches of U.S. firms. An American firm with a permanent establishment in Canada is deemed to be a resident of Canada, for GST purposes, with respect to activities carried on by that establishment in Canada. American registrants without a permanent establishment in Canada are required to post security with Revenue Canada for collection and remittance obligations.

For a complete guide on *Doing Business in Canada - GST Information for Non-Residents* see website [www.ccr-aadrc.gc.ca/tax/business/gstguides/rc4027/4027\\_2-e.html](http://www.ccr-aadrc.gc.ca/tax/business/gstguides/rc4027/4027_2-e.html) or write to

Canada Customs and Revenue Agency  
Tax Services Business Inquiries  
1 Front Street West, First Floor  
Toronto, Ontario  
Canada M5W 1A3  
Tel: (800) 959-5525  
Fax: (416) 360-8908  
Website: [www.ccr-aadrc.gc.ca](http://www.ccr-aadrc.gc.ca)

### Provincial Sales Tax

The Provincial Sales Tax (PST) is a tax based on the retail price of most goods. Businesses that sell taxable goods, provide a taxable service, or charge admission to a

place of amusement, are responsible for collecting tax and remitting it on a regular basis. Merchandise and equipment used in a business, other than certain categories of production machinery and materials used in manufacturing, are taxable. Certain purchases such as food products and children's clothing are exempt from the tax.

The Provincial Sales Tax (PST) rate in Ontario is 8 percent on most purchases of goods and on labour charges to install, repair, and maintain taxable goods and equipment. Tax is also payable at the same rate on all prepared food products purchased from an eating establishment, where the total charge is more than C\$4 (US\$2.80). U.S. businesses involved in retail sales in Ontario must obtain a Vendor's Permit from the Ontario Retail Sales Tax Branch of the Ontario Ministry of Finance in order to collect the provincial sales tax from its customers.

Ontario Ministry of Finance  
Ontario Retail Sales Tax Branch  
North York City Centre  
5 Park Home Avenue, 2nd Floor  
North York, Ontario  
Canada M2N 6L4  
Tel: (416) 222-3226  
(800) 268-8852  
Fax: (416) 218-3738

## **Canada Customs**

Goods imported into Canada may also be subject to federal customs duties. The Canada-U.S. Free Trade Agreement (FTA) eliminated customs duties for most goods imported into Canada from the United States. The North American Free Trade Agreement (NAFTA) signed by Canada, the United States and Mexico will eliminate customs duties on the importation of qualifying goods, however tariff elimination schedules between Canada and the U.S. continue as provided under the FTA.

Drawbacks, refunds or remissions of customs duties and excise taxes are available under existing Canadian legislation. Certain machinery and related equipment may qualify for duty free importation under the Machinery Remission Program where equivalent machinery is not available from Canadian manufacturers. Drawbacks of customs duties may be obtained where certain imported goods are either exported unused in Canada or become part of a finished product exported from Canada. Canadian goods and imported goods exported for repair or further manufacture may qualify for custom duties remission on their return to Canada. Customs duties and excise taxes are applicable to the value of repairs or alterations performed abroad.

Canada Customs and Revenue Agency  
Customs and Excise  
1 Front Street West, 3rd Floor

P.O. Box 10, Station A  
Toronto, Ontario  
Canada M5W 1A3

Tel: (416) 973-3239  
(800) 461-9999

Fax: (416) 954-3464

Website: [www.ccr-aadrc.gc.ca](http://www.ccr-aadrc.gc.ca)

# Chapter VI

## Employment and Labor

When considering whether to purchase all or part of an established business, U.S. investors should be aware of potential employment and labour relations implications. If the vendor's employees were represented by a union, then in most instances the bargaining rights held by the union will be preserved and the U.S. purchaser will be bound by any collective agreement in existence between the vendor and the union. Moreover, under provincial employment standards legislation, where the purchaser of a business hires employees of the vendor, the length of service of the employees with the vendor is treated as service with the purchaser.

For most private sector employers in Canada, employment and labour relations matters are governed primarily by provincial rather than federal legislation. There are however, three pieces of federal legislation that will affect the U.S. company with Canadian based operations.

### Canada Pension Plan

Under the Canada Pension Plan, an employer is required to deduct a percentage of the employee's earnings from pensionable employment and remit that amount to the Canadian Federal Government together with an equal amount contributed by the employer. For 1998, the employee's and the employer's contribution was 3.2 percent of the employee's earnings in excess of US\$2,450 (C\$3,500), up to a maximum of US\$748.16 (C\$1,068.80) for each of the employer and the employee.

### Employment Insurance

An employer is required to deduct and remit employment insurance premiums on behalf of employees who work in insurable employment pursuant to the Employment Insurance Act. The employer is also required to pay a premium on behalf of its employees. In 1998, employees will have contributed 2.7 percent of their earnings up to a maximum of US\$737.10 (C\$1,053) and employers will contribute 1.4 times the employee's earnings up to a yearly maximum of US\$1,031.94 (C\$1,474.20).

### Employment Equity

The federal government passed the *Employment Equity Act* in 1993 in an effort to promote equity in the workplace by removing systemic barriers and taking steps to reasonably accommodate members of certain target groups, which are:

1. aboriginal people
2. people with disabilities

3. members of racial minorities; and
4. women

### **Provincial labour Legislation**

The Ontario Ministry of Labour Employment Standards Program is responsible for the administration and enforcement of the Employment Standards Act. The Employment Standards Act applies to most employees, with the exception of certain categories. The Employment Standards Act prescribes standards in such areas as maximum hours of work per day and per week, overtime pay, minimum wages, public holidays, vacations with pay, equal pay for male and female employees, benefit plans, pregnancy and parental leave, notice of termination of employment and severance pay.

Ontario Ministry of Labour  
Employment Standards  
400 University Avenue, 9th Floor  
Toronto, Ontario  
Canada M7A 1T7  
Tel: (416) 326-7160  
(800) 531-5551  
Fax: (416) 314-8725  
Website: [www.gov.on.ca/LAB/main.htm](http://www.gov.on.ca/LAB/main.htm)

### **Worker's Compensation**

Each of the provinces and territories include in their legislation a Workers' Compensation Act which sets up a no fault insurance system designed to replace the right of an employee, or an employee's family, to sue the employer for personal injury or accident arising out of and in the course of employment with the right to claim compensation from the accident fund. The worker's compensation board in each province is responsible for applying the legislation and regulations and has broad powers of inspection.

The Workplace Safety & Insurance Act cover most industries in Ontario. Employers must pay into the insurance fund of the Workplace Safety & Insurance Board through assessments on their payrolls.

U.S. companies can obtain a registration kit, which includes information on assessments, coverage, accident reporting requirements and appeals procedures from the Workplace Safety and Insurance Board. Employers are required to contact the board within ten days of employing help.

Workplace Safety and Insurance Board  
200 Front Street West  
Toronto, Ontario  
Canada M5V 3J1

Tel: (416) 344-1000  
(800) 387-0750  
Fax: (416) 344-4684  
Website: [www.wsib.on.ca](http://www.wsib.on.ca)

## **Ontario Health Insurance**

The Ontario Ministry of Health has established a scheme of health insurance for all Ontario residents called the Ontario Health Insurance Plan (OHIP) which is funded by a payroll tax. All employers with permanent establishments in Ontario are required to pay the employer health tax through either monthly or quarterly installments based on total Ontario remuneration paid to employees. The first US\$280,000 (C\$400,000) of the payroll is exempt from the Employer Health Tax. For 1998, the minimum rate of tax is 1.708 percent on remuneration between US\$245,000 (C\$350,000) and US\$280,000 (C\$400,000). A maximum tax of 1.95 percent applies to remuneration exceeding US\$280,000 (C\$400,000).

Ontario Ministry of Health  
80 Grosvenor Street, 10th Floor  
Toronto, Ontario  
Canada M7A 2C4  
Tel: (416) 327-4327  
(800) 268-1153  
Fax: (416) 314-8721  
Website: <http://www.gov.on.ca/health>

## **Labor Unions**

Workers and employers in the Canadian construction industry have a relationship that is very different from the more stable relationships that characterize most work situations. Trades people in the industry are generally hired on a project basis and change employers often. In the unionized sector of the industry, union hiring halls act as labour exchanges, allocating work to members on a rotating basis. In the non-union sector, work is found on a word-of-mouth basis and through labour brokers. In some provinces, notably Alberta and British Columbia, non-union labour exchanges have also been established by employer Associations.

Unions play an important role in the Canadian construction industry, with approximately 35-40 percent of the construction industry labour force being affiliated with a union. The majority belong to craft unions. There are 14 building trades unions operating in Canada, each of which represents one or several crafts. In addition, some industrial unions have construction trades as members. Construction union strength varies regionally. Union representation is strongest in central Canada, particularly in Quebec, where union membership is mandatory in the non-residential sector.

## **Toronto Construction Association – General Contractors’ Section**

The General Contractors' Section is an independent and separately managed organization working within the framework of the Toronto Construction Association. Membership in the General Contractors' Section is open to any employer who is signatory to one or more of the six provincial agreements, those being the Carpenters, Laborers, Operating Engineers, Bricklayers, Rodmen and Cement Masons. The Section represents its members and other employers in the negotiation and administration of the above noted collective agreements. For further information regarding Construction Labour Agreements and Wage Rates contact:

Toronto Construction Association  
General Contractors' Section  
70 Leek Crescent  
Richmond Hill, Ontario  
Canada L4B 1H1

Tel: (416) 499-4101

Fax: (416) 499-5890

Contact: Mr. Brian Foote, Director labour Relations

E-mail: [bfoote@tcanetworks.com](mailto:bfoote@tcanetworks.com)

Website: [www.tcanetworks.com](http://www.tcanetworks.com)

### **Ontario Construction Lien Act**

Like many jurisdictions, the province of Ontario provides Lien Rights legislation – the right to register a 'claim for lien' for money owed to them - to anyone who supplies material or labour to a project (which is defined under the Act as an 'Improvement'), including architects and engineers. However, in Ontario there is no concept of waiver of Lien Rights. Ontario's Lien Act is complex with several critical dates and procedures.

In this regard, the Toronto Construction Association (TCA) has produced a publication designed to assist industry practitioners in understanding the basic principles and to successfully navigate the step by step procedures. To purchase 'A Layman's Guide to Construction Liens in Ontario' contact the Toronto Construction Association or access an order form on the TCA's website.

Toronto Construction Association  
70 Leek Crescent  
Richmond Hill, Ontario  
Canada L4B 1H1

Tel: (416) 499-4000

Fax: (416) 499-8752

Website: [www.tcanetworks.com](http://www.tcanetworks.com)

### **Standard Contract Documents and Guides**

A variety of Canadian Construction Documents Committee (CCDC) and Canadian Construction Association (CCA) Standard Contract Documents and Guides are offered through construction associations across the country. These standard documents are clear and concise documents offering many advantages to contractors and owners alike. For further information contact the Toronto Construction Association (TCA) or access an order form on the TCA website.

Toronto Construction Association  
70 Leek Crescent  
Richmond Hill, Ontario  
Canada L4B 1H1  
Tel: (416) 499-4000  
Fax: (416) 499-8752  
Website: [www.tcanetworks.com](http://www.tcanetworks.com)

## Working Temporarily In Canada

Admission to Canada is the responsibility of the Canada Government and all applicants must comply with the requirements of the *Immigration Act and Regulations*. Citizenship and Immigration Canada is committed to helping employers create job opportunities for Canadians. Therefore, unless you are a Canadian citizen or permanent resident, in order to work in Canada you must hold a valid employment authorization (EA). There are some cases where the EA application is exempt from the need for a validation from the Human Resources Development Canada (HRDC), which is responsible for deciding whether or not the job might easily be filled from within the domestic workforce.

For more information on the regulations governing temporary work in Canada, contact the Citizenship and Immigration Canada or view their website at <http://cicnet.ci.gc.ca>

### Temporary Entry To Canada Under The North America Free Trade Agreement

The North American Free Trade Agreement (NAFTA) recognizes that selected individuals must be permitted access to NAFTA countries to participate in business, trade and investment activities, and to provide professional services and expertise. The Canadian, Mexican and United States governments have agreed on rules for such access to each other's markets, on a reciprocal basis. These rules are set out in Chapter 16 of the NAFTA, entitled *Temporary Entry for Business Persons*.

Citizenship and Immigration Canada has published a guide for American and Mexican business persons that explains the provisions governing entry of temporary foreign workers under the NAFTA. The guide is available at [www.cicnet.ci.gc.ca/english/visit/nafta00e.html](http://www.cicnet.ci.gc.ca/english/visit/nafta00e.html).

If you require further information on admission to Canada contact a Canadian consulate or embassy, a Canadian port of entry or a local immigration office in Canada or contact

Business Immigration Section  
Ontario Ministry of Economic Development,  
Trade and Tourism  
Hearst Block, 5th Floor  
900 Bay Street  
Toronto, Ontario  
Canada M7A 2E1  
Tel: (416) 325-6976  
Fax: (416) 325-6653  
E-mail: [bis@edt.gov.on.ca](mailto:bis@edt.gov.on.ca)  
Website: [www.ontario-canada.com](http://www.ontario-canada.com)

# Chapter VII

## General Insurance Information for Construction in Ontario

General insurance coverage in Canada is quite similar in Ontario and to what U.S. companies are used to. However, there are differences of which all U.S. companies should be aware. The following is a short overview of the most common lines of coverage.

### Automobile Insurance

Ontario uses a modified verbal threshold 'no fault' system for bodily injury losses caused by the use or operation of licensed autos. Lawsuits for bodily injury are generally prohibited, except in cases of death or serious impairment of bodily function or disfigurement.

Property damage losses are still subject to tort law and are covered by the third party liability section of automobile insurance policies, except for damage to vehicles caused by an automobile accident. Ontario uses a Direct Compensation approach to cover not-at-fault damage to vehicles caused by an automobile accident. The vehicle owner or operator receives its compensation for such damage from its own insurer under the Direct Compensation section of its third party automobile liability insurance. A fault chart is used to determine the degree of fault amongst vehicles involved in the accident, and at-fault loss is only recoverable under traditional collision coverage. Lawsuits to recover for collision damage are prohibited, so uninsured collision loss is not recoverable.

U.S. insurance is valid in Ontario so long as the U.S. insurer has entered into an undertaking to be bound by Ontario's requirements. Many U.S. carriers have done so, but you should request a yellow *Non-Resident Inter-Province Motor Vehicle Liability Insurance Card* from your insurance company in order to be certain.

Automobile insurance is provided by the private insurance company sector in Ontario – there is no government program.

### General Liability

General Liability insurance is very similar to the same form of coverage used in the United States. The principal differences are that it is common for both full Employer's Liability and Contingent Employer's Liability (similar to Stop-Gap EL in the United States) to be written as part of this policy (see below on Workers Compensation). Thus, if a U.S. company relies upon its U.S. General Liability policy to cover in Ontario, they may unintentionally create a gap in coverage. Similarly, Non-owned Automobile Liability, Contractual and Physical Damage covers are usually written as part of General

Liability policies here – although U.S. companies that have these covers as part of their Business Auto cover in the United States should not create a gap in cover as long as the covers extend to Canada.

## **Property Insurance**

Property insurance in Ontario is generally written on policy forms that are similar to those used in the United States, although the forms are closer to older U.S. versions. 'All Risk' or 'Specified Perils' coverage is available, as Contractors Equipment, Installation and Tool Floaters. The covered property, perils, exclusions and limitations are all likely to be familiar to U.S. contractors that have coverage in the United States. Subject to admitted insurance requirements discussed elsewhere in this article, U.S. Property insurance policies are valid in Ontario.

## **Specific Project Insurance**

Both General Liability and Property insurance for specific projects can be placed in the insurance marketplace under Wrap Up General Liability and/or Course of Construction (COC) (also called Builders Risk) policies. These may be placed by either the project owner or the General Contractor or Construction Manager. Single Project Errors and Omissions coverage is available for the design team or when the design/build approach is used. Workers Compensation is not included in this type of coverage as a rule, as with very few exceptions Workers Compensation is a government monopoly system in all of Canada, including Ontario.

## **Workers Compensation**

As mentioned, Workers Compensation in Ontario is a mandatory government insurance scheme administered by the Workplace Safety and Insurance Board. All workers in designated industries must be enrolled with the Board and assessments are payable on their earnings based on that industry. This requirement applies as soon as any one worker is engaged in the industry in Ontario, and it also applies to foreign (including U.S.) workers engaged in the work in Ontario if the foreign workers are engaged in the work in Ontario for eleven days or more. Rates for construction for the year 2000 range from C\$3.20 per C\$100 of insurable earnings for electrical/incidental construction to C\$18.61/C\$100 for structural steel/demolition. General contractors are rated at C\$6.66/C\$100. For further information, refer to the Workplace Safety and Insurance Board.

## **Surety Bonds**

The practice of using surety bonds and the criteria for obtaining bonds from a surety in Canada are very similar to those in the United States. Many of the largest U.S. sureties operate subsidiary or branch operations in Canada or have fronting relationships with domestic Canadian companies who can issue "admitted" paper from a licensed surety on behalf of their U.S. contractors doing business in Canada.

The Federal Government of Canada has a listing of Acceptable Bonding Companies for federal work which is also employed by many other public bodies in Canada. This list consists of all companies incorporated and licensed to conduct surety business in Canada. There are a few exceptions of European sureties not incorporated but licensed who are acceptable to the Federal Government.

It is not uncommon in Canada to see bonds required for a percentage of the contract amount, most commonly 50 percent, which is a departure from typical U.S. construction contracts. Canadian pricing of surety bonds takes the reduced liability of the sureties into consideration. It is also common to be required to submit an "Agreement to Bond" or "Consent of Surety" with your bid in lieu of or in addition to a Bid Bond. This document stipulates that, should you be awarded the contract, your surety will provide the stated Performance or Performance and labour and Material Payment Bonds specified in the bid documents.

### **Revenue Canada - Excise Tax Act effecting Insurance/Surety**

By way of background, under the Canadian Excise Tax Act (commonly referred to as "Bill C-80"), Revenue Canada has stipulated that "Every person resident in Canada" (corporations carrying on business in Canada are deemed resident) are subject to taxation of 10 percent of the net policy premium for "risks" within Canada, if:

1. The contract of insurance is issued by an Insurer not incorporated or authorized to transact the business of insurance in Canada, and;
2. The contract of insurance is entered into or renewed through a broker or agent outside of Canada.

The Act further states that where there is more than one broker or agent, or where payment of the premium **or any part of the premium** is effected through more than one broker or agent, for the purposes of the Act the party with whom the contract of insurance has been entered into or renewed shall be deemed as the broker or agent directly retained or instructed by the insured.

Your broker or agent should be aware of this requirement. You may elect to pay the tax or your and/or your broker/agent may engage a broker licensed in the Province of Ontario to place your insurance within the Act.

# Chapter VIII

## Building Codes, Accreditation and Standards

### The National Building Code of Canada 1995

Building regulations in Canada are under the jurisdiction of the Canadian provinces and territories, which use the national construction codes as a basis to establish acceptable performance thresholds in building construction.

The National Building Code of Canada (NBC) is designed to ensure that buildings are structurally sound, safe from fire, free of health hazards, and accessible. The code, prepared by the Canadian Commission on Building and Fire Codes, is used as a model for all regulations in Canada pertaining to new construction, renovations or alterations of a building.

Additional information on the NBC or ordering information is available through the

Institute for Research in Construction  
National Research Council of Canada  
Client Services - Publications Sales  
Building M-20, 1500 Montreal Road  
Ottawa, Ontario  
Canada K1A 0R6

Tel: (613) 993-2463  
(800) 672-7990

Fax: (613) 952-7673

E-mail: [irc.client-services@nrc.ca](mailto:irc.client-services@nrc.ca)

Website: <http://codes.nrc.ca/irc/catalogue/nbc1.html>

### Ontario Building Code

The Housing Development and Building Branch of the Ministry of Municipal Affairs and Housing is responsible for the regulatory framework for the construction of buildings under the 1997 Ontario Building Code and for the maintenance of existing buildings through municipal property standards. Copies of the 1997 Ontario Building Code are available from Learn Information Technologies at [www.orderline.com](http://www.orderline.com) or by calling (888) 361-0003.

Ministry of Municipal Affairs and Housing  
Housing Development and Buildings Branch  
2nd Floor, 777 Bay Street  
Toronto, Ontario  
Canada M5G 2E5

Tel: (416) 585-7041  
Fax: (416) 585-7455  
Website: <http://obc.mmah.gov.on.ca>

## **Building Materials Evaluation**

The Canadian Construction Materials Centre (CCMC), located at the Institute for Research in Construction (IRC) of the National Research Council of Canada (NRC), offers the construction industry a national evaluation service for all types of innovative materials, products, systems and services. A CCMC evaluation, based on solid technical criteria and rigorous testing, is an impartial judgement on the suitability of a material for its intended use, frequently with respect to codes and standards.

CCMC will provide technical evaluation of commercial or residential building materials, processes or systems for manufacturers, distributors or suppliers that require an evaluation number that they can use as a promotional tool.

CCMC evaluations are recognized throughout Canada by various provincial and territorial Commissions on Building Standards, construction government authorities and industry associations.

Canadian Construction Materials Centre  
National Research Council of Canada  
Building M-20, 1500 Montreal Road  
Ottawa, Ontario  
Canada K1A 0R6  
Tel: (613) 598-2384  
Fax: (613) 952-7673  
Website; <http://www.nrc.ca/ccmc/>

## **Accredited Standards Development Organizations**

Canadian General Standards Board  
Place du Portage  
Phase III, 6B1  
11 Laurier Street  
Hull, Quebec  
Canada K1A 1G6  
Tel: (819) 956-3500  
Fax: (819) 956-5644  
Website; <http://www.pwgsc.gc.ca/cgsb>

Comments: The Canadian General Standards Board (CGSB), a part of the Public Works and Government Services Canada, provides a range of standardization and conformity assessment services in support of Canada's government procurement and other governmental requirements. CGSB develops standards, specifications, manuals, and guides for the Government of Canada, other levels of government and the private

sector. CGSB also maintains a list of pre-qualified products and services that are used by the federal government and other levels of government to source qualified suppliers.

#### Canadian Standards Associations (CSA)

178 Rexdale Boulevard

Etobicoke, Ontario

Canada M9W 1R3

Tel: (416) 747-4000

Fax: (416) 747-2675

Website; <http://www.csa.ca>

Comments: CSA is an independent, non-profit organization that operates nationally and internationally. Three years ago, CSA was recognized by the U.S. Occupational Safety and Health Administration (OSHA) as a Nationally Recognized Testing Laboratory (NRTL). As such the CSA can test and certify products to conform to both U.S. and Canadian standards.

#### Underwriters Laboratories of Canada (ULC)

7 Crouse Road

Scarborough, Ontario

Canada M1R 3A9

Tel: (416) 757-3611

Fax: (416) 757-3948

Website: <http://www.ulc.ca>

Comments: As of January 5, 1998, Underwriters Laboratories Inc. (UL) and Underwriters Laboratories of Canada (ULC) have one mark indicating product compliance with both U.S. and Canadian standards. UL and ULC are not-for-profit, non-governmental organizations that maintain and operate a laboratory inspection service for examination, testing and classification of devices, materials and systems to determine their relation to health, fire and property hazards. Both of these organizations also develop and publish standards, classifications and specifications for products having a bearing on fire, accident or property hazards. The combined UL/ULC mark identifies products that have been certified as complying with standards in both Canada and the United States. With the affiliation of UL and ULC, either organization's testing and product classification will be accepted in the United States and Canada. The combined UL/ULC mark is officially recognized in all Canadian provinces and territories and is also widely recognized in the United States.

### **Accredited Certification**

The Standards Council of Canada (SCC) is a federal Crown corporation with the mandate to promote efficient and effective standardization among Canadian firms. SCC provides a list of accredited certification companies for a specific type of product or service. For more information, please contact the SCC or access the list of accredited certification bodies on their website.

Standards Council of Canada

45 O'Connor Street, Suite 1200  
Ottawa, Ontario  
Canada K1P 6N7

Tel: (613) 238-3222

Fax: (613) 995-4564

E-mail: [info@scc.ca](mailto:info@scc.ca)

Website: <http://www.scc.ca/certific/colist.htm>

# Chapter IX

## Private and Public Tender and Bidding Information

Timely information on new developments within the Canadian construction industry can be the key to a U.S. architectural, engineering or construction contracting firm to successfully bid on projects. Knowing where to get reliable information on the activities of the Canadian construction industry can greatly enhance a U.S. company's ability to penetrate this lucrative market. U.S. architectural, engineering or construction contractors interested in exploring the Canadian construction market should become familiar with private and public sources of information listed below that provide information on upcoming projects requiring architectural, engineering and/or contracting work.

**Public Works and Government Services Canada (PWGSC)** - The Canadian federal government procures approximately US\$3 to 5 billion a year in goods, services and construction through Canada's largest purchasing organization, Public Works and Government Services Canada (PWGSC). PWGSC handles the procurement for approximately 100 federal departments and agencies, as well as contracts for Major Crown Projects and are responsible for ensuring conformity with Canada's trade obligations under the NAFTA and the WTO-AGP. The estimated value of these procurements is over US\$70 million.

PWGSC handles the federal government's requirements in the following areas:

- Architectural and Engineering Consulting Services;
- Construction and Maintenance Services; and
- Goods and Services.

PWGSC has two methods of publicly advertising procurement opportunities, the first and most effective method for U.S. companies is through the electronic tendering service (MERX), and the other is through the Government Business Opportunities (GBO) publication.

### *MERX*

PWGSC uses the MERX electronic tendering service. MERX does not charge suppliers to browse. However, in order to take full advantage of the website and to download bid packages you must be a subscriber. The subscriber fee is CDN\$7.95 (approx. US\$5.60) per month. There is also a page-based charge when a document is downloaded or sent to you. As a MERX subscriber you will have access to research, potential partnering opportunities and the Opportunity Matching Service. You will have access to the Library that provides the terms and conditions for doing business with the various government organizations as

well as contact information. You will also be able to search for current and past opportunities to research buying patterns and assist you in determining possible upcoming opportunities. You may also perform a Contract Award search to find out who has been awarded a particular contract as well as searching the archived International Opportunities to follow buying patterns.

### *GBO*

The GBO is a publication that you must subscribe to that is distributed by mail. However, bid documents must be ordered through MERX. To subscribe to the GBO, contact MERX. The cost of subscribing to the GBO is approximately US\$5.00 per month plus shipping charges.

### *Procurement Opportunities Under NAFTA*

Since the inception of the U.S.-Canada Free Trade Agreement and its successor, the North American Free Trade Agreement (NAFTA), access for U.S. businesses seeking to enter the Canadian government procurement market has been vastly improved. Now, U.S. firms can compete for NAFTA contracts against Canadian firms with no discrimination on the basis of the firm's nationality. This brings the competition down to cost, quality, and ability to meet the detailed specifications of the contract. Specifically NAFTA has given U.S. firms greater access to federal departments, selected services and construction contracts and to government-owned enterprises (Crown Corporations.)

The basic coverage that NAFTA affords is for federal department purchases of services above US\$50,000 and construction services above US\$6.5 million. The thresholds for purchases by Crown Corporations are above US\$250,000 for goods and services and above US\$8 million for construction services. The threshold for Canadian federal departments' procurements of goods remains at US\$25,000.

Public Works and Government Services Canada (PWGSC)

Tel: (819) 956-3440  
Fax: (888) 235-5800  
Website: [www.contractscanada.gc.ca](http://www.contractscanada.gc.ca)  
MERX Tel: (800) 964-6379  
MERX E-mail: [merx@merx.cebra.com](mailto:merx@merx.cebra.com)  
MERX Website: [www.merx.cebra.com](http://www.merx.cebra.com)

**The U.S. Commercial Service (CS)**, your business partner in Canada, publishes International Market Insight (IMI) reports on major construction projects in Canada. These reports are available in the U.S. Department of Commerce website at [www.usatrade.gov](http://www.usatrade.gov) and include standardized regional reports on major projects.

The U.S. Commercial Service also provides U.S. firms with a wide range of cost-effective and highly efficient business development services in Canada, including market research, corporate matchmaking and assistance with finding representatives. With offices in each of Canada's five regional markets, the Commercial Service assists U.S. firms in promoting their products and services and helps them realize their full export potential in Canada. To find out how your business partner in Canada can help you join the largest trading relationship in the world contact once of the appropriate regional office listed below, or visit the U.S. Commercial Service in Canada on the world wide web at [www.usatrade.gov](http://www.usatrade.gov) Our Canada events and related on-line information in Canada can be found at <http://www.missionminder.com/>.

#### **Region I - The Atlantic Provinces:**

U.S. Commercial Service  
2000 Barrington Street, Suite 910  
**Halifax**, Nova Scotia  
Canada B3J 3K1  
Tel: (902) 429-2482  
Fax: (902) 429-7690  
E-mail: [Halifax.office.box@mail.doc.gov](mailto:Halifax.office.box@mail.doc.gov)

#### **Region II - The Province of Quebec**

U.S. Commercial Service  
P.O. Box 65, Station Desjardins  
**Montreal**, Quebec  
Canada H5B 1G1  
Tel: (514) 398-9695  
Fax: (514) 398-0711  
E-mail: [Montreal.office.box@mail.doc.gov](mailto:Montreal.office.box@mail.doc.gov)

U.S. Commercial Service  
2 Terrace Dufferin  
P.O. Box 929  
**Quebec City**, Quebec  
Canada G1R 4T9  
Tel: (418) 692-2087  
Fax: (418) 692-4640  
E-mail: [Quebec.office.box@mail.doc.gov](mailto:Quebec.office.box@mail.doc.gov)

#### **Region III - The Province of Ontario**

U.S. Commercial Service  
Embassy of the United States of America  
P.O. Box 866, Station B  
**Ottawa**, Ontario K1P 5T1  
Tel: (613) 688-5217  
Fax: (613) 238-5999  
E-mail: [Ottawa.office.box@mail.doc.gov](mailto:Ottawa.office.box@mail.doc.gov)

U.S. Commercial Service  
480 University Avenue, Suite 602  
**Toronto**, Ontario  
Canada M5G 1V2  
Tel: (416) 595-5412  
Fax: (416) 595-5419  
E-mail: [Toronto.office.box@mail.doc.gov](mailto:Toronto.office.box@mail.doc.gov)

#### **Region IV - The Prairie Provinces and the Northwest Territories**

U.S. Commercial Service  
615 MacLeod Trail S.E., Suite 1000  
**Calgary**, Alberta  
Canada T2G 4T8  
Tel: (403) 265-2116  
Fax: (403) 266-4743  
E-mail: [Calgary.office.box@mail.doc.gov](mailto:Calgary.office.box@mail.doc.gov)

#### **Region V - The Province of British Columbia and the Yukon Territory**

U.S. Commercial Service  
1095 West Pender Street, Suite 2100  
**Vancouver**, British Columbia  
Canada V6E 2M6  
Tel: (604) 685-3382  
Fax: (604) 687-6095  
E-mail: [Vancouver.office.box@mail.doc.gov](mailto:Vancouver.office.box@mail.doc.gov)

## **The Toronto Construction Association - Project Information and Job Opportunities**

The Toronto Construction Association (TCA) operates two Plans Rooms – one at TCA's Head Office located in Richmond Hill, Ontario, the geographic center of the Greater Toronto Area (GTA) and the second at The Mississauga Construction Association located in Mississauga, Ontario, the western end of the GTA. Each year, over a thousand industrial, commercial and institutional (ICI) plans – federal, provincial and municipal projects as well as private corporate work appear in the TCA's two plans rooms. The TCA publishes a Weekly Projects List providing timely information on the jobs which are out for tender, including a Likely Bidders List. Both of the TCA's locations provide members with access to drawings and specifications on these projects. Effective February 1, 2000, the TCA provides a fully functional 'Electronic Plans Room' system allowing members to view and download plans and specifications online via the Internet. Arrangements can also be made to have drawings printed/copied at full size if this is a requirement. As well, the TCA is a participating member of the national online electronic information system – COOLNET (Construction Opportunities On-Line Network) – see below. For further information regarding the TCA's Plans Rooms and its 'Electronic Plans Room' system contact:

Toronto Construction Association  
70 Leek Crescent  
Richmond Hill, Ontario  
Canada L4B 1H1  
Tel: (416) 499-4000 ext. 27  
Fax: (416) 499-8752  
Contact: Lisa Manchester  
E-mail: [lmanchester@tcanetworks.com](mailto:lmanchester@tcanetworks.com)

**The Canadian Construction Association (CCA)** provides project lists on their website for members of the CCA. The CCA website has a link to the Construction Opportunity On-Line Network (COOLNet). This electronic distribution network provides procurement notices for all types of construction projects including those for municipalities, academic institutions and hospitals. These notices include plans, specifications and addenda for projects open to tender in Canada, the U.S. and abroad. U.S. firms interested in accessing project information on the COOLNet website are encouraged to contact the various associations in the site.

Canadian Construction Association  
75 Albert Street, Suite 400  
Ottawa, Ontario  
Canada K1P 6A4  
Tel: (613) 236-9455  
Fax: (613) 236-9526  
Website: [www.cca-acc.com](http://www.cca-acc.com)  
COOLNet Website: [www.coolnet.ca](http://www.coolnet.ca)

**CMD Group Canada** - is Canada's source for product, project, costing and statistical information. CMD Building Reports (a division of the CMD Group) provides statistical and forecasting tools to analyze the Canadian market as well as project lead information for building product manufacturers, suppliers and contractors.

CMD Building Reports  
280 Yorkland Boulevard  
North York, Ontario  
Canada M2J 4Z6  
Tel: (800) 465-6475  
Fax: (416) 494-3764  
E-mail: [client.support@cmdg.com](mailto:client.support@cmdg.com)  
Website: [www.cmdg.com](http://www.cmdg.com)

**GPC Canada** - GPC Canada can help guide business decisions and strategic planning to ensure success in entering the prosperous Canadian marketplace. GPC provides a full range of government relations, public policy, and strategic communications consulting services. GPC has extensive experience in working with clients in the real estate, infrastructure and development industries, and enjoy considerable success in these areas. "*Building Opportunities*", a monthly newsletter produced by GPC Government Policy Consultants in Toronto, reports on new and upcoming infrastructure initiatives in the lucrative Ontario marketplace.

GPC Canada  
200 King Street West  
Suite 1702, Box 21  
Toronto, Ontario  
Canada M5H 3T4  
Tel: (416) 598-0055  
Fax: (416) 598-3811  
Contact: Mr. John Foden, Senior Consultant  
E-mail: [jfoden@gpc.ca](mailto:jfoden@gpc.ca)  
Website: [www.gpcinternational.com](http://www.gpcinternational.com)

# Chapter X

## Other Market Information

Bricsnet Canada  
2300 Yonge Street, Suite 601  
P.O. Box 2361  
Toronto, Ontario  
Canada M4P 1E4  
Tel: (800) AEC-6390  
(416) 489-9000  
Fax: (416) 489-3201  
E-mail: [info@bricsnet.com](mailto:info@bricsnet.com)  
Website: [www.bricsnet.com](http://www.bricsnet.com)

## Government Contacts

### Industry Canada

Industry Canada operates on the largest business and consumer information Web sites in Canada - Strategis. Strategis provides fast, accurate and value-added information aimed at small and medium-sized firms, as well as consumers. Strategis gives access to more than 35,000 potential Canadian buyers, sellers and partners; trade and investment information; business information by sector; economic analysis and statistics; licenses, legislation and regulations; and much more.

You can access Strategis at [www.strategic.ic.gc.ca](http://www.strategic.ic.gc.ca)

## Trade Shows

### British Columbia Construction Show

Location: Vancouver, British Columbia  
Date: February 2001  
Organizer: MediaEdge Communications Inc.  
206 - 1788 west Broadway  
Vancouver, British Columbia  
Canada V6J 4S5  
Tel: (604) 739-2124  
Fax: (604) 739-2112  
E-mail: [info@mediaedge.ca](mailto:info@mediaedge.ca)  
Website: [www.mediaedge.ca](http://www.mediaedge.ca)

## **Construct Canada and Homebuilder & Renovator Expo**

Location: Toronto, Ontario

Date: November 29 - December 1, 2000

Organizer: York Communications  
5255 Yonge Street, Suite 1000  
Toronto, Ontario  
Canada M2N 6P4

Tel: (416) 512-1215

Fax: (416) 512-1993

E-mail: [info@constructcanada.com](mailto:info@constructcanada.com)

Website: [www.constructcanada.com](http://www.constructcanada.com)

### **Construction Specifications Canada**

Location: Toronto, Ontario  
Date: February 5, 2001  
Organizer: Construction Specification Canada, Toronto Chapter  
100 Lombard Street, Suite 200  
Toronto, Ontario  
Canada M5C 1M3  
Tel: (416) 777-2198  
Fax: (416) 777-2197  
Website: [www.csc-dcc.ca](http://www.csc-dcc.ca)  
E-mail: [info@csc-dcc.ca](mailto:info@csc-dcc.ca)

### **IIDEX/NeoCon Canada**

Location: Toronto, Ontario  
Date: September 28-29, 2000  
Organizer: Merchandise Mart Enterprises (Canada) Inc.  
717 Church Street  
Toronto, Ontario  
Canada M4W 2M5  
Tel: (416) 944-3350  
Fax: (416) 921-2707  
Website: [www.iidexneoconcanada.com](http://www.iidexneoconcanada.com)

## **Publications**

### **Azure**

20 Maud Street, Suite 200  
Toronto, Ontario  
Canada M5V 2M5  
Tel: (416) 203-9674  
Fax: (416) 203-9842  
E-mail: [azure@interlog.com](mailto:azure@interlog.com)  
*Azure* is published for the Canadian architectural industry.

Buildcore  
CMD Group  
280 Yorkland Blvd.  
North York, Ontario  
Canada M2J 4Z6  
Tel: (416) 758-6472  
Fax: (416) 756-2767  
E-mail: [infor@buildcore.com](mailto:infor@buildcore.com)  
Website: [www.buildcore.com](http://www.buildcore.com)

## **Building**

Craier Communications  
360 Dupont Street  
Toronto, Ontario  
Canada M5R 1V9

Tel: (416) 966-9944  
Fax: (416) 966-9946  
E-mail: [info@building.ca](mailto:info@building.ca)  
Website: [www.building.ca](http://www.building.ca)

*Building* is published for Canada's development industry.

## **Building Opportunities**

GPC Canada  
200 King Street West  
Suite 1702, Box 21  
Toronto, Ontario  
Canada M5H 3T4

Tel: (416) 598-0055  
Fax: (416) 598-3811  
Contact: Mr. Chris Benedetti, Consultant  
E-mail: [cbenedetti@gpc.ca](mailto:cbenedetti@gpc.ca)  
Website: [www.gpcinternational.com](http://www.gpcinternational.com)

*Building Opportunities* is a monthly newsletter developed by GPC Government Policy Consultants to report on new and ongoing developments in the field of infrastructure and development in Ontario. A special focus is also placed on political and regulatory changes in the province which may have a significant impact upon construction, architectural and engineering firms operating in the province of Ontario.

## **CanaData Construction Starts**

280 Yorkland Boulevard  
North York, Ontario  
Canada M2J 4Z6

Tel: (416) 758-6443  
Fax: (416) 756-2767  
Contact: Shael M. Greenwood, Sales Manager  
E-mail: [shael.greenwood@cmdg.com](mailto:shael.greenwood@cmdg.com)  
Webpage: [www.cmdg.com](http://www.cmdg.com)

CanaData, a division of the CMD Group, provides construction professionals, analysts and planners with statistical and forecasting data on the Canadian construction industry. CanaData Construction Starts, a monthly statistical report, includes information on constructed or built square footage, number of units, dollar-value and percentage change over the previous year. The information can assist U.S. firms to identify markets or construction sectors within a geographic region in Canada that present export opportunities for U.S. building products or services.

## **Canadian Architect**

Southam Business Communications Inc.  
1450 Don Mills Road  
Don Mills, Ontario  
Canada M3B 2X7  
Tel: (416) 445-6641  
Fax: (416) 442-2214

**Daily Commercial News**

280 Yorkland Boulevard  
North York, Ontario  
Canada M2J 4Z6  
Tel: (416) 494-4990  
Fax: (416) 756-2627  
E-mail: [dcnonl@cmdg.com](mailto:dcnonl@cmdg.com)  
Website: [www.dcnonl.com](http://www.dcnonl.com)

**Journal of Commerce**

4285 Canada Way  
Vancouver, British Columbia  
Canada V5M 4T4  
Tel: (604) 433-8164  
Fax: (604) 298-3579

*Daily Commercial News* and *Journal of Commerce* offer specific information on Canadian construction projects as well as other construction-related information. These newspapers are designed to serve all levels of the construction industry, including designers, engineers, contractors, and subcontractors.

**Heavy Construction News**

Macleam Hunter Publishing Ltd.  
777 Bay Street  
Toronto, Ontario  
Canada M5W 1A7  
Tel: (416) 596-5839  
Fax: (416) 593-3193

**Heavy Construction News**

Rogers Media  
777 Bay Street  
Toronto, Ontario  
Canada M5W 1A7  
Tel: (800) 567-0444  
(905) 946-1679

**Home Builder Magazine**

4819 St. Charles Boulevard  
Pierrefonds, Quebec

Canada H9H 3C7

Tel: (514) 620-2200

Fax: (514) 620-6300

E-mail: [homebuilder@work4.ca](mailto:homebuilder@work4.ca)

*Home Builder Magazine* is distributed to all members of the Canadian Home Builders Association and features trade news and special features on new products and building themes.

### **Perspective**

Canadian Association Publishers

512 King Street East, Suite 300

Toronto, Ontario

Canada M5A 1M1

Tel: (416) 955-1550

*Perspective* is the official journal of the Ontario Association of Architects and is published quarterly.

### **Toronto Construction News**

280 Yorkland Boulevard

North York, Ontario

Canada M2J 4Z6

Tel: (416) 494-4990

Fax: (416) 756-2767

*Toronto Construction News* is the official magazine of the Toronto Construction Association, published 4 times a year. The magazine focuses on the lucrative Toronto market and is distributed to all Toronto Construction Association members, architects, engineers and government officials.

## **Construction Associations**

The following list of construction related associations is in no way complete. However, these associations do provide links to other national and regional construction associations.

Canadian Home Builders Association

150 Laurier Avenue West, Suite 200

Ottawa, Ontario

Canada K1P 6M7

Tel: (613) 232-3060

Fax: (613) 232-8214

Website: [www.chba.ca](http://www.chba.ca)

E-Mail: [chba@chba.ca](mailto:chba@chba.ca)

Canadian Construction Association

75 Albert Street, Suite 400

Ottawa, Ontario  
Canada K1P 5E7  
Tel: (613) 236-9455  
Fax: (613) 236-9526  
Website: [www.cca-acc.com](http://www.cca-acc.com)

Canadian Council Of Professional Engineers (CCPE)  
116 Albert Street, Suite 401  
Ottawa, Ontario  
Canada K1P 5G3  
Tel: (613) 232-2474  
Fax: (613) 230-5759  
Website: [www.ccpe.ca](http://www.ccpe.ca)

Committee Of Canadian Architectural Councils  
c/o Royal Architectural Institute Of Canada  
55 Murray Street, Suite 330  
Ottawa, Ontario  
Canada K1N 5M3  
Tel: (613) 241-3600  
Fax: (613) 241-5750

Toronto Construction Association  
70 Leek Crescent  
Richmond Hill, Ontario  
Canada L4B 1H1  
Tel: (416) 499-4000, ext. 16  
Fax: (416) 499-8752  
Contact: Mr. Temple W. Harris, President  
E-Mail: [tharris@tcanetworks.com](mailto:tharris@tcanetworks.com)  
Website: [www.tcanetworks.com](http://www.tcanetworks.com)