

New guidelines for glass balconies not enough, says MPP Rosario Marchese

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Glass fell from this condo building on the northeast corner of Bay and Grenville in Toronto last August.

STEVE RUSSELL/TORONTO STAR

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New regulations for glass balconies in Ontario's building code don't go far enough to ensure public safety because they don't apply to existing buildings, critics say.

"This regulation change does nothing to ensure the safety of the hundreds of recently constructed condos which have glass balconies that may pose a safety risk," said NDP MPP Rosario Marchese, who has lobbied for better condo building standards for the last five years.

The building code changes, which set higher standards for design as well as the types of glass used, will apply only to developments approved after July 1, 2012. Queen's Park says it will be up to the city to determine the safety of the existing glass condo towers that already crowd the city's skyline as well as developments in the pipeline.

Since last summer, [30 balconies](#) on 11 buildings in Toronto have shattered, all of them tempered glass. The province put together an expert advisory panel on glass balconies and made the interim building code changes based on its recommendations.

Housing minister Kathleen Wynne said Thursday that Toronto has the authority to inspect balconies if there is a concern and that it is now up to the city to deal with existing buildings.

But Ann Borooah, Toronto's chief building official, says the city can issue orders for inspections and upgrades only once glass breaks. In the meantime, it plans to ask developer and owners to voluntarily inspect balconies.

"By leaving it to the voluntary goodwill of developers to make the retrofits necessary to protect against falling glass, the McGuinty government is not protecting the safety of condo owners," said Marchese. "This change does nothing to improve the safety of glass balconies on the hundreds of condominiums built in the last decade."

CTV News reported Thursday that a sheet of glass fell from a downtown condo in Ottawa.

Wynne announced the new rules, which include using heat-strengthened laminated glass in designs where the glass is beyond the concrete balcony slab. If one pane shatters, the other pane will keep the glass in place until it can be replaced.

The changes also require that heat-soaked tempered glass be used when the glass is on the slab but close to the edge. Heat soaking removes most of the impurities that causes tempered glass to spontaneously break. Changes in design were added, such as making sure the glass is not in contact with metal.

The regulations are now the toughest in Canada, though they aren't retroactive and don't apply to existing buildings.

"Certainly it came up," said engineer Mark Brook, who sat on the advisory panel along with other engineers, construction experts, building inspectors and municipalities. But he says the panel was told to look forward, not back. "(Existing buildings) were the elephant in the room," he said.

The city has started compiling a database of condos with glass balconies constructed within the last five to seven years. The chance of tempered glass breaking because of impurities is greatly reduced after that time. Once the database is complete, Borooah says letters will be sent out asking owners to conduct voluntarily inspections.

Engineer Mark Brook says the information gleaned through that process will be limited. Inspectors will be able to identify physical problems that could lead to the glass breaking, but won't be able to find the microscopic impurities.

"They won't tell you if there are excessive inclusions that could lead to breakage," said Brook, who expects to hear of more glass balconies shattering this summer. "We're trying to find a way to do field testing but it's incredibly labour intensive and not 100 per cent reliable. If we could do that, we'd really busy."

In the end, the cost of replacing the glass may fall to condo owners if the condo board has assumed ownership from the developer.

"The building owners are responsible, even under the building code act, they're responsible for keeping their building safe," says Borooah. "So there is some onus on the owners to take the rights steps to begin with."

The interim measures made to Ontario's building code are temporary. The province has asked the Canadian Standards Association to develop national guidelines that could then be adopted under Ontario's code.

Borooah says the city's experience over the past 18 months has shown that the risks from falling glass are small. Tempered glass is designed to break into small pieces. "If it shatters into little pieces, the likelihood of it hurting somebody are small," she said. One woman had minor injuries after being hit by falling glass on Bay St.

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