



Minutes of Meeting Held on March 7, 2012

Held at PEO Offices
40 Sheppard Avenue West, Toronto, Ontario

Engineers

Architects

Building Officials

Attendees: David Craddock, OAA (Chair)
Mark Bendix, PEO
Gerry Conway, OAA
David Dengler, PEO (*via teleconference*)
John Dorris, OBOA
Jason Schmidt-Shoukri, TACBOC (*via teleconference*)
Michael Seiling, OBOA (*via teleconference*)
Ted Tipping, LMCBO
José Vera, PEO

A Joint Committee of:

Regrets: Jerry Chlebowski, OAA
Gary Pask, OAA
Chris Roney, PEO
David Tipler, CEO

Professional Engineers
Ontario

Consulting Engineers Ontario

Ontario Association of
Architects

Ontario Building
Officials Association

Large Municipalities Chief
Building Officials Group

Toronto Area Chief Building
Officials Committee

1.0 Opening of Meeting

The meeting opened at 12:55 p.m., with 4 members of the Committee in attendance. Four additional members arrived later in the meeting.

2.0 Minutes/Notes from Previous Meeting

A motion will be made at the next EABO meeting to approve the Minutes of the December 8, 2011 meeting.

It was noted that coordination consulting will become more important with new energy requirements.

3.0 Municipalities as Leaders in Energy Efficiency

J. Vera reported that the following documents were included in the agenda package:

- Building Code Information - Stakeholders
- Energy Efficiency Design Summary and Guide
- OBOA Pamphlet
- Matrix Part 3 + 9

Below are the comments for "Matrix Part 3 + 9":

c/o Professional Engineers Ontario
101 - 40 Sheppard Avenue West
Toronto, Ontario
M2N 6K9
Tel: (416) 224-1100
Fax: (416) 224-1579

- If there is a check box for “plumbing”, perhaps there should be a check box for “electrical”.

Action: G. Conway shall discuss this issue with G. Pask.

- It is not clear how to fill this form.
- This form seems condensed.
- Nonetheless, this form is a good start and may be improved.

Below are the comments for “Energy Efficiency Design Summary and Guide” Form:

- The form has a sign-off for Architectural and Mechanical, but not Electrical.
- This form is for Part 9 construction residential, which does not require a BCIN number.
- An electrical person is not required in Part 9.
- Members expressed that this form represents a “fantastic effort”.
- The City of Ottawa has accepted this form.
- Some municipalities have changed this form slightly.

Question: Are there any comments regarding solar water heaters?

Answer: For now, solar water heaters could be regarded as supplemental.

Question: Is sampling of an air door test required?

Action: M. Seiling will send information regarding this issue.

Action: G. Conway will forward the “Energy Efficiency Design Summary and Guide” to G. Pask for OAA’s comments and possible endorsement.

4.0 Coordination Between Professional Designers

J. Vera reported that the following documents were included in the agenda package:

- EABO Coordination Letter
- Engineer of Record Policy Analysis
- PracTip Coordination of Consultants

- Proposed Ontario Building Code Division C, Part 1, Section 1.2, Design and General Review

Engineer of Record

J. Vera reported that PEO Council passed the following motion regarding the Engineer of Record. The Professional Standards Committee needs to review this motion.

That:

- a) the performance standard on General Review Commitment Regulation 260-08 be revised to provide a clear line of responsibility for the integrity of the design and general review by sealing and signing the drawings; and
- b) the CEO/Registrar be authorized to contact the appropriate authority with responsibility for dealing with stages, bridges, manufacturing processes and engineered products with the purpose of ensuring there is a clear line of responsibility for the engineering component of the work.

J. Vera reported that the Structural Engineering in Buildings Guideline Subcommittee members agreed on the following:

- *Where major base building components are done by two or more different engineering firms, there is value in having a Coordinating Engineer.*

Furthermore, the subcommittee members agreed that:

- *The title Coordinating Structural Engineer would be more appropriate.*

J. Vera reported that the following documents were included in the agenda package:

Question: Will there be a coordinator of all the engineering disciplines?

Action: J. Vera to discuss this issue with the Professional Standards Committee (“PSC”) and the Structural Engineering in Buildings Subcommittee.

The members recommended that PEO could find “The Practice Tips Coordination of Consultants” document very useful.

Action: J. Vera to bring this document to the next PSC meeting and the next Structural Engineering in Buildings Subcommittee meeting for their comments.

The Chair indicated that the form used by Building Officials would indicate the need for a coordinating design professional who would have to be an engineer or architect.

Proposed Changes to Ontario Building Code, Division C, Part 1, Section 1.2, Design and General Review

Revise to state that there would be one coordinator (either an architect or a professional engineer).

Action: J. Vera to send these proposed changes to PSC and the Structural Engineering in Buildings Subcommittee for their feedback.

Action: G. Conway to send these proposed changes to OAA (K. Doyle) for their feedback.

The coordinator will not do engineering or architecture, but will note if ducting misses a beam.

Question: What would these proposed changes mean to Building Officials.

Answer: The Building Officials will be assured that the design was coordinated by a professional (engineer or architect).

Consequently, if there is a coordination problem, the Building Official will know to contact the coordinating design professional.

It is the responsibility of the owner to hire a coordinating design professional. Consequently, a professional (engineer or architect) will be responsible for coordination issues.

A member proposed inviting Michael Delin from MMAH to the next meeting, after PEO and OAA give their feedback.

There would be great opposition to legislating owners so that they contract coordinators.

Perhaps the Building Advisory Council (“BAC”) could provide support.

5.0 General Review of Construction

General Review Without Permit

J. Vera reported that the following document was included in the agenda package:

- Review Commitment Draft Version 5

J. Vera reported at the previous EABO meeting that there was an action item for “*EABO to propose to PEO if a clause could be added to the form that is acceptable to PEO, such as, general review does not commence until a permit is issued*”.

Action: J. Vera to forward this document to PEO (C. Roney) for their comments.

Action: G. Conway to forward this document to OAA (K. Doyle) for their comments.

This document was revised by the members; refer to:

“Review Commitment 2012 Revision Draft v6”

Both PEO and OAA will decide if the section on “Coordinator of the Work” should be left on the form.

6.0 Structural Requirements for Solar Collector Installations

J. Vera reported that the following documents were included in the agenda package:

- EABO Letter and Reply
- Concerns Outlined by D. Tipler
- Code Alterations

J. Vera reported that, at the previous EABO meeting, there was an action item to “*write a letter to Denise Evans of MMAH, outlining these concerns, after we receive feedback from C. Roney*”.

Action: J. Vera to follow up with C. Roney regarding this issue.

Action: J. Vera to follow up MMAH (Denise Evans’ replacement).

7.0 Information

J. Vera reported that the following documents were included in the agenda package:

- Best Practice Guide for Chief Building Officials (“CBO”)
- Best Practice Guide for CBO - FAQ
- Best Practice Guide for CBO - Attachments A-H

A member gave background information on these documents. Below is a summary:

- The Building Official is now in the driver's seat (i.e. if the application is complete, there is a time frame for replying).
- Municipalities, in their by-laws, spell out what a complete application is.
- Any questions regarding these documents can be forwarded to M. Seiling or J. Schmidt-Shoukri.
- Members commended these documents.
- It was suggested that these documents be posted on the EABO website, with disclaimer that these documents represent options.

Action: J. Vera to send these documents to OAA so that they are posted on the EABO website.

8.0 Training

J. Vera reported that, at the last EABO meeting, there was an action item to "*draft a letter to Ron Colby of OBOA requesting a discount for OAA and PEO members*".

J. Vera reported that a request was made to the Communications Department at PEO so that a link be added to the PEO website with the OBOA course calendar.

Action: J. Vera to contact G. Pask to begin drafting this letter.

9.0 New Business

J. Vera reported the following issue:

- A municipality is allowing some buildings to be built without permits.
- The same municipality has asked an engineer to carry out building and plumbing inspections that the engineer considers to be the role of the city inspector.
- This municipality is allowing the contractor to continue with construction.

Comments from J. Dorris:

- Report the city to the Ministry, noting that their permission to proceed without building permits and request for Engineer's Inspections contravenes the procedures established under the *Professional Engineers Act*, *Architects Act*, and the *Building Code Act*.

- It may be that other departments in the municipality have overruled the Chief Building Official and allowed this to occur.

Comments from M. Seiling:

In terms of the question, the PEO member has a few options including:

- 1) Ask the PEO member to contact the Chief Building Official for that municipality to obtain clarity; or
- 2) If the PEO member does not feel comfortable with #1), provide the municipality name to one of the EABO Building Officials and we will call the CBO.

Comments from J. Vera:

- There is nothing in the *Professional Engineers Act* that explicitly states that an engineer cannot go onto a site that does not have a building permit. In fact, when a proposed standard that stated this policy was sent to Council they rejected it on the grounds that an engineer's duty to the public safety required them to review any building under construction even if there was no permit. The *Professional Engineers Act* does state that engineers must comply with applicable statutes, regulations, standards, codes, by-laws and rules; however, Council did not think it was appropriate to refuse to visit a site that had no permit.
- It is not clear what power the Ministry has to compel a city to comply with the *Building Code Act* or its regulations.

Below is a summary of the discussion:

- Only one version of this story has been outlined.
- There is no context to this situation.
- For example, Building Officials have only certain recourses if someone is working without a permit.
- A member would like to add to the agenda of the next meeting how the new *Planning Act* is causing concerns.

Action: J. Vera to add the new *Planning Act* to the agenda of the next meeting.

10.0 Adjournment and Date of Next Meeting

The meeting adjourned at 3:45 p.m.

The next meeting will be decided via e-mail communication.

Action: J. Vera to send a poll for the last week of April and the first week of May 2012.