



# Practice Advisory

*Practice Advisory* brings to members' attention topics that have an impact on either management of the practice or management of the project.

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## FAQs You May not have Asked Yet: March Edition

### Exploring General Review

The sixth installment of this series in *Practice Advisory* highlights existing OAA resources in [the Practice Advisory Knowledge Base](#) that address common themes and issues raised with the Practice Advisors on the free Practice [Hotline](#). This edition explores the theme of general review.

Members are encouraged to review the following FAQs (i.e. Frequently Asked Questions):

#### OAA's FAQs Topic

- |                        |   |
|------------------------|---|
| <a href="#">FAQ.00</a> | Index to Frequently Asked Questions                         |
| <a href="#">FAQ.02</a> | Municipal Building Inspection vs. General Review            |
| <a href="#">FAQ.13</a> | Backdating Substantial Performance                          |
| <a href="#">FAQ.16</a> | Determining Substantial Performance                         |
| <a href="#">FAQ.17</a> | Impact of Unsigned Change Orders on Substantial Performance |

FAQs originated as questions asked in response to the OAA's Construction Contract Administration Committee's "Ask a Question, Get an Answer" efforts, posed by callers to the Hotline, or sent by email to the Practice Advisors. The responses are based on the limited information contained in the question as posted and may include assumptions made about the context and circumstances in order to frame the response. The responses and answers were reviewed by committee members, represent peer advice and are not to be taken as OAA policy.

The FAQs were current when they were written. With the advent of the 3rd edition of the [Canadian Handbook of Practice \(CHOP\)](#), several FAQs were revised to add references to the new document. In other cases, the answers may refer to the *Construction Lien Act* (CLA) as opposed to the newer *Construction Act* (CA). Since there are still projects underway under the CLA, such answers may not have been updated.

Readers are to use their judgement in applying the FAQ answers to the specifics of their own situations.



## OBC Changes: Impacts on Demountable Stages, Fire Dampers, and Temporary Health or Residential Facilities

As reported in [CodeNews 338](#), the Ministry of Municipal Affairs and Housing (MMAH) made amendments to [Ontario's Building Code \(O.Reg. 332/12\)](#) that are now in force. The changes include requirements for building permits for demountable stages, and associated sound and lighting equipment towers, streamlined fire damper requirements, and an extension of certain COVID-19 provisions related to temporary health and residential facilities, can be read about on the [OAA Website](#).



## Drawings as Communication Tools: Understanding your Audience

It is important for an Architect or Licensed Technologist OAA to determine what type of audience a drawing is geared towards. For instance, drawings for client presentations or public planning presentations will be very different from drawings for construction or permit approval. The former drawings are typically intended to convey the aesthetic, volume, and context of a building; the latter is meant to convey the technical reality of how a building is put together and demonstrate code compliance. The standards, conventions, and consistency of drawings is very important in the case of construction drawings so that the viewer has a clear understanding of how the building parts work together.

To learn more, read this article on the [OAA Website](#).



## Public Review: Proposed Changes to 2020 National Model Codes: Comments Due April 27

The [Canadian Board for Harmonized Construction Codes](#) (CBHCC) announced its second of seven public reviews for 2023.

OAA members are encouraged to participate in the winter 2023 public review of proposed changes to the 2020 editions of the National Model Codes, covering topics such as:

- structural design (Part 9) lateral loads;
- large farm buildings;
- building fire safety, fire protection, combustible construction, and fire alarm and detection systems;
- encapsulated mass timber construction;
- spatial separation between buildings;
- sprayed-applied polyurethane insulation; and
- accessibility.

The deadline to provide comments is **April 27**. For more, visit the [CCBFC website](#).

Previously, the OAA announced a CBHCC public review on draft recommendations for greenhouse gas emissions provisions in the National Model Codes. Members have until **March 30** to provide feedback. For more, visit the [OAA Website](#).



### Case Study: To Sign or Not To Sign Commitment for General

Imagine this situation: you have been retained by a client to provide documents suitable for building permit submission, to assist in the preparation of the building permit application, and to submit the documents on the client's behalf. The client hasn't committed to proceeding with construction until pricing is obtained, and consequently has not retained you to do anything beyond the permit process. As part of the paperwork to be completed, the building department wants you to sign a commitment to perform general review. What would you do?

Read the article on the [OAA Website](#) to explore your options in this hypothetical situation.



The Ontario government introduced Regulation 406/19 On-site and Excess Soil Management back in 2019. Various provisions were to be phased in over time. Due to difficulties implementing the legislation and pushback from those affected by the implementation, the government delayed the implementation and made changes to the requirements. The last delay was in April 2022. That pause has now ended, and as of January 1, 2023, the mandatory registration and notice filing requirements under [Ontario's Excess Soil Regulation](#) are in effect.

Those affected are now required to register and file notices about how they reuse and dispose of excess soil in Ontario through the Resource Productivity and Recovery Authority's (RPRA's) [Excess Soil Registry](#).

Members should review the regulation and confirm their project specifications make appropriate references to the regulation's requirements, processes, and timings. Contact the [RPRA](#) at (833)-600-0530 with any questions on the regulation.

For previous OAA Items on this topic, refer to a [May 2021 edition of OAA News](#), and [Issue 15](#) and [Issue 16](#) of the *Practice Advisory* e-newsletter.



## Potential Conflict of Interest Traps: Risks with Lenders, Institutions, and Signing Letters of Undertaking

Lenders are a key participant in many development projects. They often provide debt financing for a large portion of a project, in addition to the equity provided by the developer that is the practice's client. What should you do if the client asks you to sign a letter of undertaking? Learn about resources, such as Practice Tips to help assess related risks, on the [OAA Website](#).

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