



# 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: A New Series!

### New Ongoing Series Exploring OAA Resources

This new 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 [Hotline](#). This March edition explores the theme of payment—both application and certification for payment.

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

- [FAQ.00](#), Index to Frequently Asked Questions;
- [FAQ.01](#), Contractor’s First Progress Draw;
- [FAQ.07](#), Trade Invoices as Back Up to Applications for Payment;
- [FAQ.10](#), Timely Submission or Invoices for Additional Work;
- [FAQ.12](#), Construction Management–Changing Contract Value; and
- [FAQ.19](#), Architect as a Joint Payment Certifier.

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](#), and 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*. 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.



As the government of Ontario aims to address the province’s housing crisis, practices may decide to venture in the realm of residential projects for the first time. Getting familiar with the role of Tarion may help support their client by having better understanding of new home warranty plans and associated stakeholders and processes.

In line with the launch of Home Construction Regulatory Authority (HCRA) on February 1, 2021, Tarion has [revised its \*Builder Bulletin framework\*](#). Some bulletins have been discontinued as being outdated or redundant, while others have been realigned to provide clearer information, and there are some new bulletins.

You can learn more by reading [this article](#), which includes a link for subscribing to Tarion’s newsletter.



## CSA Consultations on Accessibility and Long-Term Care Homes: Participate Now!

CSA has two public consultations currently open. While the OAA will be issuing its own responses, individual members may also be interested in sharing their perspectives. Architects and Licensed Technologists OAA can review the current standards through the Association's free [CSA Standards Access Program](#).

### **Long-Term Care Homes: CSA Z8004**

You can read the background on CSA Z8004, *Operation and Infection Prevention and Control of Long-term Care Homes*, at the [CSA Group website](#). Participate in the consultation before **April 11** through the [CSA's draft review site](#).

### **Accessible Design: CSA B651**

*ASC/CSA B651, Accessible Design for the Built Environment*, specifies technical requirements on how to make buildings and the exterior built environment accessible and safely usable by those with physical, sensory, or cognitive disabilities. Deadline for participation is **April 24** and you can learn more by visiting the [CSA website](#).

# Ontario



## Digital Version of 2012 OBC Compendium Available

As reported in [CodeNews](#) (326), the Ministry of Municipal Affairs and Housing (MMAH) offers a digital English version of the 2012 Building Code Compendium [upon request](#). This version is the Building Code in effect as of January 1, 2022, including recent amendments relating to building permits and inspections for tiny homes as well as remote inspections for all buildings. Most importantly, for the first time, Volume 2 of the Compendium is included, giving access to all the supplementary standards. The digital compendium is available for personal, non-commercial, and commercial uses (under a Ministry-approved licensing agreement).



## MMAH's Recent Public Consultations and Your Practice

As previously communicated to members, the Ministry of Municipal Affairs and Housing (MMAH) conducted public consultations on proposed amendments to the Building Code (Ontario Regulation 332/12) as it relates to [sheds/ancillary buildings](#), as well as other [interim amendments](#) to the 2012 Ontario Building Code, such as phased occupancy of super-tall buildings, factory-built/modular construction of multi-unit residential and other buildings, and the implementation of a notification program for truss and lightweight construction.

Members should make themselves aware of the proposed changes as they could affect the practice of architecture in the upcoming months. To learn more, read [this article](#) on the OAA Website. CSA A277 and other CSA standards can be accessed by OAA licensed members at [this link](#).



## New Prompt Payment Legislation

Ontario has had prompt payment and adjudication since the *Construction Act* was revised on October 1, 2019. The OAA standard contracts were revised in 2019 to reflect the provisions of the *Construction Act*. Also, Canadian Construction Documents Committee (CCDC) revised CCDC 2 for compatibility with Ontario's Act when creating CCDC 2-2020.

Members should be using the latest [OAA contracts](#) with both clients and consultants for consistency with the *Construction Act*. Members are both subject to, and can avail themselves of, the prompt payment and adjudication provisions of the Act. Those unfamiliar with their rights and obligations inadvertently risk contravening the law or allowing their rights to expire.

On March 1, 2022 in Saskatchewan, [the Builders' Lien \(Prompt Payment\) Amendment Act, 2019](#) and [the Builders' Lien Amendment Regulations, 2020](#) (SR 92/2020) came into effect, implementing prompt payment and adjudication.

The Alberta government has announced its Bill 37, [the Builders' Lien \(Prompt Payment\) Amendment Act](#) will come into force on August 29, 2022. This Act and the proposed Regulations will implement both prompt payment and adjudication in Alberta.



## Toronto Green Standard v4 Comes Into Effect May 1

The [Toronto Green Standard \(TGS\)](#) Version 4.0 comes into effect for new planning application submissions starting **May 1, 2022**. The TGS has expressed Toronto's environmental performance requirements for new development and Toronto building projects since 2010.

Version 4.0 requires City-owned developments to be designed and built to net-zero emissions levels and raises the performance tier required for new private development along the trajectory to near/net zero by 2028. City Council [adopted TGS v4.0](#) in July 2021 and then the [Net Zero 2040](#) Transform TO climate action strategy in December. Version 4.0 focuses on greenhouse gas emissions reductions and enhanced green infrastructure for climate resilience. It also includes a significant jump to 100% electric-vehicle-ready parking spaces based on [Zoning Bylaw Amendment 569-2013](#). TGS Version 4.0 is estimated to contribute to savings of more than 1.2 MT CO<sub>2</sub>e cumulative greenhouse gas emissions by 2050—the equivalent of taking more than 300,000 cars off the road.

For more information, visit the [Toronto Green Standard Webpage](#) and watch that page for updates coming soon.

To read the OAA's response to the City of Toronto Planning and Housing Committee, confirming the Association's support for Version 4 of the Toronto Green Standard, [click here](#).

# COVID - 19

## UPDATES

### COVID-19 Update: Pro-Demnity Issues New Special Bulletin

With the [lifting of government mandates and the relaxation of public health measures](#), OAA members may be wondering how the day-to-day operations of their practices will be affected. Pro-Demnity Insurance Co. has issued COVID-19 Special Bulletin #12: [Architects' Vaccination Mandates](#).

The [OAA's COVID-19 Updates webpage](#) continues to be updated to reflect latest guidance from the Government of Ontario.

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