



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: May 2023 Edition

Exploring Conflicts of Interest & Copyright

The seventh installment of this series 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 continues by exploring the theme of conflict of interest and copyright.

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

OAA's FAQs	Topic
FAQ.00	Index to Frequently Asked Questions
FAQ.03	Acting for Client and Client's Lender
FAQ.31	Copyright and Releasing CAD or BIM Files
FAQ.32	Requirement to Release CAD files to Contractor

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 Practice 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.

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



CSA Standards Access Program: Renewed for Another Year

The OAA is pleased to announce it has renewed access to critical CSA standards for Ontario's practices and licensed members through the CSA OnDemand program. The renewal takes effect **Thursday, June 1**. For more on eligibility, how to register or renew, and to review the User Guides, visit the [OAA's landing page](#).

From Design Development to General Review, CSA standards are used to ensure design and construction meet regulatory requirements, the building code, and the public interest. In support of its mandate to serve the public interest, the OAA has arranged for free viewing access to all CSA standards referenced in the Ontario Building Code or National Building Code of Canada, including previous versions of the standards, in both English and French versions, where available.

This year's subscription continues to include three additional topical standards:

- CSA A460:19 Bird-friendly Building Design;
- CSA A500:16 (R2021) Building Guards; and
- CSA Z250:21 Process for Delivery of Volumetric Modular Buildings.



Reminder: OAA Sunsets Previous Contract Editions; Use the New OAA 2021 Contract Suite Now

Last year, the OAA announced an updated version of its downloadable suite of FREE standardized contracts for both members and the public to use. The goal behind the [2021 OAA Contract Suite](#) is to continue to encourage fair and balanced business relationships.

In **June**, the OAA will sunset the older editions of the contracts. The Association had established a nine-month transition period to allow time for clients and practices to become familiar with the new versions and to rewrite any supplementary conditions still required. Provisions in the contract suite are intended to eliminate many of the supplementary conditions that have been proposed in the past. Notably, the new provisions incorporate comments and concerns received from clients—and their lawyers—through RFP and roundtable discussions.

For additional information, read the article on the [OAA Website](#).

Ontario



OBC Changes: Midrise Wood Construction and Stacked Townhomes; Development Permit Bylaw and Minister's Orders Effective Immediately

As reported in CodeNews 340, the Ministry of Municipal Affairs and Housing (MMAH) made amendments to the Ontario Building Code (O.Reg. 89/23) that came into force May 12, 2023. The changes primarily have an impact on low-rise and mid-rise OBC Part 3 buildings. Additionally, Minister's order authority has been added to the OBC definition of applicable law. See the full article on the [OAA Website](#).

Ontario



Public Reviews: MMAH Provincial Planning Statement and CBHCC Greenhouse Gas Considerations

OAA members are encouraged to participate in the following two public consultations.

New Provincial Planning Policy Instrument

On April 6, the provincial government introduced Bill 97, *Helping Homeowners, Protecting Tenant Act, 2023*. The Ministry of Municipal Affairs and Housing (MMAH) is seeking input on a proposed Provincial Planning Statement that takes policies from “[A Place to Grow: Growth Plan for the Greater Golden Horseshoe](#)” and the “[Provincial Policy Statement](#)” to support the achievement of housing objectives. To learn more or submit a comment, [visit the government’s site](#). The deadline to comment is **June 5**.

Greenhouse Gas Considerations in the National Model Codes (Phase 2): Deadline June 15

On May 1, the Canadian Board for Harmonized Construction Codes (CBHCC) announced it is seeking input on the Wave 2 draft policy recommendations for developing and implementing greenhouse gas emissions provisions in the National Model Codes before finalizing the policy framework. This first consultation wave ended on March 30 and the [OAA responded](#).

To provide input on the policy recommendations, download them [via this link](#), and then submit comments and supportive material to the CBHCC Secretary [via email](#) by **June 15**. Your comments will be reviewed by the Working Group on Climate Change Mitigation that reports to the CBHCC.



OAA Updates its Guidelines for Intersection of Social Media and Professional Responsibilities

Used effectively and appropriately, social media can offer tremendous benefits to the profession, both enhancing individual practices and promoting a broader appreciation of architecture among the public at large. With that in mind, members have an obligation under Regulation 27 of the *Architects Act* to maintain standards of professional conduct and practice.

The OAA has updated its guide to social media use, which is now available on the [OAA Website](#).

Originally published in July 2021, the resource highlights key areas where social media and professional responsibilities intersect. Among the edits to the short document is the addition of the following line to ensure clarity: “The OAA recognizes that the architecture profession is enhanced by thoughtful and informed critique of design and that the public interest is served by open and respectful dialogue about the built environment, whether online or offline.”

As part of your ongoing responsibility to uphold the professional conduct and practice standards of the profession, if you or your staff engage with social media, it is important to carefully review these guidelines and apply them when appropriate.



OAA Self-Study Learning Series: Learn More About the *Construction Act* and Other Topics

Periodic review of key practice information is essential. The [OAA Self-Study Learning Series](#), specifically designed as a review and refresh opportunity, comprises foundational practice material also found in the OAA Admission Course for Intern Architects as part of their licensing process. Now, you can select from several courses like “[The Construction Act](#)” or “[Legal Aspects: Professional Liability & Architects’ Contracts](#)” to cover the material at your own pace within a two-month period. Complete the quizzes to earn up to a total of 27 Structured Learning hours toward your Continuing Education (ConEd) requirements.

[Visit the Self-Study Learning Series page](#) for more information on topics available and costs.



Summer Hours for Practice Advisory Services and the Practice Hotline

Members are reminded that the OAA, including the [Practice Advisory Services \(PAS\)](#) and the email/phone Practice [Hotline](#), is operating on summer hours starting **Friday, June 2** until the first week of September.

Monday to Thursday are regular business hours, with the OAA closing at noon on Fridays, with the exception of Statutory Holidays. Please note voicemail and email are typically returned within three business days.

You are subscribed as **INSERT_EMAIL**

[Click here](#) to unsubscribe or update your email preferences

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