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# Minutes

## PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, March 10, 2015

PEO Offices

### **Members:**

Andy Bowers, P. Eng. (Chair)

Jamie Catania, P. Eng.

Denis Dixon, P. Eng.

Les Mitelman, P. Eng.

Colin Moore, P. Eng.

Nicholas Pfeiffer, P. Eng.

Brian Ross, P. Eng.

Fanny Wong, P. Eng. (Vice-Chair)

Heather Swan, P. Eng.

### **Staff:**

José Vera, P. Eng.

### **Regrets:**

Roger Jones, P. Eng.

### **Guests:**

Dale Kerr, P. Eng.

**1. OPENING OF MEETING**

The Chair called the meeting to order at 6.00 p.m., with 9 members of the Committee in attendance. Consequently, quorum was attained.

The Chair welcomed D. Kerr, a member of the Condominium Performance Audit and Reserve Fund Studies Subcommittee, to the meeting.

**1.1 Approval of Agenda**

A motion was made to approve the agenda as written.

**Moved by:** L. Mitelman      **Seconded by:** C. Moore      **CARRIED**

**2. MINUTES OF PREVIOUS MEETING**

**2.1 Approval of Minutes of February 10, 2015 Meeting**

A motion was made to approve the Minutes of the February 10, 2015 meeting as written.

**Moved by:** N. Pfeiffer      **Seconded by:** C. Moore      **CARRIED**

**3. GUIDELINES**

**3.1 Guideline for Structural Engineering Design in Buildings**

**Follow-Up:** Staff updated the guideline and prepared it for public consultation.

**Follow-Up:** Staff sent the PSC's comments to the Structural Engineering Design Subcommittee members for their feedback.

Staff advised that the Structural Engineering Design Guideline has been posted for public consultation from March 6 to May 8, 2015.

**3.2 Forensic Engineering Guideline**

J. Catania advised that the subcommittee members met on March 2, 2015 to review the comments provided from the public consultation. Sixty-percent of the comments were reviewed at this meeting.

Some edits and modifications have been made to the guideline.

There will be at least one more meeting to address the public consultation comments.

**Action:** Staff to send “The Professional Engineer as an Expert Witness” Guideline and the Moore v. Getahun 2015 court case to the subcommittee members.

**Action:** Staff to add an abstract for guidelines on the Practice Guideline site.

### **3.3 Condo Reserve Studies**

L. Mitelman commended D. Kerr on her hard work as the main writer and mover of this guideline.

The Chair indicated that the PSC members should ask D. Kerr any big picture questions regarding the Condo Reserve Studies Guideline.

**Question:** Does the guideline cover townhouses and commercial buildings?

**Answer:** The guideline covers all items covered in the *Condo Studies Act*. Furthermore, the processes are the same for high-rise buildings and townhouses.

**Question:** Is work outside the *Condo Act* covered?

**Answer:** No, building assessments outside the *Condo Act* are not covered.

The subcommittee reviewed the *Condo Act* as it relates to the Condo Studies.

**Question:** Did the subcommittee provide the government any feedback on the *Condo Act*?

**Answer:** Yes, the subcommittee sent their comments during the open consultation of the *Condo Act*. Specifically, the list of qualified persons was of concern.

**Question:** Has PEO expressed concern to the government regarding qualified persons?

**Answer:** Performance audits have to be done by engineers and architects. Reserve fund studies can be done by non-professionals; however, often, engineers conducting reserve funds provide engineering opinions.

**Question:** Do reserve fund studies done by engineers better protect the public?

**Answer:** Yes, they tend to be more thorough and professional.

**Question:** What reasons led to the development of this guideline?

**Answer:** To set a bar for engineers doing this work and to outline their professional obligations.

**Question:** Is this work the practice of engineering?

**Answer:** Yes, part of the work is the practice of engineering. Firstly, there is a science to breaking a building into components. Secondly, the financial analysis might not be engineering.

**Question:** Should the guideline list qualifications?

**Answer:** Generally, engineers can look at the mechanical systems and comment on costs, but not on specific repairs. Therefore, a qualifications section is not required.

**Question:** Is there a note in the guideline to indicate what an engineer should know?

**Answer:** There is a note on the applicable statutes, standards, etc.

**Action:** The Condo Reserve Studies Subcommittee members to add a note clarifying that both high-rise buildings and townhouses are covered.

**Action:** Staff to add a note on engineering qualifications in the preface of the guideline.

**Action:** Staff will edit the guideline and forward to D. Kerr for final edits prior to the public consultation.

### 3.4 Solid Waste Management Guideline

H. Swan reported that the subcommittee members will meet on March 23, 2015.

Staff will consolidate all subcommittee members' comments.

The Ministry of the Environment and Climate Change has not yet provided feedback on the problems seen.

### 3.5 Guideline for Review of Completed Works

F. Wong reported the following:

- The subcommittee will meet in April 2015.
- Staff is looking for new members.
- The subcommittee members will review practice questions on Record Drawings at their next meeting.

**Action:** Staff to discuss Alberta's definition of "record drawings" with Barry Steinberg of Consulting Engineers Ontario.

**Action:** Staff to contact insurers to find out if the definitions for "as-built drawings" and "record drawings" still hold true.

**Action:** Staff to contact insurers to find out what disclaimers they recommend for record drawings.

**Action:** Staff to propose to the subcommittee that stakeholders may need to be invited as guests, after draft guideline completed.

**Action:** The subcommittee will provide a draft to the PSC in early 2015.

**Action:** Staff to contact A. Jones and K. Bentley to find out if they are interested in joining the subcommittee.

### 3.6 Guideline for Structural Engineering Assessments

B. Ross reported the following:

- The subcommittee will be meeting on March 11, 2015 to review the draft guideline.

- The qualifications section might be removed from the guideline
- A. Steen from the Ministry of Municipal Affairs and Housing is a new member.
- J. Douglas from the Ministry of Municipal Affairs and Housing was a guest at the previous meeting.
- The Ministry of Labour might recommend a new member.
- The subcommittee members discussed what buildings should be covered in the guideline at the previous meeting.

Staff advised that a small section on residential buildings, Part 9 of the Ontario Building Code, could be included in the guideline.

Staff advised that the Terms of Reference included buildings in general.

### **3.7 Data Matrix Bulletin**

Practitioners have requested that PEO issue a Practice Bulletin. Accordingly, the Practice Bulletin will be issued electronically, and will be available in either PDF or Word format.

**Action:** Staff to prepare a first draft of this bulletin.

**Action:** Staff to send an example of the data matrix to the PSC members.

### **3.8 Guideline for Temporary Structures for Events**

There was nothing new to report.

**Action:** Staff to write the Terms of Reference for “Temporary Structures for Events”.

### **3.9 Duty to Report**

The staff received comments from the Office of the Fire Marshal and Emergency Management regarding the Duty to Report.

Both the Fire Marshal’s letter and the Walkerton Report were forwarded to OCEPP for the upcoming seminar.

### **3.10 Mineral Properties Practice Guideline**

There was nothing new to report.

**Action:** Staff to review NI-43101 - Minerals Properties Practice Guideline.

## **4. STANDARDS**

### **4.1 Tower Crane Review Standard**

There was nothing new to report.

**Action:** Staff to work with the Ministry of Labour in order to accelerate the work required to complete the document.

### **4.2 Supervising and Delegating Standard**

There was nothing new to report.

**Action:** Staff to prepare a Briefing Note to PEO Council to approve the Supervising and Delegating Standard after legislative drafting from the Ministry of the Attorney General.

**Action:** PSC members to send any comments/feedback regarding the Supervising and Delegating Standard prior to the next meeting with the Ministry of Labour.

## **5. OTHER BUSINESS**

### **5.1 Status of PSC Projects**

Staff updated the project list to include recommendations of new guidelines.

**Action:** Staff to provide additional information on the proposed Guideline Interpreting PEA for Regulators.

### **5.2 Elliot Lake Inquiry Report**

There was a discussion regarding the survey for a Structural Specialist Designation.

**Follow-Up:** Staff sent to the PSC members the Implementation Plan for Elliot Lake Recommendations, including the actions for the PSC.

**Action:** Staff to explain if the legal opinion relevant to Item 1.5 of the Implementation Plan and other items have already been obtained.

### **5.3 Industrial Subcommittee**

Staff reported that the final report is done and will be approved at the next meeting.

**Follow-Up:** Staff edited and reviewed the final report.

### **5.4 Risk Management Model Guideline**

There was nothing new to report.

**Action:** Staff to obtain updates from the Continuing Professional Development, Competence and Quality Assurance (“CPDCQA”) Task Force.

### **5.5 Climate Change and Engineering**

Staff advised that a climate change section is being added to the Solid Waste Management Guideline.

**Action:** Staff to find out if the model guideline is available to PEO members.

### **5.6 Evidence-Based Legislation**

**Action:** Staff to make a presentation on Evidence-Based Policy at a future PSC meeting.

**Question:** When can J. Max make a presentation?

**Answer:** The PSC members would prefer to review the slides of the presentation first.

**Action:** Staff to send the slides of the presentation to the PSC members.

**Action:** Staff to seek clarification on this protocol from the Ministry of the Attorney General; for example, is an impact study required?

## 5.7 Practice Review Pilot Voluntary Program

There was nothing new to report.

**Action:** Staff to contact the Discipline Committee to find out if they will use the new Practice Review Guideline.

**Action:** Staff to contact Consulting Engineers Ontario for new volunteers.

## 5.8 International Engineering Practice Guideline

Staff did not find any common trends regarding the International Discipline cases and extra-territorial practice questions.

**Action:** The Chair to draft a memo to President Adams indicating that there were only three Discipline cases pertaining to international engineering, and there were no common trends in the practice issue. Therefore, a practice article in "*Engineering Dimensions*" would be more appropriate.

## 6. ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 8:30 p.m.

Below are the meeting dates for the balance of 2015:

- April 14, 2015
- May 12, 2015
- June 9, 2015
- September 15, 2015
- October 20, 2015
- November 17, 2015
- December 8, 2015