



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, March 9, 2021
(Meeting held via Zoom)

Members:

Neil Kennedy, P. Eng. (Chair)
James Lowe, P. Eng. (Vice-Chair)
Dale Kerr, P. Eng.
Lisa MacCumber, P. Eng. (Council Liaison)
Peter Rüsçh, P. Eng.

Staff:

José Vera, P. Eng.
Jennifer Whang, P. Eng.

Guests:

Renee Frigault, P. Eng.
Saleha Hussain, P. Eng.
Al Lightstone, P. Eng.

Regrets:

Donna Serrati, P. Eng.

1. OPENING OF MEETING

The meeting was called to order at 6:00 p.m., with five members of the Committee in attendance. Consequently, quorum was attained.

1.1 Approval of the Agenda

The following additional item was added to the agenda:

- Item 1.2 - Jennifer Whang Moving On

The agenda was approved as modified.

Moved by: J. Lowe

Seconded by: D. Kerr

CARRIED

1.2 Jennifer Whang Moving On

The Chair and the PSC members thanked J. Whang for her work during the past year.

2. MINUTES OF PREVIOUS MEETING AND ISSUES ARISING FROM MEETING

2.1 Approval of Minutes of February 9, 2021 Meeting

A motion was made to approve the Minutes of the February 9, 2021 meeting as revised.

Moved by: P. Rüsçh

Seconded by: J. Lowe

CARRIED

2.2 Action Items of February 9, 2021 Meeting

Staff reported that most of the action items from the February 9, 2021 meeting have yet to be completed.

3. GUIDELINES

3.1 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

A. Lightstone pointed out that the document required a date, and also had some concerns with its length. Perhaps, more subtitles would be helpful.

The subcommittee Chair noted that the level of detail was required due to variations on how condominium reports are done.

P. Rüsçh recommended some edits for the subcommittee Chair to review. The subcommittee Chair will review these comments with the subcommittee members.

3.2 Use of Seal Performance Guideline

The subcommittee will be meeting on March 16, 2021 to review the PSC's comments on the proposed guideline.

Staff reported that a Briefing Note to Council was not required at this time for the proposed amendments to the Use of Seal requirements, as they have to be reviewed by the Legislation Committee before staff can forward them to the Ministry of the Attorney General. The Legislation Committee will be meeting on March 12, 2021 to discuss the amendments, and the subcommittee Chair will attend this meeting to answer any questions.

3.3 MECP - Professional Engineers Providing Engineering Reports under O. Reg. 1/17 (ESDM and AAR Reports)

A motion was made to approve the guideline.

A PSC member who is an observer on the subcommittee decided to abstain.

Moved by: D. Kerr

Seconded by: P. Rüsçh

CARRIED

3.4 Guideline for Pre-Start Health and Safety Reviews

The subcommittee will meet again on March 15, 2021 to review the edited sections, which were made to address comments received from the PSC, the Review Network and the Ministry of Labour, Training and Skills Development.

3.5 Guideline for Professional Engineers Providing Acoustical Engineering Services in Land-Use Planning

The Volunteer Management Group sent an invitation to practitioners to apply to volunteer on this new subcommittee.

A. Lighstone will be the Chair of this subcommittee. A request was made for observers from the Ministry of the Environment, Conservation and Parks.

3.6 General Review Guideline

Staff forwarded the Practice Bulletin on *Review with No Permits* for the PSC to comment on.

S. Hussain commented that there are situations where engineers must go onsite, even if there is no permit, e.g. there is a fire on site and a forensic engineering report is required.

P. Rüschi noted that visits made by a design engineer are not covered under the permit umbrella. Staff may need to add a note in the bulletin to explain this concept, and situations where no permit is required (e.g. agencies exempted from the Building Code).

Action: Staff to resend a copy of the Practice Bulletin in Word to the PSC members, along with a copy of the legal opinion and copies of Discipline decisions and legal cases on this matter.

4. OTHER BUSINESS

4.1 Council Update on PSC Related Issues

Council Liaison L. MacCumber reported that the Council Liaison role will be coming to an end.

An update was provided on rescinding the referendum motion for CPD by Council.

4.2 Temporary Works Guideline

The Temporary Works guideline is still under a public consultation review.

Consulting Engineers Ontario provided a list of practice guidelines that, in their view, require updating.

4.3 Letter from Ministry of Municipal Affairs and Housing

The Ministry of Municipal Affairs and Housing provided some information to Building Officials on tent structures used for restaurant patios that refer to PEO guidelines.

Action: A PSC member suggested a practice article on this subject. Staff will do a first draft.

4.4 Professional Engineers Providing Professional Services in Building Projects using Manufacturer-Designed Systems and Components

Web analytics suggest that this guideline may no longer be required. Furthermore, the General Review and Structural Design Services guidelines already cover this material.

Finally, there are some major issues with the guideline as it is redundant and discusses responsibilities of non-engineers.

Action: PSC members to read this guideline to decide on whether or not it should be withdrawn.

4.5 Do Limitation Liability Clauses Protect a Practitioner?

This legal article suggests that, in matters of safety, liability clauses may not protect an engineering firm.

4.5 Cugliari Decision - Downsview Collapse

The decision included in the agenda package relates to the Demountable Event Structures guideline and, therefore, relevant reading for the PSC members.

5. ADJOURNMENT AND NEXT MEETING

Action: Staff to add the Guideline Development Process document and the legal opinion on guidelines and standards of practice to the agenda of the next meeting.

Action: Staff to add Decision on 5-year vs. 10-year Review Periods for Practice Guidelines to the agenda of the next meeting.

The next meeting is scheduled for April14, 2021.

The meeting adjourned at 7:20 p.m.