



The Corporation of the City of Owen Sound  
 Community Services Department  
 Building Division

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## LETTER OF UNDERTAKING

|  |                                 |
|--|---------------------------------|
| The owner, being the person who intends to construct or have a building constructed, or demolish or have a building demolished, agrees to have each of the retained Architect(s) and Professional Engineer(s) complete, properly authorize and return to the City of Owen Sound's Building & By-law Division General Review Commitment Certificate(s) prior and as a condition precedent to permit issuance and hereby authorizes the retained Architect(s) and Professional Engineer(s) to forward directly to the Chief Building Official forthwith upon their completion, all written reports arising out of the general review undertaken pursuant to Section 1.2 of the Ontario Building Code, by the retained Architect(s) and Professional Engineer(s). |                                 |
| Permit Application No.:  | Project Description:            |
| Location:  |                                 |
| Name of Owner in Full:   | Phone:                          |
| Address:   | Postal Code:                    |
| Owner or person authorized by said owner to commit the owner and to act as his agent in this manner: _____<br><div style="text-align: center; margin-left: 150px;">signature</div><br>_____<br><div style="text-align: center; margin-left: 150px;">print name</div>   | Date: _____<br><br>Phone: _____ |

**IMPORTANT:** Where any retained architect or professional engineer ceases to provide the general review of the building during construction or demolition as required herein, another architect/professional engineer shall be retained immediately so that the general review as described below will continue uninterrupted, and the registered owner shall forthwith, in writing, advise of such termination and submit the name of the new architect/professional engineer to the Chief Building Official of the City.

**Every person who furnishes false information in any permit application under the Building Code Act or in any statement required to be furnished under this Act or a By-law passed pursuant to this Act, or pursuant to the Ontario Building Code is, on conviction, liable to a fine or imprisonment or to both.**

**To the Chief Building Official of the City of Owen Sound:**

WHEREAS Section 1.2.1.1.(1) of the Ontario Building Code, made under the authority of **The Building Code Act**, requires the building designated in table 1.2.1.1 to be designed by an architect or professional engineer or both;

AND WHEREAS Subsection 1.2.2.1 of the said Code provides that, where a building has been designed by an architect or professional engineer or both in accordance with Section 1.2.1.1.(1), an architect or professional engineer or both shall be responsible for the general review of the construction of the building in accordance with the performance standards of the Ontario Association of Architects or the Association of Professional Engineers of Ontario, as applicable.

AND WHEREAS Section 1.2.1.1.(1) of the said Code states that the applicant for a permit respecting the demolition of certain classes of buildings shall retain a professional engineer to undertake the general review of the project during demolition;

THEREFORE, the owner, being the person who intends to construct or demolish a building, as the case may be, hereby warrants that architects/professional engineers are retained for the general review of the construction or demolition of the building as required by Section 1.2 of the Ontario Building Code; and that

a) **Each architect** who is retained to undertake the general review of the construction of the building is to do so in accordance with the Performance Standards of Ontario Association of Architects, Ontario Regulation 517/84 as amended by Ontario Regulation 368/86, 50a; to wit architects (including holders of a Certificate of Practice), with respect to the matters that are governed by the Building Code shall,

- (i) make periodic visits to the site to determine whether the work is in general conformity with the design documents that were prepared by a member or holder;
- (ii) inform the client and contractor, in writing, as to the progress and quality of the work and as to any part of the work that the member or holder has observed during the visits to the site not to be in conformity with the design documents;
- (iii) review all changes to the design documents to determine whether the changes conform to the Building Code;
- (iv) review and comment on shop drawings and samples for general conformity with the design concept of the work; and
- (v) if the architect is specifically engaged to co-ordinate the general review of the professional engineers and reports of the inspection and testing companies, co-ordinate the general review of the professional engineers and the reports of the work being reviewed and arrange for the distribution of such reports to the client and the contractor; or
- (vi) if the architect is not engaged to perform any or all of the services listed in sub-paragraph (v), to co-operate with the professional engineer responsible for the co-ordination of the general review in order to assist the professional engineer in the carrying out of the functions described in that sub-paragraph.

a) **Each engineer** who is retained to undertake the general review of the construction of the building is to do so in accordance with the Performance Standards of Association of Professional Engineers of Ontario, Ontario Regulation 538/84 as amended by Ontario Regulation 421/86, 91a; to wit professional engineers, with respect to the matters that are governed by the Building Code shall,

- (i) make periodic visits to the site to determine, on a rational basis, whether the work is in general conformity with the plans and specifications for the building;
- (ii) record deficiencies found during the site visits and provide the client, contractor and the owner with written reports of the deficiencies and the actions that must be taken to rectify the deficiencies;
- (iii) review the reports of independent inspection and testing companies called for in the plans and specifications and which pertain directly to the work being reviewed;
- (iv) interpret plans and specifications when requested to do so by the client, contractor or owner; and
- (v) review shop drawings and samples submitted by the contractor for consistency with the intent of the plans and specifications.

Note: "Plans and specifications" means plan(s) or other document(s) which form the basis for the issuance of the Building Permit and includes all changes thereto that were authorized by the Chief Building Official as defined in the Building Code Act.  
"Design document" means a design or other document(s) which form the basis for the issuance of the Building Permit and includes all changes thereto that were authorized by the Chief Building Official as defined in the Building Code Act.