

# Important Notice

## To Building Permit Applicants and Designers

**Beginning January 1, 2006, Designers of building permit documents who are not licensed architects or Professional Engineers may be required to:**

- be **registered** with the Ministry of Municipal Affairs and Housing
- possess provincial **qualifications**
- provide **information** about their qualification and registration on the permit application form and on all design documents

**Municipalities are not permitted to issue permits applied for after January 1, 2006, unless affected building designers meet these requirements. Some designers and projects are exempt, as described in this notice.**

### Registration & Qualification Exemptions

- Designers are not required to be **registered** with the Ministry if they own the building they are designing, if they are an employee of a builder governed by Tarion under the *Ontario New Home Warranties Plan Act*, or if the project is an addition to or alteration of a house.
- Designers are not required to be **qualified** by the Ministry if they are designing their own house or an accessory structure to a house that they own, or if they are designing an accessory structure to any house that does not exceed 50 m<sup>2</sup> in area.
- Other projects which are exempt from registration and qualification requirements are described in this notice.
- Architects and Professional Engineers are independently governed by professional accreditation bodies, and are not required to be registered or qualified with the Ministry.

### Information Required on Documents

Designers are now required to provide information about their registration, qualification, and design responsibility on Schedule 1 to the provincial application form, and on every document submitted for a building permit. The standard template below may be used by designers to provide the required information on drawings. This template or something similar may be incorporated into drawing title blocks, or applied as a sticker to the drawing. Where sets of drawings or specifications contain more than one page, this information is only required on the first page. If the designer is a **professional engineer**, the responsibility statement is not necessary if the engineers seal appears on the document. The qualification and registration information is required.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.		
<b>Qualification Information</b>		
Required unless design is exempt under Div. C - 3.2.5.1. of the building code		
_____	_____	_____
Name	Signature	BCIN
<b>Registration Information</b>		
Required unless design is exempt under Div. C - 3.2.4.1. of the building code		
_____	_____	_____
Firm Name		BCIN



# Summary of Designer Requirements in the Building Code

## Exemptions to Designer Registration and Qualifications

This extract from the building code has been edited for clarity and is provided for convenience purposes only.

**Registration and qualification requirements in the building code do not apply to licensed architects and professional engineers.**

### Registration of Persons Engaged in the Design Business

A person is exempt from **registration** if the person's *design activities* relate only to

- (a) *construction* of a home as defined under the *Ontario New Home Warranties Plan Act* that will be constructed or sold by that person, if the person is a builder or vendor as defined in that Act and is registered under that Act,
- (b) *construction* of a *building* that is owned by that person.
- (c) *construction* of a *farm building* that is
  - (i) of *low human occupancy*
  - (ii) of 2 storeys or less in *building height*, and
  - (iii) has a *building area* of less than 600 m<sup>2</sup> (6460 ft<sup>2</sup>),
- (d) *the extension, material alteration or repair of:*
  - (i) a detached house, semi-detached house, townhouse or row house containing not more than two dwelling units in each house, or
  - (ii) a detached structure that serves a building described in Subclause (3)(d)(i) and does not exceed 50 m<sup>2</sup> (538 ft<sup>2</sup>) in *building area*,
- (e) a *sewage system* to be constructed by that person if the person is *registered* under Article 3.3.3.2.,
- (f) *construction* of tents described in Sentence 3.14.1.2.(2) in Division B,
- (g) *construction* of signs,
- (h) *construction* of site services, including
  - (i) surface drainage, and
  - (ii) *plumbing* located underground, either outside a *building* or under a *building*,
- (i) *construction* of a factory-built house certified to CAN/CSA-A277 "Procedure for Certification of Factory-Built Houses",
- (j) *construction* of a mobile home conforming to CAN/CSA-Z240 Series "Mobile Homes",
- (k) *construction* of a park model trailer conforming to CAN/CSA-Z241 Series "Park Model Trailers",
- (l) *construction* of pre-engineered elements of a *building* if the design of the elements is carried out by a person competent in the specific discipline appropriate to the circumstances,
- (m) *construction* of appliances, equipment and similar incidental components of a *building*, or

A person is exempt from registration if the person's *design activities* are with respect to a detached house, semi-detached house, townhouse or row house containing not more than two *dwelling units* in each house and the *design activities* relate only to

- (n) a *plumbing system*
- (o) a heating, ventilation and *air conditioning* system, or
- (p) ancillary *buildings* such as garages.

### Designer Qualifications

A person is exempt from **qualification** if his or her *design activities* relate only to

- (a) *construction* of:
  - (i) a detached house, semi-detached house, townhouse or row house owned by the person and containing not more than two *dwelling units* in each house, or
  - (ii) an ancillary *building* that serves a *building* described in Subclause (i).
- (b) *construction* of a *farm building* that
  - (i) is of *low human occupancy*,
  - (ii) is 2 storeys or less in *building height*, and
  - (iii) has a *building area* of less than 600 m<sup>2</sup> (6460 ft<sup>2</sup>)
- (c) a *sewage system* to be constructed by that person and:
  - (i) the person is *registered* under Article 3.3.3.2.,
  - (ii) the *sewage system* is owned by the person,
- (d) *construction* of tents described in Sentence 3.14.1.2.(2) in Division B,
- (e) *construction* of signs,
- (f) *construction* of site services including
  - (i) surface drainage, and
  - (ii) *plumbing* located underground either outside a *building* or under a *building*,
- (g) *construction* of pre-engineered elements of a *building* provided that the design of the elements is carried out by a person competent in the specific discipline appropriate to the circumstances,
- (h) *construction* of appliances, equipment and similar incidental components of a *building*,
- (i) *construction* of an ancillary *building*
  - (i) that serves a detached house, semi-detached house, townhouse or row house if the house contains not more than two *dwelling units*, and
  - (ii) that does not exceed 50 m<sup>2</sup> (538 ft<sup>2</sup>) *building area*, or

In order to be qualified, all designers other than licensed architects and professional engineers must successfully complete Ministry of Municipal Affairs and Housing examinations that test their knowledge of the legal and technical requirements of the Building Code related to their area of practice.

**For more information about designer qualification requirements, contact the Ministry of Municipal Affairs and Housing Building and Development Branch at 416.585.6666 or [www.mah.gov.on.ca](http://www.mah.gov.on.ca).**



## Summary of Designer Requirements in the Building Code

Legend: **X** = Registration(**R**) or Qualification(**Q**) is required      **O** = Exempt from Registration or Qualification

<b>Houses &amp; Townhouses</b>	<b>Designed by</b>	<b>R</b>	<b>Q</b>	<b>Category of Qualification</b>
New Building *See note below	Owner	O	O	
	'Tarion' Builder *	O	X	House or Small Buildings
	Designers	X	X	House or Small Buildings
New Dwelling >600m <sup>2</sup>	Owner	O	O	Large Buildings or Complex Buildings
	Designers	X	X	
Extension, Alteration or Repair	Owner	O	O	
	Designers	O	X	House or Small Buildings
Deck or Porch	Owner	O	O	
	Designers	O	X	House or Small Buildings
Detached Garage with Dwelling above	Owner	O	O	
	'Tarion' Builder*	O	X	House or Small Buildings
	Designers	X	X	House or Small Buildings
Accessory Building (< or equal to 50m <sup>2</sup> in building area)	Owner	O	O	
	Designers	O	O	
Accessory Building (> 50m <sup>2</sup> in building area)	Owner	O	O	
	Designers	O	X	House or Small Buildings
Plumbing System	Owner	O	O	
	'Tarion' Builder*	O	X	Plumbing - House or All Buildings
	Designers	O	X	Plumbing - House or All Buildings
Heating, Ventilation and AC Systems	Owner	O	O	
	'Tarion' Builder*	O	X	HVAC - House or Building Services
	Designers	O	X	HVAC - House or Building Services
Factory-built house & foundation	Owner	O	O	
	Designers	O	X	House or Small Buildings
Mobile Home & foundation	Owner	O	O	
	Designers	O	X	House or Small Buildings
Park Model Trailer	Owner	O	O	
	Designers	O	X	House or Small Buildings
Second Suite Added to House	Owner	O	O	
	Designers	O	X	House or Small Buildings
<b>Other Part 9 Residential Buildings</b>	<b>Designed by</b>	<b>R</b>	<b>Q</b>	<b>Category of Qualification</b>
New Building	Owner	O	X	Small Buildings
	Designers	X	X	
Structural System	Owner	O	X	Building Structural
	Designers	X	X	
Plumbing System	Owner	O	X	Plumbing - All Buildings
	Designers	X	X	
Heating, Ventilation and AC Systems	Owner	O	X	Building Services
	Designers	X	X	
Electrical Systems and Fire Protection	Owner	O	X	Building Services, Detection, Lighting & Power and/or Fire Protection
	Designers	X	X	
Extension, Alteration or Repair	Owner	O	X	Same as building type above
	Designers	X	X	

\*'Tarion' Builder exemption from registration applies only if the design is prepared by a Tarion builder's employee. Designer registration is required for drawings prepared for a Tarion builder by any third party designers.



## Summary of Designer Requirements in the Building Code

<b>Non Residential Buildings</b>		<b>Designed by</b>	<b>R</b>	<b>Q</b>	<b>Category of Qualification</b>
New Building or addition Part 9 building	Owner	O	X	Small Buildings	
	Designers	X	X		
Interior alteration or repair of building Part 9 building Part 3 building interior space plan only	Owner	O	X	Small, Large or Complex Building as applicable (see note 9)	
	Designers	X	X		
Structural System Part 9 building	Owner	O	X	Building Structural	
	Designers	X	X		
Plumbing System Part 9 building	Owner	O	X	Plumbing - All Buildings	
	Designers	X	X		
Heating, Ventilation and AC Systems Part 9 building	Owner	O	X	Building Services	
	Designers	X	X		
Electrical and Fire Protection Systems Part 9 building	Owner	O	X	Building Services, Detection, Lighting & Power and/or Fire Protection	
	Designers	X	X		
<b>Miscellaneous Structures</b>		<b>Designed by</b>	<b>R</b>	<b>Q</b>	<b>Category of Qualification</b>
Farm Buildings of Low Human Occupancy, < or = 2 storeys in height and < or = 600 m <sup>2</sup> in building area		All Designers	O	O	
Other Farm Buildings	Owner	O	X	Same as building type above	
	Designers	X	X		
Tents < or = 225 m <sup>2</sup> with no bleachers and/or no side walls		All Designers	O	O	
Other Tents	Owner	O	X	Same as building type above	
	Designers	X	X		
Signs		All Designers	O	O	
Designated Structures in Subsection 2.1.2.	Owner	O	X	Building Structural	
	Designers	X	X		
<b>Miscellaneous Building Elements</b>		<b>Designed by</b>	<b>R</b>	<b>Q</b>	<b>Category of Qualification</b>
Incidental Appliances and Equipment		All Designers	O	O	
Pre-Engineered Elements		Competent Person	O	O	
Site Services		All Designers	O	O	
Sewage Systems		Registered Installer	O	O	



## Notes to this Summary:

1. **Registered** means registered with the Director of the Building and Development Branch of the Ministry of Municipal Affairs and Housing in accordance with Article 3.2.4.1. in Division C which includes the insurance coverage required under Subsection 3.6.2. in Division C.
2. **Qualified**, for purposes of this document, means the designer has demonstrated the necessary knowledge of the *Building Code Act* and building code by successfully completing the examination program administered by the Ministry of Municipal Affairs and Housing in the category of qualification set out in Section 3.5 of Division C. of the building code.
3. **Categories of Qualification** means those categories listed in Table 3.5.2.1. in Division C of the building code.
4. **Designer** means a person who carries out design activities described in Subsection 15.11(5) of the *Building Code Act*.
5. **House** means a detached house, semi-detached house, townhouse or row house containing not more than 2 dwelling units per house.
6. **Accessory building** means a detached structure accessory to the main building on the same property.
7. **Small building** means a building less than or equal to 600 m<sup>2</sup> in building area, less than or equal to 3 storeys in building height, and used for Group C, D, E, F2 or F3 major occupancies.
8. **Large Building** means a building that is not a house or small building.
9. **Complex Building** means a large building which is a high building under Subsection 3.2.6. or a small or large building that contains an interconnected floor space to which any provision in Articles 3.2.8.3. to 3.2.8.11. applies. In the case of alterations, the Complex Building qualification is only required if these building elements are affected.
10. **Architects** and **Professional Engineers** are governed by qualification and registration requirements in the *Architects Act* and the *Professional Engineers Act*. They are not subject to the qualification and registration requirements prescribed in the building code.
11. The building code prescribes **professional design** requirements for most Part 3 buildings. A building required to be designed by an architect and/or professional engineer may not be designed by another person who is qualified under the building code.

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Alternate formats available upon request at 905.683.7575.

