



## APPLICABLE LAW CHECKLIST

Building Department  
1 Cameron St. E.  
Cannington, Ontario  
L0E 1E0  
(705) 432-2355

### Applicable Law Checklist

This form is used to confirm approvals from other agencies that are required before a building permit can be issued.

**Project Address:** \_\_\_\_\_

The *Building Code Act* prohibits the issuance of a building permit if the proposed construction or demolition will contravene any applicable law as defined by the Building Code. The questions below will help you to determine if an applicable law applies to your project. Timeframes for building permit review cannot be established until all required applicable law approvals have been received and the associated documentation submitted to the Building Department.

If you answer 'yes' to any of the following questions, please ensure that the approval documents issued by the relevant authority/agency are submitted with this permit application. Approval documents that are required, but have not yet been received from the relevant authority/agency, must be acknowledged in the declaration located on the bottom of this form.

	Yes	No
<b>Zoning By-Laws – Planning Department</b>		
Is/Was a minor variance required to permit the proposed construction or land use?	<input type="checkbox"/>	<input type="checkbox"/>
Is/was a rezoning required to permit the proposed construction or land use?	<input type="checkbox"/>	<input type="checkbox"/>
Is a land division or subdivision application required and not yet fully completed?	<input type="checkbox"/>	<input type="checkbox"/>
Provide associated file numbers: _____		
Are municipal services required but not yet completed or available?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Planning Approval – Planning Department</b>		
Does this development require site plan approval from the Planning Department?	<input type="checkbox"/>	<input type="checkbox"/>
Provide associated file numbers: _____		
Are you intending to live in an existing dwelling on the subject property during construction of your new dwelling on the same property?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Design Requirements – Ontario Association of Architects/Professional Engineers Ontario</b>		
Does the proposed construction require design by an Architect or a Professional Engineer?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Health Unit Approval – Region of Durham Health Department</b>		
Does the proposed construction impact a septic system?	<input type="checkbox"/>	<input type="checkbox"/>
Are you demolishing a building that is connected to a septic system?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Heritage – Township of Brock – List of Recognized Properties</b>		
Is the building recognized by the Township as having historical and heritage significance?	<input type="checkbox"/>	<input type="checkbox"/>
Are you demolishing a building that has been issued a heritage plaque?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Municipal Public Works – Township or Region of Durham Public Works Department</b>		
Are you proposing a new entrance or changes to an existing entrance on the property? Circle one: _____ Township Road _____ Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
<b>Construction and Fill Permits – Conservation Authority</b>		
Does the property abut or contain a ravine, watercourse, wetland or shoreline, and does it fall within an area regulated by a Conservation Authority ?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Public Lands Works Permit – Ontario Ministry of Natural Resources</b>		



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Is the property Crown Lands or Shore Lands?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Building and Land Use Permits - Ontario Ministry of Transportation</b>		
Is the property within 45m of a highway or 180m from any highway intersection?	<input type="checkbox"/>	<input type="checkbox"/>
Is the property within 395m of a controlled highway intersection?	<input type="checkbox"/>	<input type="checkbox"/>
Is this a major trafficgenerating project located within 800m of a highway?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Environmental Approvals – Ontario Ministry of the Environment</b>		
Is a record of site condition required due to a change to a more sensitive land use?	<input type="checkbox"/>	<input type="checkbox"/>
Is this property a former waste disposal site or former industrial site?	<input type="checkbox"/>	<input type="checkbox"/>
Is this project a major industrial, commercial or government project?	<input type="checkbox"/>	<input type="checkbox"/>
Will this project generate a daily sewage flow of 10,000L or more?	<input type="checkbox"/>	<input type="checkbox"/>
Is this a renewable energy project?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Electrical Conductor Clearances - Electrical Safety Authority &amp; Building Code</b>		
Are any overhead power lines located either above or within 5.5 metres of the project?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Clean Water Act/Source Protection – Region of Durham Works Department</b>		
Does a water source protection plan restrict the land use you are proposing?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Agriculture and Farms – Ontario Ministry of Agriculture and Food</b>		
Is this a farm building that will house animals or manure?	<input type="checkbox"/>	<input type="checkbox"/>
Is this a milk processing plant?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Education and Child Care Centres – Ontario Ministry of Education</b>		
Is a daycare proposed in any part of the building?	<input type="checkbox"/>	<input type="checkbox"/>
Does the project involve the demolition of a school?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Seniors Centres – Ontario Ministry of Community and Social Services</b>		
Is this a seniors project where Ontario Government funding is being sought?	<input type="checkbox"/>	<input type="checkbox"/>
<b>X-Ray Equipment – Ontario Ministry of Health and Long-Term Care</b>		
Does the project include spaces for the use of X-Ray equipment?	<input type="checkbox"/>	<input type="checkbox"/>

### Declaration:

I have considered the list of applicable laws above and as described in Article 1.4.1.3 of the Ontario Building Code, and do hereby declare that:

- ☐ None of these applicable law approvals apply to this project
- ☐ Applicable laws checked with a “YES” apply to this project and approval documents are submitted with this application
- ☐ Applicable laws checked with a “YES” apply to the project, however not all approval documents have been received from the relevant authority/agency(s)

The information provided on this form is true to the best of my knowledge. I have authority to act on behalf of the owner, corporation or partnership with respect to this application (if applicable).

**Name:**

**Date:**



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### Applicable Laws & Building Permits - Additional Information

In many instances, approvals are required from other agencies and authorities to ensure that a development can be safely and suitably accommodated on a proposed site. The requirements and regulations associated with these approvals can have significant impact on the design parameters of a project, so it is important that they are completed prior to applying for a building permit. Fully complete building permit applications are given priority by law and are less likely to have their review timelines impacted by the requirements and changes resulting from these other processes.

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#### Zoning & Planning

Contact: Township of Brock Planning Department at 705-432-2355 ext. 235

<https://www.townshipofbrock.ca/en/building-and-business-development/planning-and-development.aspx>

Planning Act, s. 34, 34(5), 45 and Part VI

Zoning by-laws restrict things such as land use, lot size, building size and setbacks. If your project does not comply with the relevant sections of the zoning by-law, a minor variance or rezoning must be applied for and granted before any building permit can be issued. Zoning by-laws can also be used to restrict the issuance of building permits until an associated planning application (such as land division or subdivision) has been completed, or, until or municipal servicing has been made available.

Planning Act, s. 41

Site Plan Approval is required for most new industrial, commercial, institutional and multi-residential buildings and additions. A finalized site plan, and site plan agreement must be registered on the title of the property before a building permit can be issued. Houses, residential accessory buildings and agricultural buildings are exempt from this process.

#### Design Requirements

Contact: Ontario Association of Architects [www.oaa.on.ca](http://www.oaa.on.ca) or Professional Engineers Ontario [www.peo.on.ca](http://www.peo.on.ca)

Architects Act R.S.O. 1990 or Professional Engineers Act R.S.O. 1990

Certain buildings require design and general review by an architect and/or a professional engineer. Stamped design documents and 'Commitment to General Review' forms must be provided prior to the issuance of any building permits.

#### Health Unit Approval

Contact: Region of Durham Health Department at 905-985-4889; 1-888-845-1868

<https://www.durham.ca/en/health-and-wellness/sewage-and-septic-systems.aspx>

Ontario Building Code s. 11.4.2.5

Approval from the Region of Durham Regional Health Department is required for any new building or structure located on a property where municipal services are not available, and/or where an existing septic system is already present. Approval is also required for additions to buildings already served by a septic system, where any one of the following criteria is proposed: a 15% or greater increase in building size, any additional bedrooms, or any new plumbing fixtures.



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### Heritage

Contact: Township of Brock at 705-432-2355

<https://www.townshipofbrock.ca/en/recreation-and-events/heritage.aspx>

Ontario Heritage Act, s. 27, 30, 33, 34, 40, 1 & 42

The Township of Brock has recognized the historical and heritage significance of eligible buildings and properties within the community through the Heritage Plaque Program. Approval should be obtained by the Township prior to any work or proposed demolition of any building listed within this program.

### Conservation Authority Permits

Contact: Kawartha Region Conservation Authority at 705-328-2271; 1-800-668-5722

[www.kawarthaconservation.com](http://www.kawarthaconservation.com)

Lake Simcoe Region Conservation Authority at 905-895-1281; 1-800-465-0437 [www.lsrca.on.ca](http://www.lsrca.on.ca)

Central Lake Ontario Conservation at 905-579-0411 [www.cloca.com](http://www.cloca.com)

Conservation Authorities Acts, 28(1)(c), regulations 167/06, 168/06, 179/06, 182/06

Any development proposed within a portion of a property that is regulated by a Conservation Authority must obtain approval from the respective Conservation Authority before any building permits can be issued. Regulated area mapping can be obtained from Conservation Ontario at: [www.camaps.ca](http://www.camaps.ca).

### Public Lands Work Permits

Contact: Ministry of Northern Development, Mines, Natural Resources and Forestry at 1-800-667-1940

<https://www.ontario.ca/page/crown-land-work-permits>

Public Lands Act, reg. 239/13 s. 2

Ministry approvals are required for the construction of buildings, and any dredging or filling on Crown land and shore lands.

### Highway Corridor Building & Land Use Permits

Contact: Ministry of Transportation (MTO) – Highway Corridor Management

<https://www.hcms.mto.gov.on.ca/>

Public Transportation and Highway Improvement Act, s. 34, 38

MTO authorization is required for a variety of development and construction activities proposed within the vicinity of a provincial highway, including new buildings, signage and entrances.

### Environmental Approvals

Contact: Ministry of the Environment, Conservation and Parks (MECP) at 1-800-668-0230

<https://www.ontario.ca/page/ministry-environment-conservation-parks>

Environmental Protection Act, s. 46, 47.3, 168 and the Environmental Assessment Act, s. 5

MECP approvals are required for projects that involve a change to a more sensitive land use, ex. industrial to residential. Similarly, approvals are required for the redevelopment of brownfield sites and for development occurring on former waste disposal sites. The MECP also issues approvals for major industrial, commercial and government projects and for any renewable energy projects.

### Electrical Conductor Clearances

Contact: Electrical Safety Authority at 1-877-372-7233

<https://www.esasafe.com/>

Ontario Building Code, Div. B 3.1.19. and 9.1.1.5.

Certain minimum clearances must be maintained from overhead electrical conductors depending on their voltage. Please contact appropriate authority to obtain written approval to accompany permit submission.



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### **Clean Water Act/Source Protection**

Contact: Durham Region Works Department at 905-668-7711; 1-800-372-1102

Clean Water Act, s.59

Special land use restrictions may apply if a water source protection plan is in effect in the area where the building is located. Uses affected by these restrictions require the approval of the designated risk management official.

### **Agriculture and Farms**

Contact: Ministry of Agriculture Food and Rural Affairs at 1-877-424-1300

Nutrient Management Act 2002, s. 11, reg. 267/03, Milk Act, s. 14

Buildings or structures that are intended to house animals or store manure may require the submission of a Nutrient Management Strategy for Ministry review and approval. The Ministry also reviews and issues approvals for dairy processing plans and any associated additions or alterations thereto.

### **Education and Child Care Centres**

Contact: Ministry of Education at 1-800-367-5514

<https://www.ontario.ca/page/ministry-education>

Education Act, s. 194, Child Care and Early Years Act, s. 14, reg. 137

Any construction project associated with a proposed, or already existing child care centre, requires approval by the Ministry of Education. Ministry approval is also required prior to the demolition of any school building owned by the public or separate school boards.

### **Seniors Centres**

Contact: Ontario Ministry of Community and Social Services at 1-888-789-4199

[www.mcscs.gov.on.ca/en/mcscs](http://www.mcscs.gov.on.ca/en/mcscs)

Elderly Persons Centres Act, s. 6, reg. 314

Reports must be submitted to the Minister and approval obtained for all senior's centres to which government funding applies.

### **X-Ray Equipment**

Contact: Ministry of Health and Long-Term Care at 1-800-268-1153

[www.health.gov.on.ca](http://www.health.gov.on.ca)

Healing Arts Radiation Act

Where X-Ray equipment is used for primary exposure to humans, approvals are required before a building permit can be issued.