



# Applicable Law Checklist

Application No.	Address	Date
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The *Building Code Act* prohibits the issuance of a building permit if the proposed construction or demolition will contravene an applicable law as defined by the building code. The questions below will help you to determine if an applicable law applies to your project. No timeframe for building permit review can be established until all required applicable law approvals are completed and the approval documents are submitted to the Building Approvals Section.

If the answer is yes to any question, the relevant approval documents must be submitted with this permit application. Where any required approval has **not** been obtained, the agencies listed on the back of this form must be contacted to obtain approval, and the declaration on the bottom of this form must state accordingly.

	YES	NO
<b>Zoning Bylaws</b> ♦ Town Planning Services		
Is/was relief required to permit a minor zoning variance in your proposal?	<input type="checkbox"/>	<input type="checkbox"/>
Is/was rezoning required to permit the proposed building or land use?	<input type="checkbox"/>	<input type="checkbox"/>
Is a land division or subdivision required and not yet fully completed?	<input type="checkbox"/>	<input type="checkbox"/>
Are municipal services required but not yet completed or available?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Planning Approval</b> ♦ Town Planning Services		
Does this development require site plan approval from the Planning Department?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Heritage</b> ♦ Town Planning Services		
Are you demolishing a building that is listed on the City's heritage inventory?	<input type="checkbox"/>	<input type="checkbox"/>
Is the building designated or in the process of being designated?	<input type="checkbox"/>	<input type="checkbox"/>
Is the property located in a heritage district or study area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Construction and Fill Permits</b> ♦ TRCA/CLOCA		
Does the property abut a ravine, watercourse, wetland or shoreline?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Building &amp; Land Use Permits</b> ♦ Ontario Ministry of Transportation		
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 traffic generating project located within 800m of a highway?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Environmental Approvals</b> ♦ Ontario Ministry of Environment		
Is an RSC required to be filed because of a change to more sensitive land use?	<input type="checkbox"/>	<input type="checkbox"/>
Is the property a former waste disposal site?	<input type="checkbox"/>	<input type="checkbox"/>
Is this project a major industrial, commercial or government project?	<input type="checkbox"/>	<input type="checkbox"/>
Is this a renewable energy project?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Electrical Conductor Clearances</b> ♦ Electrical Safety Authority		
Are any overhead power lines located above or within 5.5 metres of the proposed building?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Clean Water Act</b> ♦ Region of Durham		
Does a water source protection plan restrict the land use you are proposing?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Agriculture and Farms</b> ♦ Ontario Ministry of Agriculture and Food		
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>Child Care Centres</b> ♦ Ontario Ministry of Education		
Is a daycare proposed in any part of the building?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Seniors Centres</b> ♦ Ontario Ministry of Community and Social Services		
Is this a seniors project where Ontario Government funding is being sought?	<input type="checkbox"/>	<input type="checkbox"/>

**DECLARATION**

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

- 1. None of these applicable law approvals apply to this project.
- 2. Applicable laws checked with a 'yes' apply to this project, and approval documents are submitted with this application.
- 3. Applicable laws checked with a 'yes' apply to this project, however all approval documents have not yet been obtained.

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:	Signature:	Date:
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## Applicable Laws & Building Permits

Approvals from other agencies are required in many instances before a building permit can be processed and issued. These approvals are **not** administered by Building Approvals. The fastest way to obtain a building permit is to ensure all these other approvals are completed (or do not apply) before applying for a building permit. Building Approvals is required by law to prioritize applications that are fully complete in terms of applicable law approvals and document submissions. Building permit documents must be consistent with applicable law approvals.

### **Zoning, Planning & Heritage**

Contact: Town of Ajax Planning Services at 905-61-2529 ext. 3631

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

Zoning bylaws restrict such things as land use, lot size, building size and setbacks. If your project doesn't comply with any part of the zoning by-law, a minor variance or rezoning must be obtained before any building permit can be issued. Zoning by-laws also restrict the issuance of permits until any associated land division, subdivision or municipal servicing is complete.

#### Planning Act, s.41

Site Plan Approval is required for most new buildings and additions other than houses and accessory structures. The site plan agreement must be registered before site plans will be approved.

#### Ontario Heritage Act, s. 27, 30, 33, 34 40.1 & 42

Ajax has designated certain heritage buildings and maintains a listing of buildings of heritage interest. Specific areas have also been established as Heritage Conservation Districts. Planning and/or Town Council approval for demolition, alteration and construction is required if your property is affected.

### **Conservation Authority Permits**

Contact: Toronto Region Conservation Authority (TRCA) at 416-660-6600 [planning&permits@trca.on.ca](mailto:planning&permits@trca.on.ca)

#### Conservation Authorities Act s.28 (1)(c), regulation 166/06

Development within certain conservation regulated areas requires a construction and fill permit from the conservation authority before any building permit can be issued. TRCA will confirm if your property falls within their jurisdiction.

#### Conservation Authorities Act, regulation 42/06

Contact: Central Lake Ontario Conservation Authority (CLOCA) at 905-579-0411 [mail@cloca.com](mailto:mail@cloca.com)

Filling activities in fill regulated areas, construction of buildings or structures within the Regulatory flood plain and alterations to watercourses is regulated by CLOCA and requires a permit before any building permit can be issued. CLOCA will confirm if your property falls within their jurisdiction.

### **Highway Corridor Building & Land Use Permits**

Contact: Ministry of Transportation [www.mto.gov.on.ca](http://www.mto.gov.on.ca)

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

Ministry authorization is required for construction of all buildings within certain distances of a highway or intersection. The requirement for Ministry authorization extends to 800m from a highway where development will generate major traffic, such as a shopping centre.

### **Environmental Approvals**

Contact: Ministry of the Environment at 1-800-461-6290

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

Ministry of Environment approvals are required where a property of industrial or commercial use is change to more sensitive residential or parkland use, for major government, industrial and commercial projects where defined by regulation, properties formerly used for landfill or waste disposal, or renewable energy projects.

### **Electrical Conductor Clearances**

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

Subsection 3.1.19. of the Ontario Building Code prohibits buildings being located beneath or within certain minimum distances of overhead electrical conductor wires, other than the power feed to the building.

### **Source Water Protection**

Contact: Durham Region at 1-905-668-7711

#### 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 house animals or store manure may trigger a requirement for a nutrient management strategy approved by the Ministry. The Ministry must determine that a milk processing plant is necessary and authorize it before a building permit can be issued.

### **Child Care Centres**

Contact: Ministry of Education at 905-895-9192

#### Day Nurseries Act s. 5 of reg 262

Ministry plan approval is required if a new building is proposed to be used as a day nursery, an existing building is proposed to be used, altered or renovated for a day nursery, or if an existing day nursery is altered or renovated.

### **Seniors Centres**

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

#### Elderly Persons Centres Act s. 6 of reg 314

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