



# APPLICABLE LAW CHECKLIST

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 Division.

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.

**Property Address:** \_\_\_\_\_ **Permit Number (office use)** \_\_\_\_\_

<b>Zoning By-Laws – Dutton Dunwich Planning Department</b>	YES	NO
Is/was relief required to permit a minor zoning variance in your proposal? Is/was rezoning required to permit the proposed building or land use?		
Is a land division or subdivision required and not yet fully completed?		
Are municipal services required but not yet completed or available?		

<b>Planning Approval - Dutton Dunwich Planning Department</b>	YES	NO
Is this property regulated by Site Plan Control under Section 41 of the Planning Act?		

<b>Heritage - Dutton Dunwich Planning Department</b>	YES	NO
Are you demolishing a building that is listed on the County's heritage inventory?		
Is the building designated or in the process of being designated?		
Is the property located in a heritage district or study area?		

<b>Construction and Fill Permits – Lower Thames Valley Conservation Authority</b>	YES	NO
Is the property located within a regulated area (i.e. abutting a ravine, watercourse, wetland, or shoreline)?		

<b>Building and Land Use Permits - Ontario Ministry of Transportation</b>	YES	NO
Is the property within 45m of a highway or 180 m from any highway intersection?		
Is the property within 395m of a controlled highway intersection? (applies to Sign Permits)		
Is this a major traffic generating project located within 800m of a highway?		

<b>Clean Water Act – Thames Sydenham Source Protection Region and Lake Erie Source Protection Region</b>	YES	NO
Is the property located within a Source Water Protection regulated area?		
If yes: does a Water Source Protection Plan restrict the land use you are proposing? (s.59 screening form may be required)		

<b>Agriculture and Farms - Ontario Ministry of Agriculture and Food</b>	YES	NO
Is this a farm building that will house animals or manure?		
Is this a milk processing plant?		

<b>Crown Lands Work Permit – Ministry of Natural Resources</b>	YES	NO
Are you proposing to construct or place a structure or combination of structures that are in physical contact with more than 15 square meters of shore lands?		
Are you proposing to build on Crown Land?		

<b>Electrical Conductor Clearances - Electrical Safety Authority</b>	YES	NO
Are any overhead power lines located above or within 5.5 metres of the proposed building?		

<b>Environmental Approvals - Ministry of Environment, Conservation, Parks</b>	YES	NO
Is a Record of Site Condition required to be filed because of a change to more sensitive land use? Is the property a former waste disposal site?		
Is this project a major industrial, commercial, or government project?		
Is this a renewable energy project?		
Does this property have a Certificate of Property Use under the Environmental Protection Act?		

<b>Child Care Centres - Ministry of Education</b>	YES	NO
Is a daycare proposed in any part of the building?		

<b>Seniors Centres - Ministry of Children, Community and Social Services</b>	YES	NO
Is this a seniors project where Ontario Government funding is being sought?		

<b>Long Term Care Centres – Ministry of Health &amp; Long Term Care</b>	YES	NO
Construction, alteration or conversion of building used for a nursing home?		

<b>Education Act - Ministry of Education</b>	YES	NO
Is the project being carried out on the property of an educational facility?		
If so, is any or all building on the property being fully or partially demolished?		

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

<input type="checkbox"/>	None of these applicable law approvals apply to this project
<input type="checkbox"/>	Applicable laws checked 'yes' apply to this project, and approval documents are submitted with this application.
<input type="checkbox"/>	Applicable laws checked '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: \_\_\_\_\_

Approvals from other agencies are required in many instances before a building permit can be processed and issued. These approvals are **NOT** administered by the Building Department. The fastest way to obtain a building permit is to ensure that all other required approvals are completed prior to permit application. The Building Department 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. If you answer yes to any of the following question please reach out to these agencies for approvals.

#### **Zoning and Planning – Dutton Dunwich Planning Department**

**Municipality of of Dutton Dunwich Zoning and Planning** 519-762-2204 or by email [planning@duttondunwich.on.ca](mailto:planning@duttondunwich.on.ca)

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

Zoning By-laws restrict such things as land use, lot size, building size, and setbacks. If your project does not 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 applies to commercial, industrial, institutional, multi-residential and intensive livestock site plans. The site plan agreement must be registered before site plans will be approved.

#### **Conservation Authority Permits**

**Lower Thames Valley Conservation Authority** 519-354-7310 or by email [planning@ltvca.ca](mailto:planning@ltvca.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. The LTVCA will confirm if your property falls within their jurisdiction.

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

**Ministry of Transportation (MTO)** 1-800-268-4686 or

[www.mto.gov.on.ca/english/highway-bridges/highway-corridor-management/index.shtml](http://www.mto.gov.on.ca/english/highway-bridges/highway-corridor-management/index.shtml)

##### **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.

**Building Department - 199 Currie Road, Dutton ON N0L 1J0**

Telephone: 519-762-2204

## Environmental Approvals

**Ministry of the Environment, Conservation and Parks** (MECP) 1-800-461-6290 or [www.ontario.ca](http://www.ontario.ca)

### **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 changed 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

**Electrical Safety Authority** 1-877-372-7233 or [www.esasafe.com](http://www.esasafe.com)

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

## Source Water Protection

Thames Sydenham and Region Drinking Water Protection - [www.sourcewaterprotection.on.ca](http://www.sourcewaterprotection.on.ca)  
Lake Erie Source Protection Region - [www.sourcewater.ca](http://www.sourcewater.ca)

### **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

**Ministry of Agriculture Food and Rural Affairs** 1-877-424-1300 or [www.omafra.gov.on.ca](http://www.omafra.gov.on.ca)

### **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

**Ministry of Education** (905) 895-9192 or [www.ontario.ca](http://www.ontario.ca)

### **Child Care and Early Years Act, s. 14 reg 137/15**

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

**Ministry of Children, Community and Social Services** 1-888-789-4199 or [www.mcscs.gov.on.ca](http://www.mcscs.gov.on.ca)

### **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.

## Long Term Care Homes

**Ministry of Health & Long Term Care** 1-800-387-5559 or [www.health.gov.on.ca](http://www.health.gov.on.ca)

**Nursing Home Act s. 4, 5 reg 832**

**Homes for the Aged & Rest Homes Act s. 14**

The Long Term Health Care Act is designed to help ensure that residents of long-term care homes receive safe, consistent, high-quality, resident-centred care.

## Education

**Ministry of Education** (905) 895-9192 or [www.ontario.ca](http://www.ontario.ca)

**Education Act s. 194**

The board shall obtain approval from the Minister for the demolition of any buildings located on a school site regulated by the Education Act. App

## Crown Lands Works Permits

**Ministry of Natural Resources** [www.ontario.ca/page/crown-land-work-permits](http://www.ontario.ca/page/crown-land-work-permits)

**Ontario Regulation 239/13 s. 2, s. 5**

Ministry approval is required to construct a building on crown lands or to construct or place a structure along shorelines.