



# Applicable Law Checklist

ALC

This form confirms required approvals from other agencies for the purposes of building permit issuance

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 Department.

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.

Zoning By-Laws - City Planning Department	Yes	No
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"/>

Planning Approval - City Planning Department	Yes	No
Is this property regulated by Site Plan Control under Section 41 of the <i>Planning Act</i> ?	<input type="checkbox"/>	<input type="checkbox"/>

Heritage - City Planning Department	Yes	No
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"/>

Construction and Fill Permits - Nottawasaga Valley or Lake Simcoe Regional Conservation Authority	Yes	No
Is the property located within a regulated area (i.e. abutting a ravine, watercourse, wetland, or shoreline)?	<input type="checkbox"/>	<input type="checkbox"/>

Building and Land Use Permits - Ontario Ministry of Transportation	Yes	No
Is the property within 45m of a highway or 180 m from any highway intersection?	<input type="checkbox"/>	<input type="checkbox"/>
Is the property within 400m of the highway 400 corridor?	<input type="checkbox"/>	<input type="checkbox"/>
Is the property within 395m of a controlled highway intersection? (applies to Sign Permits)	<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"/>

Environmental Approvals - Ontario Ministry of Environment	Yes	No
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"/>
Does this property have a Certificate of Property Use under the <i>Environmental Protection Act</i> ?	<input type="checkbox"/>	<input type="checkbox"/>



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Electrical Conductor Clearances - Electrical Safety Authority	Yes	No
Are any overhead power lines located above or within 5.5 metres of the proposed building?	<input type="checkbox"/>	<input type="checkbox"/>

Clean Water Act	Yes	No
Is the property located within a Source Water Protection regulated area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>If yes:</b> does a Water Source Protection Plan restrict the land use you are proposing? (s.59 screening form may be required)	<input type="checkbox"/>	<input type="checkbox"/>

Agriculture and Farms - Ontario Ministry of Agriculture and Food	Yes	No
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"/>

Child Care Centres - Ontario Ministry of Education	Yes	No
Is a daycare proposed in any part of the building?	<input type="checkbox"/>	<input type="checkbox"/>

Seniors Centres - Ontario Ministry of Community and Social Services	Yes	No
Is this a seniors project where Ontario Government funding is being sought?	<input type="checkbox"/>	<input type="checkbox"/>

Education Act - Ontario Ministry of Education	Yes	No
Demolition Permit – Does the project involve demolition of a building?	<input type="checkbox"/>	<input type="checkbox"/>

New Home Warranties Plan Act - Ontario New Home Warranties Plan	Yes	No
Does this project involve construction or conversion of a residential condominium?	<input type="checkbox"/>	<input type="checkbox"/>

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

None of these applicable law approvals apply to this project.

Applicable laws checked 'yes' apply to this project, and approval documents are submitted with this application.

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:** \_\_\_\_\_

## 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 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.



# Applicable Law – Other Agencies

## Zoning and Planning

**Development Services (705) 739-4208 or [planneroftheday@barrie.ca](mailto:planneroftheday@barrie.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 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.

## Heritage

**Development Services, Heritage Staff Liaison (705) 739-4220 x. 4403 [Tomasz.Wierzba@barrie.ca](mailto:Tomasz.Wierzba@barrie.ca)**

*Ontario Heritage Act, s.27, 30, 33, 34, 40.1, and 42*

The City of Barrie maintains a public registrar of properties designated Buildings of Heritage Interest. If the subject property is on the Heritage Registrar, approval may be required.

## Conservation Authority Permits

**(NVCA): Nottawasaga Valley Conservation Authority (705) 424-1479 [admin@nvca.on.ca](mailto:admin@nvca.on.ca)**

**(LSRCA): Lake Simcoe Regional Conservation Authority 1-800-465-0437**

*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. NVCA or LSRCA will confirm if your property falls within their jurisdiction.

## Highway Corridor Building & Land Use Permits

**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

**Ministry of the Environment 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 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**

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.



## Applicable Law – Other Agencies

### Source Water Protection

Engineering Department, Risk Management Official (705) 739-4220 x. 4796 [brittany.barkes@barrie.ca](mailto:brittany.barkes@barrie.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

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

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

Ontario Ministry of Community and Social Services 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.

### Education

Ontario Ministry of Education

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*. Approval from the Minister shall be provided to the municipality before a demolition permit can be issued.

### New Home Warranties Plan Act

Ontario New Home Warranties Plan

New Home Warranties Plan Act, s. 17.4

Confirmation from the Registrar is required for any residential condominium conversion project as per section 17.4(3) of the *New Home Warranties Plan Act*.