

## List of Applicable Law as per Ontario Building Code

### 1.4.1.3. Definition of Applicable Law

- (1) For the purposes of clause 8 (2) (a) of the Act, *applicable law* means,
- (a) the statutory requirements in the following provisions with respect to the following matters:
- (0.i) section 14 of Ontario Regulation 137/15 (General) made under the *Child Care and Early Years Act, 2014* with respect to the approval of plans for a new *building* to be erected or an existing *building* to be used, altered or renovated for use as a *child care centre* or for alterations or renovations to be made to premises used by a *child care centre*,
  - (i) section 114 of the *City of Toronto Act, 2006* with respect to the approval by the City of Toronto or the Local Planning Appeal Tribunal of plans and drawings,
  - (ii) section 59 of the *Clean Water Act, 2006* with respect to the issuance of a notice by the risk management official for the *construction* of a *building*,
  - (iii) REVOKED: O. Reg. 139/17, s. 5 (2).
  - (iv) section 194 of the *Education Act* with respect to the approval of the Minister for the *demolition* of a *building*,
  - (v) section 6 of Regulation 314 of the Revised Regulations of Ontario, 1990 (General), made under the *Elderly Persons Centres Act*, with respect to the approval of the Minister for the *construction* of a *building* project,
  - (vi) section 5 of the *Environmental Assessment Act* with respect to the approval of the Minister or the Environmental Review Tribunal to proceed with an undertaking,
  - (vii) section 46 of the *Environmental Protection Act* with respect to the approval of the Minister to use land or land covered by water that has been used for the disposal of waste,
  - (viii) section 47.3 of the *Environmental Protection Act* with respect to the issuance of a renewable energy approval,
  - (ix) section 168.3.1 of the *Environmental Protection Act* with respect to the *construction* of a *building* to be used in connection with a change of use of a property,
  - (x) paragraph 2 of subsection 168.6 (1) of the *Environmental Protection Act* if a certificate of property use has been issued in respect of the property under subsection 168.6 (1) of that Act,
  - (xi) section 14 of the *Milk Act* with respect to the permit from the Director for the *construction* or alteration of any *building* intended for use as a plant,
  - (xii) section 11.1 of Ontario Regulation 267/03 (General), made under the *Nutrient Management Act, 2002*, with respect to a proposed *building* or structure to house farm animals or store nutrients if that Regulation requires the preparation and approval of a nutrient management strategy before *construction* of the proposed *building* or structure,

- (xiii) subsection 30 (2) of the *Ontario Heritage Act* with respect to a consent of the council of a *municipality* to the alteration or *demolition* of a *building* where the council of the *municipality* has given a notice of intent to designate the *building* under subsection 29 (3) of that Act,
- (xiv) section 33 of the *Ontario Heritage Act* with respect to the consent of the council of a *municipality* for the alteration of property,
- (xv) section 34 of the *Ontario Heritage Act* with respect to the consent of the council of a *municipality* for the *demolition* of a *building*,
- (xvi) section 34.5 of the *Ontario Heritage Act* with respect to the consent of the Minister to the alteration or *demolition* of a designated *building*,
- (xvii) subsection 34.7 (2) of the *Ontario Heritage Act* with respect to a consent of the Minister to the alteration or *demolition* of a *building* where the Minister has given a notice of intent to designate the *building* under section 34.6 of that Act,
- (xviii) section 42 of the *Ontario Heritage Act* with respect to the permit given by the council of a *municipality* for the erection, alteration or *demolition* of a *building*,
- (xviii.1) section 17.4 of the *Ontario New Home Warranties Plan Act* with respect to the provision of a confirmation by the Registrar for the *construction* of a residential condominium conversion project,
- (xix) section 14 of the *Ontario Planning and Development Act, 1994* with respect to any conflict between a development plan made under that Act and a zoning by-law that affects the proposed *building* or structure,
- (xx) section 41 of the *Planning Act* with respect to the approval by the council of the *municipality* or the Local Planning Appeal Tribunal of plans and drawings,
- (xxi) section 42 of the *Planning Act* with respect to the payment of money or making arrangements satisfactory to the council of a *municipality* for the payment of money, where the payment is required under subsection 42 (6) of that Act,
- (xxii) section 2 of Ontario Regulation 239/13 (Activities on Public Lands and Shore Lands — Work Permits and Exemptions), made under the *Public Lands Act*, with respect to the work permit authorizing the *construction* or placement of a *building* on public land,
- (xxii.1) section 5 of Ontario Regulation 239/13 with respect to the exemption from the requirement to obtain a work permit authorizing the *construction* or placement of a *building* within an unpatented mining claim,
- (xxiii) section 34 or 38 of the *Public Transportation and Highway Improvement Act* with respect to the permit from the Minister for the placement, erection or alteration of any *building* or other structure or the use of land,
- (b) the following provisions of Acts and regulations:
  - (i) subsection 102 (3) of the *City of Toronto Act, 2006*,
  - (ii) sections 28 and 53 of the *Development Charges Act, 1997*,
  - (iii) sections 257.83 and 257.93 of the *Education Act*,
  - (iv) subsection 5 (4) of the *Environmental Assessment Act*,
  - (v) subsection 133 (4) of the *Municipal Act, 2001*,
  - (vi) subsection 24 (3) of the *Niagara Escarpment Planning and Development Act*,

- (vii) subsection 27 (3) of the *Ontario Heritage Act*,
  - (viii) section 33 of the *Planning Act* except where, in the case of the *demolition* of a residential property, a permit to *demolish* the property is obtained under that section,
  - (ix) section 46 of the *Planning Act*,
- (b.1) by-laws made by a *municipality* under an agreement entered into under section 5.81 of the *Aeronautics Act* (Canada),
- (c) regulations made by a conservation authority under clause 28 (1) (c) of the *Conservation Authorities Act* with respect to permission of the authority for the *construction* of a *building* or structure if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development,
  - (d) by-laws made under section 108 of the *City of Toronto Act, 2006*, but only with respect to the issuance of a permit for the *construction* of a green roof if the *construction* of the roof is prohibited unless a permit is obtained,
  - (e) by-laws made under section 40.1 of the *Ontario Heritage Act*,
  - (f) by-laws made under section 34 or 38 of the *Planning Act*,
  - (g) subject to clause (h), by-laws made under Ontario Regulation 173/16 (Community Planning Permits) made under the *Planning Act*,
  - (h) by-laws referred to in clause (g) in relation to the development of land, but only with respect to the issuance of a development permit if the development of land is prohibited unless a development permit is obtained,
  - (i) by-laws made under Ontario Regulation 246/01 (Development Permits) made under the *Planning Act* which continue in force despite the revocation of that Regulation by reason of section 19 of Ontario Regulation 173/16 (Community Planning Permits) made under that Act,
  - (j) orders made by the Minister under section 47 of the *Planning Act* or subsection 17 (1) of the *Ontario Planning and Development Act, 1994*, and
  - (k) by-laws made under any private Act that prohibit the proposed *construction* or *demolition* of the *building* unless the by-law is complied with.
- (2)** For the purposes of clause 10 (2) (a) of the Act, *applicable law* means any general or special Act, and all regulations and by-laws enacted under them that prohibit the proposed use of the *building* unless the Act, regulation or by-law is complied with.

Sourced from Division A – Part 1 – Ontario Building Code