10 Understand the Legal Framework

Find out what laws, regulations, permits and other legal requirements apply to the proposal, the proponent and the industry. Local and provincial authorities may not be diligent in ensuring that the ILO project is complying with all the measures it should. If you are aware of the legal framework you will be able to hold the authorities and the proponent accountable. Look for:

Local regulations

- Local or township resolutions
- Local regulations and restrictions
- Municipal planning commission statements
- Zoning and land use bylaws
- Determine if the ILO is a discretionary use or permitted use in your area
- Minimum distance set-backs
- Community economic development plans
- Health regulations

Construction plans and permit applications

- Review the proponent's construction plans and permit applications
- Do a record search
- Land surveys of proposed facility by government or non-government conservation agencies or geological survey of canada
- Applications or approvals for building permits
- Any general permits or operating permits (including provincial or municipal waste-water disposal permits)

Water permits

- Review any water permits issued or applied for
- Proposed water usage from your private or municipal water supply

Provincial legislation, regulations and policy

- Environmental protection legislation
- Watershed management or source water protection measures
- Municipal planning and development acts
- Public health and safety measures
- Right to farm legislation
- other agriculture legislation

Federal legislation and regulations

- Fisheries Act
- Canadian Environmental Protection Act
- Canadian Environmental Assessment Act
- National Pollutant Release Inventory
- Canadian Food Inspection Agency Regulations

Note that the Beyond Factory Farming Coalition is in the process of collecting detailed information about the legal framework of ILOs in Canada, which will be published as a companion to this guide. Contact the BFF office for more information.