

Green Energy Act, 2009
Loi de 2009 sur l'énergie verte

ONTARIO REGULATION 15/10

DESIGNATIONS RE SECTION 5 OF THE ACT

Consolidation Period: From December 20, 2012 to the e-Laws currency date.

Note: April 8, 2013 has been named by proclamation as the day on which section 103 of the Ontario College of Trades and Apprenticeship Act, 2009 comes into force.

Last amendment: O. Reg. 438/12.

This Regulation is made in English only.

Designation of renewable energy projects

1. A renewable energy project related to a renewable energy generation facility that uses solar energy harnessed by photovoltaic technology as its renewable energy source is a designated renewable energy project for purposes of subsection 5 (1) of the Act, if the project meets the following criteria:

1. The photovoltaic technology is mounted on the roof or wall or both of a building.
2. The photovoltaic technology is installed in compliance with the Building Code Act, 1992. O. Reg. 15/10, s. 1.

Designation of renewable energy sources

2. (1) Ground source energy is designated as a renewable energy source for purposes of subsection 5 (1) of the Act, if the ground source energy is harnessed by ground source heat pump technology and the ground source heat pump technology is installed in compliance with the Building Code Act, 1992. O. Reg. 15/10, s. 2 (1).

(2) Solar energy is designated as a renewable energy source for purposes of subsection 5 (1) of the Act, if the solar energy is harnessed by thermal air technology or thermal water technology that meets the following criteria:

1. The thermal air technology or thermal water technology is mounted on the roof or wall or both of a building.
2. The thermal air technology or thermal water technology is installed in compliance with the Building Code Act, 1992. O. Reg. 15/10, s. 2 (2).

Exception, prescribed by-laws etc.

3. By-laws, instruments and other restrictions that relate to the following classes of matters are prescribed for the purposes of clause 5 (4) (b) of the Act:

1. The prevention of injury to or the destruction of trees.
2. The protection of groundwater.
3. The designation and protection, including interim protection, of properties of cultural heritage value or interest, heritage conservation study areas and heritage conservation districts and the designation of

properties of archaeological or historic significance pursuant to Parts II, III.1, IV, V and VI of the Ontario Heritage Act.

4. Any activity or matter that is the subject of a regulation made by a conservation authority pursuant to clauses 28 (1) (a), (b) and (c) of the Conservation Authorities Act. O. Reg. 15/10, s. 3.

Exception, restrictions imposed under prescribed Acts

4. Restrictions at law imposed under the following Acts are prescribed for the purposes of clause 5 (4) (b) of the Act:

1. The Apprenticeship and Certification Act, 1998.

Note: On the day section 103 of the Ontario College of Trades and Apprenticeship Act, 2009 comes into force, paragraph 1 is revoked. (See: O. Reg. 438/12, ss. 1 (1), 2)

2. The Building Code Act, 1992.

3. The Clean Water Act, 2006.

4. The Conservation Authorities Act.

5. The Crown Forest Sustainability Act, 1994.

6. The Electricity Act, 1998.

7. The Endangered Species Act, 2007.

8. The Environmental Assessment Act.

9. The Environmental Protection Act.

10. The Fire Protection and Prevention Act, 1997.

11. The Fish and Wildlife Conservation Act, 1997.

12. The Forest Fires Prevention Act.

13. The Niagara Escarpment Planning and Development Act.

14. The Occupational Health and Safety Act.

15. The Oil, Gas and Salt Resources Act.

Note: On the day section 103 of the Ontario College of Trades and Apprenticeship Act, 2009 comes into force, section 4 is amended by adding the following paragraph. (See: O. Reg. 438/12, ss. 1 (2), 2)

15.1 The Ontario College of Trades and Apprenticeship Act, 2009.

16. The Ontario Energy Board Act, 1998.

17. The Ontario Heritage Act.

18. The Ontario Water Resources Act.

19. The Pesticides Act.

20. The Provincial Parks and Conservation Reserves Act, 2006.

21. The Public Lands Act.

22. The Safe Drinking Water Act, 2002.

23. The Technical Standards and Safety Act, 2000.

24. The Trades Qualification and Apprenticeship Act. O. Reg. 15/10, s. 4.

Note: On the day section 103 of the Ontario College of Trades and Apprenticeship Act, 2009 comes into force, paragraph 24 is revoked. (See: O. Reg. 438/12, ss. 1 (3), 2)

5. Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 15/10, s. 5.

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