



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 286-2013

To prevent the application of Sections 51, 51.1, and 51.2 of the Planning Act to Peel Condominium Plan No. 322

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**WHEREAS** section 50 of the *Planning Act*, R.S.O. c. P.13, as amended, has imposed part lot control on all lands within the City;

**AND WHEREAS**, pursuant to subsection 9(2) of the *Condominium Act, 1998* the provisions of subsections 51, 51.1 and 51.2 of the Planning Act that apply to a plan of subdivision apply with necessary modifications to a description or an amendment to a description;

**AND WHEREAS**, pursuant to subsection 9(3) and 9(3)(b) of the *Condominium Act, 1998*, a description or amendment to a description shall not be registered unless the approval authority has exempted it from those provisions of subsections of 51, 51.1, and 51.2 of the Planning Act that would normally apply to it under subsection 9 (2) and it is accompanied by a certificate of exemption issued by the approval authority;

**AND WHEREAS**, the application for an exemption from the requirements of subsections 51, 51.1, and 51.2 of the Planning Act in respect of Peel Condominium Plan No. 322 for the purpose of amending the description of Peel Condominium Corporation No. 322, to remove certain lands from the existing condominium in order to allow for the development of an additional apartment building and to facilitate the dedication of lands to the City, is to the satisfaction of the City, subject to the registration of required easements, and amendments to the condominium declaration to reflect unit changes and any reciprocal use and maintenance arrangements as may be necessary to the satisfaction of the Chief of Planning and Infrastructure Services;

NOW THEREFORE, The Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

1. THAT subsections 51, 51.1, and 51.2 of the *Planning Act* do not apply to the following lands:  
  
Peel Condominium Plan No. 322, City of Brampton, Regional Municipality of Peel
2. THAT, pursuant to subsection 9(7) of the *Condominium Act, 1998*, authority be granted to the Chief of Planning and Infrastructure Services to execute an exemption certificate, substantially in the form as attached hereto as Schedule "A," in accordance with subsection 9(3)(b) of the *Condominium Act, 1998*, for the purpose of exempting the above noted lands from the requirements of subsections 51, 51.1, and 51.2 the *Planning Act* subject to the Chief of Planning and Infrastructure Services being satisfied as to the following:
  - i) the appropriate easements are established to ensure the proper functioning of both Peel Condominium Corporation No. 322 and the resulting parcel to be removed from Peel Condominium Plan No. 322;
  - ii) the appropriate amendments are made to the condominium description;
  - iii) the appropriate amendments are made to the condominium declaration to reflect unit revisions and any reciprocal use and maintenance arrangements that may be required between Peel Condominium Corporation No. 322 and the resulting parcel to be removed from Peel Condominium Plan No. 322.

**Schedule "A"**

**Exemption Certificate**

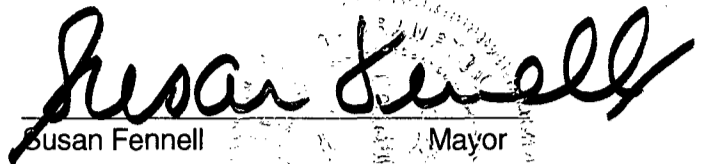
Pursuant to Section 9 of the Condominium Act 1998, S.O. 1998 Chapter 19 the amendment to the Description of Peel Condominium Plan No. 322 is exempted from those provisions of Sections 51, 51.1 and 51.2 of the Planning Act, R.S.O. 1990, Chapter P.13 that would normally apply to it under subsection 9(2) of the Condominium Act, 1998, S.O. 1998 Chapter 19 this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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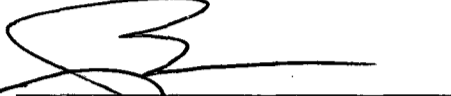
**Name: Marilyn Ball**  
**Title: Chief, Planning and Infrastructure Services**  
**City of Brampton**

3. THAT, this by-law shall expire at the end of the business day on October 23, 2016.


**READ a FIRST, SECOND and THIRD TIME and PASSED** in Open Council this 23<sup>rd</sup> Day of October, 2013.

  
Susan Fennell Mayor

Approved as to Content:



Allan Parsons, MCIP, RPP  
Manager, Planning and  
Land Development Services



Peter Fay City Clerk

PLC13-042

APPROVED AS TO FORM BY: <u>J.Z.</u> LEGAL SERVICES DATE: <u>17/10/13</u>
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