

Corporation of the Town of Newmarket

By-law 2023-40

A By-law to exempt the condominium on 260 Eagle Street from Sections 51 & 51.1 of the Planning Act (Oxford Homes-AHB Eagle 27 Inc).

Whereas Subsection 9(2) of the Condominium Act, 1998, S.O. 1998, c.19 (the “Condominium Act, 1998”), provides, inter alia, that Section 51, 51.1 , and 51.2 of the Planning Act, R.S.O. 1990, c.P.13 (the “Planning Act”) that apply to a plan of subdivision apply with the necessary modifications to a description for a condominium;

Whereas Subsection 9(3) of the Condominium Act, 1998 authorizes the approval authority to grant an exemption from those provisions of Section 51 and 51.1 of the Planning Act that would otherwise apply to the approval for a plan of condominium;

Whereas the Council of the Corporation of the Town of Newmarket deems it expedient to exempt the developer under Subsection 9(3) of the Condominium Act, 1998 as it relates to the development of 260 Eagle Street, PART BLOCK D AND LOTS 13, 14, 15, 16, 17, 18 & 19, PLAN 371, DESIGNATED AS PART 1, PLAN 65R37400; EXCEPT PART 1 65R38343; SUBJECT TO AN EASEMENT AS IN YR2975239; SUBJECT TO AN EASEMENT AS IN YR3536644; TOWN OF NEWMARKET from those provisions of Section 51 and 51.1 of the Planning Act which would normally apply to the development and registration of a plan of condominium.

Therefore, be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the Corporation of the Town of Newmarket exempt the developer under Subsection 9(3) of the Condominium Act, 1998 as it relates to the development of 260 Eagle Street, PART BLOCK D AND LOTS 13, 14, 15, 16, 17, 18 & 19, PLAN 371, DESIGNATED AS PART 1, PLAN 65R37400; EXCEPT PART 1 65R38343; SUBJECT TO AN EASEMENT AS IN YR2975239; SUBJECT TO AN EASEMENT AS IN YR3536644; TOWN OF NEWMARKET from those provisions of Section 51 and 51.1 of the Planning Act which would normally apply to the development and registration of a plan of condominium.
2. That this By-law shall come into force and effect immediately upon the final passing thereof.

Enacted this 26th day of June, 2023.

John Taylor, Mayor

Lisa Lyons, Town Clerk