



Corporation of the Town of Newmarket

By-law 2023-42

A By-law to exempt the condominium of two commercial/industrial mixed use buildings at 455 and 465 Harry Walker Parkway South from Sections 51 & 51.1 of the Planning Act.

Whereas Subsection 9(2) of the Condominium Act, 1998, S.O. 1998, c.19 (the "Condominium Act, 1998") provides, inter alia, that Sections 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 455 and 465 Harry Walker Parkway South; in the Town of Newmarket, Region of York from those provisions of Sections 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 455 and 465 Harry Walker Parkway South; in the Town of Newmarket, Region of York from those provisions of Sections 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