

Greenbelt Act, 2005

[Skip Table of Contents](#)

CONTENTS

1.	Definitions and interpretation
2.	Designation of area
3.	Establishment of plan
4.	No derogation from existing plans
5.	Objectives
6.	Content of plan
7.	Decisions to conform to plan
8.	Conflicts with Greenbelt Plan
9.	Conformity
10.	Regular reviews of plan
11.	Amendment to plan
12.	Minister's decision
13.	Hearing officer
14.	Decision of L.G. in C.
15.	Greenbelt Council
16.	Zoning orders
17.	Plans under the Ontario Planning and Development Act, 1994
18.	Matters appealed
19.	Limitations on remedies
20.	Conflicts
21.	Non-application of Statutory Powers Procedure Act
22.	Regulations by L.G. in C.
23.	Regulations by Minister
24.	Transition

Definitions and interpretation

[1. \(1\)](#) In this Act,

“Greenbelt Area” means the area of land designated under section 2; (“zone de la ceinture de verdure”)

“Greenbelt Plan” means the plan established under section 3; (“Plan de la ceinture de verdure”)

“local board” has the same meaning as in the *Municipal Affairs Act*, but does not include a board as defined in subsection 1 (1) of the *Education Act*; (“conseil local”)

“Minister” means the Minister of Municipal Affairs and Housing; (“ministre”)

“municipal planning authority” means a municipal planning authority established under section 14.1 of the *Planning Act*; (“office d'aménagement municipal”)

“Niagara Escarpment Plan” means the plan established under section 3 of the *Niagara Escarpment Planning and Development Act*; (“plan de l'escarpement du Niagara”)

“Oak Ridges Moraine Conservation Plan” means the plan established under section 3 of the *Oak Ridges Moraine Conservation Act, 2001*; (“Plan de conservation de la moraine d’Oak Ridges”)

“prescribed” means prescribed by regulations made under this Act; (“prescrit”)

“Protected Countryside” means the areas designated as Protected Countryside in the Greenbelt Plan; (“campagne protégée”)

“public body” means a municipality, local board, ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation. (“organisme public”) 2005, c. 1, s. 1 (1).

References

(2) A reference in this Act to a provision of the *Planning Act* or the *Condominium Act, 1998* includes a reference to any predecessor of that provision. 2005, c. 1, s. 1 (2).

Designation of area

2. (1) The Lieutenant Governor in Council may by regulation,
- (a) designate an area of land as the Greenbelt Area; and
 - (b) amend a designation made under clause (a). 2005, c. 1, s. 2 (1).

Same

- (2) The Greenbelt Area shall include,
- (a) the areas covered by the Oak Ridges Moraine Conservation Plan;
 - (b) the areas covered by the Niagara Escarpment Plan; and
 - (c) such areas of land as may be described in the regulations. 2005, c. 1, s. 2 (2).

Retroactive

(3) A regulation made under clause (1) (a) may be retroactive to a date no earlier than December 16, 2004. 2005, c. 1, s. 2 (3).

Limitation

(4) A regulation made under clause (1) (b) shall not amend the designation if the amendment has the effect of reducing the total land area within the Greenbelt Area. 2005, c. 1, s. 2 (4).

Establishment of plan

3. (1) The Lieutenant Governor in Council may establish the Greenbelt Plan for all or part of the Greenbelt Area. 2005, c. 1, s. 3 (1).

Copies

(2) The Minister shall ensure that a copy of the Greenbelt Plan and of every amendment to it is filed,

- (a) in the offices of the Ministry of Municipal Affairs and Housing;
- (b) with the clerk of each municipality that has jurisdiction in the Greenbelt Area;
- (c) in the offices of the Ministry of Natural Resources; and
- (d) in the offices of the Niagara Escarpment Commission. 2005, c. 1, s. 3 (2).

Not an undertaking

[\(3\)](#) The Greenbelt Plan is not an undertaking as defined in subsection 1 (1) of the *Environmental Assessment Act*, but that Act continues to apply within the area to which the Greenbelt Plan applies. 2005, c. 1, s. 3 (3).

Not a regulation

[\(4\)](#) The Greenbelt Plan is not a regulation within the meaning of the *Regulations Act*. 2005, c. 1, s. 3 (4).

Retroactive operation

[\(5\)](#) The Greenbelt Plan takes effect on the date specified in it which may be retroactive to a date no earlier than December 16, 2004. 2005, c. 1, s. 3 (5).

No derogation from existing plans

[4.](#) Subject to clause 22 (1) (c), nothing in this Act derogates from the provisions of the *Oak Ridges Moraine Conservation Act, 2001* or the *Niagara Escarpment Planning and Development Act* in respect of applications, matters or proceedings relating to the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan. 2005, c. 1, s. 4.

Objectives

- [5.](#) The objectives of the Greenbelt Plan are,
- (a) to establish a network of countryside and open space areas which supports the Oak Ridges Moraine and the Niagara Escarpment;
 - (b) to sustain the countryside, rural and small towns and contribute to the economic viability of farming communities;
 - (c) to preserve agricultural land as a continuing commercial source of food and employment;
 - (d) to recognize the critical importance of the agriculture sector to the regional economy;
 - (e) to provide protection to the land base needed to maintain, restore and improve the ecological and hydrological functions of the Greenbelt Area;

- (f) to promote connections between lakes and the Oak Ridges Moraine and Niagara Escarpment;
- (g) to provide open space and recreational, tourism and cultural heritage opportunities to support the social needs of a rapidly expanding and increasingly urbanized population;
- (h) to promote linkages between ecosystems and provincial parks or public lands;
- (i) to control urbanization of the lands to which the Greenbelt Plan applies;
- (j) to ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner;
- (k) to promote sustainable resource use;
- (l) any other prescribed objectives. 2005, c. 1, s. 5.

Content of plan

6. (1) The Greenbelt Plan may set out policies with respect to the lands to which the Greenbelt Plan applies, including,

- (a) land use designations;
- (b) policies to support co-ordination of planning and development programs of the various ministries of the Government of Ontario;
- (c) policies to support co-ordination of planning and development among municipalities; and
- (d) policies with respect to transitional matters that may arise in the implementation of the Greenbelt Plan. 2005, c. 1, s. 6 (1).

Same

(2) The Greenbelt Plan may set out policies with respect to the areas designated by it as Protected Countryside, including,

- (a) policies prohibiting any use of land or the erection, location and use of buildings or structures for, or except for, such purposes as may be set out;
- (b) policies restricting or regulating the use of land or the erection, location and use of buildings or structures;
- (c) policies relating to land and resource protection and land development; and
- (d) policies for the economic and physical development of the land including,

- (i) the management of land and water resources,
- (ii) the development of major servicing, communication and transportation systems,
- (iii) the identification of major land use areas and the provision of major parks and open space, and
- (iv) the development of cultural, recreational and tourism facilities;
- (e) policies,
 - (i) prohibiting official plans and zoning by-laws from containing provisions that relate to specified matters and are more restrictive than the provisions relating to such matters that are contained in the Greenbelt Plan, and
 - (ii) specifying matters referred to in subclause (i);
- (f) land use policies to support the long-term viability of agriculture in the Protected Countryside; and
- (g) such other policies as may be prescribed. 2005, c. 1, s. 6 (2).

Decisions to conform to plan

7. (1) A decision that is made under the *Ontario Planning and Development Act, 1994*, the *Planning Act* or the *Condominium Act, 1998* or in relation to a prescribed matter by a municipal council, local board, municipal planning authority, minister of the Crown or ministry, board, commission or agency of the Government of Ontario, including the Ontario Municipal Board, shall conform with the Greenbelt Plan. 2005, c. 1, s. 7 (1).

Limitation

(2) Subsection (1) does not apply to a policy statement issued under section 3 of the *Planning Act*. 2005, c. 1, s. 7 (2).

Actions to conform to plan

(3) Despite any other Act, no municipality or municipal planning authority shall, within the areas to which the Greenbelt Plan applies,

- (a) undertake any public work, improvement of a structural nature or other undertaking that conflicts with the Greenbelt Plan; or
- (b) pass a by-law for any purpose that conflicts with the Greenbelt Plan. 2005, c. 1, s. 7 (3).

Comments, advice

(4) Comments, submissions or advice provided by a minister of the Crown, a ministry, board, commission or agency of the Government of Ontario or

a conservation authority established under section 3 of the *Conservation Authorities Act* that affect a planning matter relating to lands to which the Greenbelt Plan applies shall conform with the Greenbelt Plan. 2005, c. 1, s. 7 (4).

Conflicts with Greenbelt Plan

8. (1) Despite any other Act, the Greenbelt Plan prevails in the case of a conflict between the Greenbelt Plan and,

- (a) an official plan;
- (b) a zoning by-law; or
- (c) a policy statement issued under section 3 of the *Planning Act*. 2005, c. 1, s. 8 (1).

Same

(2) Despite any other Act, if there is a conflict between the Greenbelt Plan and either the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan, the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan, as the case may be, prevails over the Greenbelt Plan in its area of application. 2005, c. 1, s. 8 (2).

Conformity

9. (1) The council of a municipality or a municipal planning authority located within any of the areas designated as Protected Countryside in the Greenbelt Plan shall amend every official plan to conform with the Greenbelt Plan,

- (a) no later than the date the council is required to make a determination under subsection 26 (1) of the *Planning Act*, if the Minister does not direct the council to make the amendments on or before a specified date; or
- (b) no later than the day specified by the Minister, if the Minister directs the council to make the amendments on or before a specified date. 2005, c. 1, s. 9 (1).

Same

(2) For the purposes of subsection (1), a provision in an official plan that relates to a matter specified under subclause 6 (2) (e) (ii) does not conform with the Greenbelt Plan if it exceeds the requirements of the Greenbelt Plan or is more restrictive than a provision in the Greenbelt Plan. 2005, c. 1, s. 9 (2).

Regular reviews of plan

10. (1) The Minister shall, in conjunction with the reviews carried on under section 17 of the *Niagara Escarpment Planning and Development Act* and under section 3 of the *Oak Ridges Moraine Conservation Act, 2001*, ensure that a

review of the Greenbelt Plan is carried out every 10 years after the date the Greenbelt Plan comes into force to determine whether it should be revised. 2005, c. 1, s. 10 (1).

Consultation and public participation

(2) During a review under subsection (1), the Minister shall,

- (a) consult with any affected public bodies, including the Ministry of Natural Resources and the Niagara Escarpment Commission and the Greenbelt Council established under section 15;
- (b) consult with the council of each municipality or with each municipal planning authority that has jurisdiction in the Greenbelt Area; and
- (c) ensure that the public is given an opportunity to participate in the review. 2005, c. 1, s. 10 (2).

Amendment to plan

11. (1) The Minister may, in respect of the areas designated as Protected Countryside in the Greenbelt Plan, propose amendments to the Greenbelt Plan. 2005, c. 1, s. 11 (1).

Notice

(2) If an amendment to the Greenbelt Plan is proposed under subsection (1), the Minister shall ensure that notice of the proposal is given in the prescribed manner,

- (a) to each municipality or municipal planning authority that has jurisdiction in the Greenbelt Area to which the amendment would apply or in any abutting area; and
- (b) to any other prescribed person or public body. 2005, c. 1, s. 11 (2).

Written submissions

(3) The notice shall contain an invitation to make written submissions on the amendment within the period of time specified by the Minister in the notice. 2005, c. 1, s. 11 (3).

Consultation and public participation

(4) If an amendment is proposed under subsection (1), the Minister shall,

- (a) consult with any affected public bodies, including the Ministry of Natural Resources and the Niagara Escarpment Commission and the Greenbelt Council established under section 15;

(b) consult with the council of each municipality or with each municipal planning authority that has jurisdiction in the Greenbelt Area; and

(c) ensure that the public is given an opportunity to comment on the proposed amendment. 2005, c. 1, s. 11 (4).

Minister's decision

12. (1) The Minister may, after considering any written submissions received under subsection 11 (3) and the results of any consultation under subsection 11 (4),

(a) recommend that the proposed amendment, in whole or in part, with such modifications as the Minister considers appropriate, be approved by the Lieutenant Governor in Council; or

(b) appoint a hearing officer to conduct a hearing with respect to the proposed amendment and make a written report on it. 2005, c. 1, s. 12 (1).

Limitation

(2) The Minister shall not recommend a proposed amendment under clause (1) (a) if the proposed amendment has the effect of reducing the total land area within the Greenbelt Plan. 2005, c. 1, s. 12 (2).

Hearing officer

13. (1) If a hearing officer is appointed under subsection 12 (1), the hearing officer shall fix the time and place for the hearing and give notice of the hearing in the prescribed manner and to the prescribed persons and public bodies. 2005, c. 1, s. 13 (1).

Time of hearing

(2) At least 30 days notice shall be given before the hearing is held. 2005, c. 1, s. 13 (2).

Procedures

(3) The hearing officer may adopt rules of procedure for the hearing. 2005, c. 1, s. 13 (3).

Protection from personal liability

(4) A hearing officer is not personally liable for anything done by him or her in good faith in the execution of his or her duty under this Act or for any neglect or default in the execution in good faith of his or her duty. 2005, c. 1, s. 13 (4).

Report

[\(5\)](#) Not more than 30 days after the conclusion of the hearing or within such extended time as the Minister determines, the hearing officer shall make a written report to the Minister and to the prescribed persons and public bodies recommending whether the Lieutenant Governor in Council should approve the proposed amendment, in whole or in part, make modifications and approve the amendment as modified or refuse the proposed amendment, in whole or in part, and giving reasons for the recommendation. 2005, c. 1, s. 13 (5).

Recommendation to L.G. in C.

[\(6\)](#) The Minister, upon receiving the written report of the hearing officer, shall consider the report and shall submit it to the Lieutenant Governor in Council with such recommendations in respect of the proposed amendment as the Minister considers appropriate, which recommendations may vary from those set out in the report of the hearing officer. 2005, c. 1, s. 13 (6).

Limitation

[\(7\)](#) The Minister shall not recommend a proposed amendment under subsection (6) if the proposed amendment has the effect of reducing the total land area within the Greenbelt Plan. 2005, c. 1, s. 13 (7).

Decision of L.G. in C.

[14. \(1\)](#) After considering the recommendations under section 12 or 13, the Lieutenant Governor in Council may approve the proposed amendment, in whole or in part, make modifications and approve the amendment as modified or refuse the amendment, in whole or in part. 2005, c. 1, s. 14 (1).

Decision final

[\(2\)](#) The decision under subsection (1) is final and not subject to appeal. 2005, c. 1, s. 14 (2).

Notice of decision

[\(3\)](#) The Minister shall forward a copy of the decision made under subsection (1) to the clerk of each municipality or secretary-treasurer of each municipal planning authority that has jurisdiction in the area covered by the proposed amendment, the parties to the hearing and such other persons or public bodies as the Minister may determine. 2005, c. 1, s. 14 (3).

Greenbelt Council

[15. \(1\)](#) The Minister shall establish a council to be known in English as the Greenbelt Council and in French as Conseil de la ceinture de verdure. 2005, c. 1, s. 15 (1).

Same

[\(2\)](#) The Minister may appoint one or more persons to the Council and fix the terms of reference of the Council. 2005, c. 1, s. 15 (2).

Functions

[\(3\)](#) The Council shall advise the Minister on matters relating to this Act and perform such other functions as may be specified by the Minister. 2005, c. 1, s. 15 (3).

Zoning orders

[16. \(1\)](#) The Minister may make orders exercising any of the powers conferred upon the Minister under section 47 of the *Planning Act* in respect of the areas designated as Protected Countryside in the Greenbelt Plan. 2005, c. 1, s. 16 (1).

Same

[\(2\)](#) Section 3 of the *Planning Act* and section 7 of this Act do not apply to an order under subsection (1) and an order need not conform to an official plan in effect in the area covered by the order. 2005, c. 1, s. 16 (2).

Same

[\(3\)](#) Nothing in this Act derogates from the power of the Minister to make an order under section 47 of the *Planning Act* in respect of the areas designated as Protected Countryside in the Greenbelt Plan. 2005, c. 1, s. 16 (3).

Plans under the *Ontario Planning and Development Act, 1994*

[17. \(1\)](#) Nothing in this Act derogates from the power of the Minister to make a plan or an amendment to a plan under the *Ontario Planning and Development Act, 1994* even if the Greenbelt Plan is in effect in the area to be covered by the plan. 2005, c. 1, s. 17 (1).

Application

[\(2\)](#) Section 3 of the *Planning Act* and section 7 of this Act do not apply to a plan under the *Ontario Planning and Development Act, 1994* made or amended by the Minister under subsection (1) and such a plan need not conform to an official plan in effect in the area in which the plan applies. 2005, c. 1, s. 17 (2).

Matters appealed

[18. \(1\)](#) If a matter relating to land within the areas designated as Protected Countryside in the Greenbelt Plan is appealed or referred to the Ontario Municipal Board or referred to a joint board under the *Consolidated Hearings Act*, whether before or after the coming into force of this Act, the Minister may notify the Board or joint board that its consideration of the matter should be deferred. 2005, c. 1, s. 18 (1).

Stay

[\(2\)](#) When the Minister gives notice under subsection (1), all steps in the appeal or referral are stayed as of the date of the notice until he or she gives a

further notice to the Board or joint board that the appeal or referral may be continued. 2005, c. 1, s. 18 (2).

Non-application of *Regulations Act*

(3) Notices under this section are not regulations within the meaning of the *Regulations Act*. 2005, c. 1, s. 18 (3).

Minister's decision

(4) Notices under this section are final and not subject to appeal. 2005, c. 1, s. 18 (4).

Hearing officer

(5) If the Minister has given notice under subsection (1), the Minister may, within 30 days after the giving of notice, appoint a hearing officer to conduct a hearing at which representations may be made respecting the matter that was stayed before the Ontario Municipal Board or joint board. 2005, c. 1, s. 18 (5).

Time and notice of hearing

(6) The hearing officer shall fix the time and place for the hearing and give notice of the hearing in the prescribed manner and to the prescribed persons and public bodies. 2005, c. 1, s. 18 (6).

Rules of procedures

(7) The hearing officer may make rules of procedure for the hearing. 2005, c. 1, s. 18 (7).

Hearing

(8) The hearing officer shall conduct a hearing and make written recommendations, with reasons, to the Minister within 30 days after the conclusion of the hearing, recommending what action the Minister, with the approval of the Lieutenant Governor in Council, should take with respect to the matter, including making any decision that the Ontario Municipal Board or joint board could have made with respect to the matter. 2005, c. 1, s. 18 (8).

Protection from personal liability

(9) The hearing officer is not personally liable for anything done by him or her in good faith in the execution of his or her duty under this Act or any neglect or default in the execution in good faith of his or her duty. 2005, c. 1, s. 18 (9).

Extension

(10) The Minister may extend the 30-day period set out in subsection (8) at the hearing officer's request. 2005, c. 1, s. 18 (10).

Action by Minister with approval of L.G. in C.

(11) The Minister may, with the approval of the Lieutenant Governor in Council, approve, modify or refuse to approve or modify all or part of the hearing officer's recommendations. 2005, c. 1, s. 18 (11).

Decision final

[\(12\)](#) The decision under subsection (11) is final and not subject to appeal. 2005, c. 1, s. 18 (12).

Limitations on remedies

- [19. \(1\)](#) No cause of action arises as a direct or indirect result of,
- (a) the enactment or repeal of any provision of this Act;
 - (b) the making or revocation of any provision of the regulations made under this Act;
 - (c) the making of a plan or an amendment to a plan under the *Ontario Planning and Development Act, 1994* in relation to lands to which the Greenbelt Plan applies; or
 - (d) anything done or not done in accordance with this Act or the regulations made under it. 2005, c. 1, s. 19 (1).

No remedy

[\(2\)](#) No costs, compensation or damages are owing or payable to any person and no remedy, including but not limited to a remedy in contract, restitution, tort or trust, is available to any person in connection with anything referred to in subsection (1). 2005, c. 1, s. 19 (2).

Proceedings barred

[\(3\)](#) No proceeding, including but not limited to any proceeding in contract, restitution, tort or trust, that is directly or indirectly based on or related to anything referred to in subsection (1) may be brought or maintained against any person. 2005, c. 1, s. 19 (3).

Same

[\(4\)](#) Subsection (3) applies regardless of whether the cause of action on which the proceeding is purportedly based arose before or after the coming into force of this Act. 2005, c. 1, s. 19 (4).

Proceedings set aside

[\(5\)](#) Any proceeding referred to in subsection (3) commenced before the day this Act comes into force shall be deemed to have been dismissed, without costs, on the day this Act comes into force. 2005, c. 1, s. 19 (5).

No expropriation or injurious affection

[\(6\)](#) Nothing done or not done in accordance with this Act or the regulations made under it constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law. 2005, c. 1, s. 19 (6).

Person defined

[\(7\)](#) In this section,

“person” includes the Crown and its employees and agents, members of the Executive Council and municipalities and their employees and agents. 2005, c. 1, s. 19 (7).

Conflicts

20. In the event of conflict between this Act and any other Act, this Act prevails. 2005, c. 1, s. 20.

Non-application of *Statutory Powers Procedure Act*

21. The *Statutory Powers Procedure Act* does not apply to anything done under this Act. 2005, c. 1, s. 21.

Regulations by L.G. in C.

22. (1) The Lieutenant Governor in Council may, by regulation,
- (a) prescribe additional objectives for the Greenbelt Plan;
 - (b) prescribe policies for the purposes of clause 6 (2) (g);
 - (c) despite any other Act, vary, supplement or override any provision in the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan in order to facilitate the effective operation of the Greenbelt Plan;
 - (d) prescribe applications, matters or proceedings for the purposes of subsections 24 (1) and (3) and prescribe policies for the purposes of subsection 24 (3). 2005, c. 1, s. 22 (1).

Retroactivity

(2) A regulation made under this section may be retroactive to a date no earlier than December 16, 2004. 2005, c. 1, s. 22 (2).

Regulations by Minister

23. (1) The Minister may, by regulation,
- (a) require municipalities within the areas designated as Protected Countryside in the Greenbelt Plan to pass by-laws under section 135 or 142, or both, of the *Municipal Act, 2001* and specify the municipalities and the by-law provisions;
 - (b) prescribe powers that must be exercised by municipalities in making a by-law referred to in clause (a) that are additional to those powers set out in section 135 or 142 of the *Municipal Act, 2001*;
 - (c) prescribe anything that is referred to in this Act as being prescribed, other than those matters described in section 22. 2005, c. 1, s. 23 (1).

Retroactivity

[\(2\)](#) A regulation made under clause (1) (c) may be retroactive to a date no earlier than December 16, 2004. 2005, c. 1, s. 23 (2).

Transition

[24. \(1\)](#) Section 7 applies to applications, matters or proceedings commenced on or after December 16, 2004 relating to areas designated as Protected Countryside in the Greenbelt Plan except as may be otherwise prescribed. 2005, c. 1, s. 24 (1).

Non-application

[\(2\)](#) Section 7 does not apply to applications, matters or proceedings commenced before December 16, 2004 relating to areas designated as Protected Countryside in the Greenbelt Plan. 2005, c. 1, s. 24 (2).

Same

[\(3\)](#) Despite subsection (2), a decision referred to in section 7 with respect to an application, matter or proceeding that was commenced before December 16, 2004 and that is prescribed shall conform with such policies of the Greenbelt Plan as may be prescribed. 2005, c. 1, s. 24 (3).

Time of commencement

[\(4\)](#) For the purposes of this section, an application, matter or proceeding shall be deemed to have been commenced,

(a) in the case of an official plan or its amendment or repeal, on the day the by-law adopting the plan, amendment or repeal is passed;

(b) in the case of a request for an official plan amendment by any person or public body, on the day the request is received, whether the amendment is adopted or not;

(c) in the case of a zoning by-law or its amendment, including an interim control by-law, on the day the by-law is passed;

(d) in the case of an application for an amendment to a zoning by-law, on the day the application is made;

(e) in the case of development in a site plan control area, on the day the application under subsection 41 (4) of the *Planning Act* is made;

(f) in the case of an application for a minor variance under section 45 of the *Planning Act*, on the day the application is made;

(g) in the case of an application to amend or revoke an order under section 47 of the *Planning Act*, on the day the application is made;

(h) in the case of an application for approval of a plan of subdivision under section 51 of the *Planning Act* or for approval or exemption from

approval for a condominium under section 9 of the *Condominium Act, 1998*, on the day the application is made;

(i) in the case of an application for a consent under section 53 of the *Planning Act*, on the day the application is made. 2005, c. 1, s. 24 (4).

Same

(5) Despite clause (4) (d), in the case of an application for an amendment to a zoning by-law required as a condition of approval for a plan of subdivision under section 51 of the *Planning Act*, as a condition of approval for a condominium under section 9 of the *Condominium Act, 1998* or as a condition of a provisional consent under section 53 of the *Planning Act*, the application for amendment of the zoning by-law shall be deemed to have been commenced on the day the application for approval of the plan of subdivision, the application for approval of the condominium, or the application for consent is made. 2005, c. 1, s. 24 (5).

Limitation

(6) Subsection (5) applies only if the application for approval of the plan of subdivision, the application for approval of the condominium, or the application for consent is made before December 16, 2004. 2005, c. 1, s. 24 (6).

25.-27. Omitted (amends or repeals other Acts). 2005, c. 1, ss. 25-27.

28. Omitted (provides for coming into force of provisions of this Act). 2005, c. 1, s. 28.

29. Omitted (enacts short title of this Act). 2005, c. 1, s. 29.

[Back to top](#)

[Français](#)