

1981

## c 15 Planning Amendment Act, 1981

Ontario

This Bill was passed by the Legislature after the the 31st day of December, 1980 and before the Revised Statutes of Ontario, 1980 came into force. It is shown here in the form in which it was passed, before its revision by the commissioners under the authority of section 4 of The Statutes Revision Act, 1979. It is published in its revised form as chapter 15 in the public acts section of this volume.

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BILL 85

1981

(Chapter 15)

## An Act to amend The Planning Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 29 of *The Planning Act*, being chapter 349 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1971, chapter 2, section 1, 1972, chapter 118, section 3, 1973, chapter 168, section 6, 1974, chapter 53, section 4, 1976, chapter 38, section 2 and 1978, chapter 93, section 2, is further amended by adding thereto the following subsections:
  - (5g) No order made under *The Partition Act* for the partition of land shall have any effect in law unless,
    - (a) irrespective of the order, each part of the land described in the order could be conveyed without contravening this section; or
    - (b) a consent is given to the order.
  - (5h) This section does not apply to an agreement entered into under section 2 of *The Drainage Act, 1975*.
2. Section 33a of the said Act, as enacted by the Statutes of Ontario, 1978, chapter 93, section 5, is repealed.
- 3.—(1) Subsection 3 of section 42 of the said Act is repealed and the following substituted therefor:
  - (3) In addition to its powers under subsections 1 and 2 and subject to section 30, the committee, upon the application of,
    - (a) the owner of any land or any person authorized in writing by such owner; or
    - (b) any person interested in any part of land that is affected by an order made under *The Partition Act*, as mentioned in subsection 5g of section 29,

s. 29,  
amendedOrder made  
under  
R.S.O. 1970,  
c. 338Exception  
1975, c. 79s. 33a,  
repealeds. 42 (3),  
re-enactedPower of  
committee  
to give  
consentR.S.O. 1970,  
c. 338

may, notwithstanding any other Act, give a consent as mentioned in section 29, provided that the committee is satisfied that a plan of subdivision under section 33 of the land described in the application is not necessary for the proper and orderly development of the municipality.

s. 42 (6),  
amended

(2) Subsection 6 of the said section 42, as amended by the Statutes of Ontario, 1971, chapter 2, section 5, is further amended by striking out "\$50" in the fourth line as inserted by the 1971 amendment and inserting in lieu thereof "\$100".

s. 42 (16),  
amended

(3) Subsection 16 of the said section 42 is amended by adding at the end thereof "and there is no right to file a petition under section 94 of *The Ontario Municipal Board Act* in respect of the matter".

Commence-  
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is *The Planning Amendment Act, 1981*.