

SECTION 18 – Transition Provisions

18.1 GENERAL TRANSITION MATTERS

Subject to Section 1.4 and except as provided in Sections 18.2 and 18.3, the provisions of this By-law will otherwise apply.

18.2 COMPLETE APPLICATION TRANSITION MATTERS

- a) For the purposes of this Section:
- i) “complete application” means an application that contains sufficient particulars and information to allow it to be processed and approved. An application that is incomplete becomes a complete application on the date that the required particulars and information are provided to the *City*.
 - ii) “complied with the provisions of By-law Number 85-1” means:
 - a. *the land, building, or structure* fully complies with the provisions of By-Law Number 85-1 as it existed immediately before the effective date of this By-law; or,
 - b. *the land, building, or structure* fully complies with a minor variance from the provisions of By-law Number 85-1 which was approved on or after January 1, 2017.
 - iii) “effective date of this By-law” means the date on which the lands to which the provisions of section 18 apply, were included on Appendix ‘A’, either through the initial passing of this By-law, or by amendment.
- b) Despite Sections 1.7 and 1.8, nothing in this By-law applies to prevent the issuance of any building permit where:
- i) a complete application for such building permit was made on or before the effective date of this By-law and said complete application complied with the provisions of By-law Number 85-1; or,
 - ii) a complete application for such building permit was made after the effective date of this By-law and is in respect of a *lot* to which Subsections c), d) or e) apply and the said complete application complied with the provisions of By-law Number 85-1;
- c) Despite Sections 1.7 and 1.8, nothing in the By-law applies to prevent the issuance of any:

- i) site plan control approval where a complete application for such site plan control approval was made on or before the effective date of this By-law and the said complete application complied with the provisions of By-law 85-1.
 - ii) approval of a minor modification, as determined by the Director of Planning or designate, to an approved site plan which was approved on or after January 1, 2017 where a complete application for such modification was made after the effective date of this By-law and the said complete application complied with the provisions of By-law 85-1.
- d) Despite Sections 1.7 and 1.8, nothing in the By-law applies to prevent the issuance of the final approval of a plan of subdivision where draft approval for such plan of subdivision was finally granted.
- e) Despite Sections 1.7 and 1.8, nothing in the By-law applies to prevent the issuance of the final approval of a plan of condominium where:
- i) draft approval for such plan of condominium was finally granted; or,
 - ii) A complete application for plan of condominium was made after the effective date of this By-law and is in respect of a *lot* to which Subsection b) applies and the said complete application complied with the provisions of By-law Number 85-1;

18.3 TRANSITION SUNSET CLAUSE

Sections 18.1 to 18.3 are automatically repealed on the third anniversary of the effective date of this By-law, and the provisions of Section 34(9) of the Planning Act shall thereafter apply in respect of any *buildings, structures, or uses* established or erected pursuant to any such complete application.