



Ministry of Government and
Consumer Services
ServiceOntario

Policy and Regulation Branch

Bulletin No. 2008-01

***Condominium Act,
1998***

DATE: JANUARY 28, 2008

**Parcels of Tied Land,
Common Elements
Condominiums**

TO: ALL LAND REGISTRARS

Section 39.1 of O. Reg. 48/01 requires that parcels of tied land affiliated with common elements condominiums, must be conveyable parcels of land under the *Planning Act*, prior to the registration of the condominium.

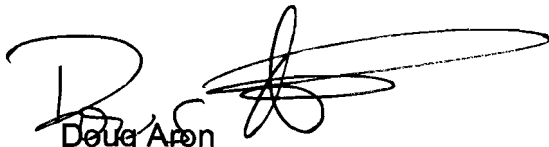
To ensure compliance with this section, Schedule D of a declaration for a common elements condominium shall contain the following statement signed and dated by a solicitor, confirming that each of the parcels of tied land are capable of being individually conveyed without contravening section 50 of the *Planning Act*.

The wording of the solicitor's statement shall be:

In my opinion, each parcel of tied land described in this Schedule "D" will, upon the registration of the declaration and description, be capable of being individually conveyed, or otherwise dealt with, without contravening Section 50 of the *Planning Act*.

This statement does not need to be signed in the pre-approval submission, as various municipalities will not register the part-lot control bylaw for the parcels of tied land until just before registration of the condominium project.

In recognition of the fact that there are condominium projects at various stages of pre-approval/approval prior to registration, the requirement for the above solicitor's statement will take effect on March 1, 2008. Should you have any questions on this matter please contact your Regional Surveyor.


Doug Aron
Examiner of Surveys