

APPLICATION FOR APPROVAL OF A PLAN OF CONDOMINIUM



INTRODUCTION:

Section 51(16) of The Planning Act, RSO 1990 c.P. 13 allows the owner of land or the owner's authorized agent to apply to the City, for approval of a plan of condominium similar to a plan of subdivision.

Guelph City Council is the approval authority for plans of condominium pursuant to Section 51(6) of The Planning Act. The City of Guelph Planning Services oversees the administration of condominium approvals for the City of Guelph. In 2003, Council delegated their approval authority for most condominiums to the General Manager of Planning Services (See the attached Council Resolution dated February 6, 2003, for an explanation of Guelph's streamlined condominium approval process). The following procedure for approval of a Plan of Condominium and flow chart are designed to acquaint you with the manner in which the City of Guelph will process your application.

You are strongly encouraged to consult with the City of Guelph Planning Services Planning Staff for guidance in completing the attached application form in advance of making any formal submission. All sections of the application form should be completed.

FEES:

The attached application form must be completed and submitted with the required fee as outlined on Schedule "1" attached. (Any cheques should be made payable to the City of Guelph.) Note: The Grand River Conservation Authority (GRCA) will not charge a fee for condominium review provided the project design complies with the criteria established through any previous circulation.

For concurrent condominium applications submitted together with a Zoning By-law Amendment application and/or Official Plan Amendment application, only one completed Schedule is needed.

Planning & Building Services

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APPLICATION REQUIREMENTS:

No applications shall be officially received and processed unless the General Manager of Planning Services is satisfied that the application is complete. A complete application consists of the following:

1. A completed and signed application form together with the prescribed application fee.
2. A clear identification of the type of condominium approval being requested.
3. A signed letter of authorization from the registered owner(s) of the subject property.
4. Ten (10) copies of the draft plan drawn to a metric scale of at least 1:1,200 in accordance with Section 51(17) of The Planning Act, R.S.O. 1990 c.P.13 which shall provide the following information:
 - a) the boundaries of the land proposed to be subdivided, certified by an Ontario land Surveyor;
 - b) the locations, widths and names of the proposed highways within the proposed condominium and of existing highways on which the proposed condominium abuts;
 - c) a small key plan, of a scale of not less than one centimetre to 100 metres, of all the land adjacent to the proposed condominium that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed condominium and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which the land forms the whole or part;
 - d) the purpose for which the proposed units are to be used;
 - e) the existing uses of all adjoining lands;
 - f) the approximate dimensions and layout of the proposed units and section drawings of the buildings to better describe the subdivision;
 - g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land/buildings proposed to be subdivided;
 - h) the availability and nature of domestic water supplies;
 - i) the nature and porosity of the soil;
 - j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land proposed to be subdivided;
 - k) the municipal services available or to be available to the land proposed to be subdivided; and

l) the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements;

m) such other information or material that the approval authority considers it may need.

5. One (1) clearly legible reduction of the plan on both an 8.5 " by 14" sheet of paper and an 11" by 17" sheet for reproduction by the City.

1. **PRECONSULTATION (Optional but Encouraged)**

Prior to making a formal condominium application, the developer should discuss the application requirements as well as the constraints to development by contacting Planning Services. Once contacted, Planning staff will take the lead role in processing the application and co-ordinating the process.

2. **FORMAL SUBMISSION**

The Developer is expected to integrate the staff comments received via the preliminary submission review into the final condominium design and prepare a formal submission to the City. Upon receipt of a formal application, City staff will ensure that the forms, documents and plans provided constitute a "complete application".

3. **PREPARATION OF NOTICE OF APPLICATION AND CIRCULATION**

After determining that the application for condominium approval is complete, the Planner assigned to the project will prepare a Notice of Application. This notice will be mailed to a short list of Departments, and Agencies interested in development in the City. A listing of the Agencies circulated is available by contacting Planning Services. In the case of commenting agencies, a twenty (20) day response period will be generally allowed in order that the Agencies will have sufficient time in which to respond with comments.

4. **PLANNING STAFF ANALYSIS OF PROPOSAL**

As comments from the circulated agencies are received, the Planner will review the replies to determine any problems raised and work with the developer to take appropriate actions to remedy apparent problems.

5. **DECISION**

As stated earlier, approval authority in most cases is with the General Manager of Planning Services. Once the assigned Planner is satisfied with the application and has clearly documented any conditions to apply to the approval of the condominium, the Planner will meet with the General Manager of Planning Services to decide if the condominium can be draft approved along with any specific conditions, if required.

6. **NOTICE OF DECISION**

Within fifteen (15) days of the decision of the General Manager of Planning Services regarding the application, the City Clerk will prepare a notice of this decision and circulate the decision in accordance with the requirements of the Planning Act.

After the notice of decision has been mailed, Section 51(39) of the Planning Act requires that there be a twenty (20) day appeal period in which interested parties may appeal the decision with respect to the plan of condominium or any of the conditions imposed.

7. **DRAFT PLAN APPROVAL**

If following the completion of the appeal period, no appeals are filed, Planning staff will prepare the plans for signature of the General Manager of Planning Services. The Director may then grant draft plan approval to the condominium the applicant will receive formal notice of draft plan approval.

Consultation by applicant with City prior to producing plans for application is encouraged.

Application received and reviewed by Planning Services to ensure that it is a complete application.

Limited Agency Circulation.

Planning analysis of proposal and circulation comments. Developer and Planner discuss if significant concerns raised. Additional information may be requested from the developer.

Recommendation for approval/refusal with any conditions prepared by Planning.

General Manager of Planning Services decision on the draft approval of the condominium application.

City Clerk Notice of Decision

General Manager of Planning Services stamps and signs plan.

A) GENERAL INFORMATION

1. **Owner's Name:** _____

Principle of Company (if Owner is a Company Name): _____

Owner's Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

2. **Applicant's Name:** _____
(if different than above)

Applicant's Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

3. List of persons or institutions that have any mortgage, charge or encumbrance on the property:

Name: _____

Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

Name: _____

Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

Name: _____

Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

Date subject land was acquired by the current owner: _____

4. Are there any easements or restrictive covenants affecting the subject lands?

_____ **YES** _____ **NO**

If **YES**, please provide a brief description of each easement or covenant and its effect:

B) DESCRIPTIVE INFORMATION

1. Legal Description (including Lot and Concession, Lot and Registered Plan Number, Reference Plan and Part Numbers as applicable):

2. Existing zoning category of subject property: _____

3. Existing Official Plan Designation(s) of the subject property:

Schedule "1" – Land Use Plan _____

Schedule "2" – Natural Heritage Features _____

DESCRIPTION OF TYPE OF CONDOMINIUM

- Conventional Condominium
- Condominium Conversion
- Condominium Amalgamation
- Condominium Exemption
- Common Element Condominium
- Phased Condominium
- Vacant Land Condominium
- Leasehold Condominium

C) DETAILS OF THE PLAN OF CONDOMINIUM

1. Proposed Land Use and Subdivision Breakdown:

INTENDED LAND USE	NUMERICAL REFERENCE TO LOTS OR BLOCKS	NUMBER OF UNITS OR DWELLINGS	LAND AREA (HECTARES)	DENSITY (UNITS/DWELLINGS) PER HECTARE
TOTAL				

2. Proposed Fulfilment of 5% Park Dedication Requirement (please check):

- a) Previously dedicated
- b) Land Dedication (Specify blocks and percentage)

- c) Cash-in-lieu

3. If the application is for approval of a condominium description?

a) Describe:

Unit Areas: _____

Exclusive Use Areas: _____

Common Areas: _____

b) Has site plan approval been granted for the proposed condominium?

_____ **YES** _____ **NO**

c) Has a building permit been issued for the proposed condominium?

_____ **YES** _____ **NO**

d) Is the proposed condominium under construction or complete?

_____ **Under Construction** _____ **Complete**

If completed, date of completion:

e) Is the proposed condominium a conversion of a building containing residential rental units?

_____ **YES** _____ **NO**

If **YES**, how many units? _____

D) SERVICING

1. **Access** to the subject land **will** be provided by (Please check appropriate box)

a) Provincial Highway

b) Open Municipal Road

c) Right-of-Way

d) Other (Please Explain)

2. **Water will** be provided to the subject property by? (Please check appropriate box)

- a) Municipal Piped Water System
 - b) Private Well
 - c) Commercial Well
 - d) Other (Please Explain)
-

3. **Sewage Disposal will** be provided to the subject property by? (Please check appropriate box)

- a) Municipal Sanitary Sewer
 - b) Individual Septic System
 - c) Commercial Septic System
 - d) Other (Please explain)
-

4. **Storm Drainage will** be provided by? (Please check appropriate box)

- a) Municipal Storm Sewer
 - b) Ditch or Swale
 - c) Other (Please Explain)
-

E) **OTHER INFORMATION**

1. Has the subject land ever been the subject of an application for approval of a plan of condominium under Section 51 of the Planning Act or for consent under Section 53 of the Planning Act?

_____ **YES** _____ **NO**

If **YES**, please identify the file number of the application and the decision on the application.

2. Is the subject land the subject of a current application for approval of:

- | | | | | |
|-------------------------------|-------|------------|-------|-----------|
| a) An Official Plan Amendment | _____ | YES | _____ | NO |
| b) A Zoning By-law Amendment | _____ | YES | _____ | NO |
| c) A minor variance | _____ | YES | _____ | NO |
| d) A consent (severance) | _____ | YES | _____ | NO |
| e) A site plan approval | _____ | YES | _____ | NO |
| f) A Ministries Zoning Order | _____ | YES | _____ | NO |

If **YES**, please outline the status of the related applications and file numbers (if known).

I hereby swear that the information provided by this application is true.

Date Submitted

Owner's/Applicant's Signature
(NOTE: If applicant is signing, the owner must complete the "**Application Authorization Form**" attached to this application)

Personal information contained in this application form (name, address, phone number, e-mail address) is part of the public record and by signing such application form the applicant acknowledges that such information can be disclosed to the public.

FOR OFFICE USE ONLY

AMANDA No. Assigned: _____

File No. Assigned: _____

Complete Application Review Date: _____

Assigned to: _____

APPLICATION AUTHORIZATION FORM

I/WE _____, the registered owners
of _____ (municipal address or legal description) hereby
authorize _____ to act as agent for the Application of a Plan
of Condominium which deals with the above noted lands.

Date

Owner's Signature

Personal information contained in this application form (name, address, phone number, e-mail address) is part of the public record and by signing such application form the applicant acknowledges that such information can be disclosed to the public.