



Planning & Development

Condominium Exemption Application Form

For applying for approval under Section 51 of the *Planning Act* and
Section 9 of the *Condominium Act*

Application is hereby made to:

The Corporation of the County of Grey
Planning & Development Department
595 9th Avenue East
Owen Sound, ON N4K 3E3

Phone: 519 376 2205
Fax: 519 376 7970
Email: planning@grey.ca

FOR OFFICE USE ONLY

Date Accepted: _____

Accepted by: _____

Roll Number (s):

Fee: _____ Paid []

Other Information:

Application Requirements:

* In accordance with the County of Grey Fees and Services By-law No. 4735-11 or any successor thereto

Types of Exemptions not Accepted:

The County of Grey will generally not accept/approve an 'Application for Exemption' for the following:

- a. Conversions of existing buildings that are more than 10 years old. Buildings constructed more than ten (10) years prior to the date of application will not be considered for an Exemption and shall be subject to Conditions of Draft Approval;
- b. Proposals for Vacant Land Condominiums;
- c. Proposals that have not been subject to Planning Act approval (i.e., approval of a Zoning By-law Amendment, Official Plan Amendment or a Minor Variance) within three (3) years of the date of 'Application for Exemption' unless it is accompanied by a resolution of the Local Municipal Council stating that all matters under Section 51 and 51.1 of the Planning Act have been addressed to their satisfaction; and that the Local Council supports the request for exemption for these sections of the Planning Act;
- d. Any other proposals at the discretion of the County of Grey and review agencies.

<input checked="" type="checkbox"/>	
	Application fee of \$1,160.00*
	Five hard copies of the completed application form (including the original certified copy)
	One hard copy of all Development or Site Plan Agreements that have been entered into with any agency, or executed and registered on title of the subject lands.
	If the building is an existing rental property constructed more than five (5) years and less than ten (10) years prior to the date of application, a copy of an engineer's report completed to the satisfaction of the Municipal Engineer that indicates the building is appropriate and sound for conversion and sale
	If the development has not been subject to Planning Act approval (i.e., approval of a Zoning By-law Amendment, Official Plan Amendment or a Minor Variance) within three (3) years of the date of 'Application for Exemption', a resolution of the Local Municipal Council stating that all matters under Section 51 and 51.1 of the Planning Act have been addressed to their satisfaction; and that the Local Council supports the request for exemption for these sections of the Planning Act;
	Copies of the Plan in number and content based on the requirements of the Condominium Act (1998), Ontario Regulations and Land Registry Office, including a paper copy to be provided to the Approval Authority by the Registry Office following registration.
	One CD containing electronic copies of all plans and above-noted reports and letters in both CAD (where applicable) and PDF formats.
	Five (5) reduced size (8 ½" x 11" or 11" x 17") copies of the Plan.
	One copy of the registered deed to title for the subject lands.
	Municipal Letter/Compliance Report/Engineers Report when required by Section 19 of the application;
	A Stormwater Management Report when required by Section 20 of the application.
	Any other requirements of the local Municipality in terms of inclusions within the Declaration or 'as built' drawings etc. must also be met.

Condominium Exemptions:

Pursuant to Section 9(2) of the Condominium Act, 1998, an application for approval of a Condominium/Condominium Conversion is to follow the same planning approval process as a subdivision. The County of Grey can however exempt applications from the full approval process.

An 'Application for Exemption' recognizes that the proposed development has 'recently' undergone Planning Act approvals and that sufficient safeguards are in place due to the requirement for a Site Plan Control Agreement or a Development Agreement. Conditions of Draft Approval therefore may not be required and the development may be able to proceed directly to Final Approval.

The Condominium Plans that are submitted to the Planning and Development office for Final Approval must show all of the buildings that are on the Site Plan/Development Agreement as approved by the local Municipality. The site must also be completed/constructed in accordance with these Agreements. If all site plan items have not been completed at the time of an 'Application for Exemption', Final Approval by the County will only be granted provided adequate security for incomplete items has been posted.

The submission of an application for approval of an Exemption to the approval of a Condominium Description is provided for under Section 9(6) of the Condominium Act. The County of Grey has delegated the ability to grant an exemption to the Director of Planning and Development. The procedure will be initiated once the completed application form, application fees, and necessary supporting material are received by the Planning Department. This form must be completed and accompanied with the required fee prior to consideration by the Director of Planning and Development.

Approval Process:

Upon receipt of an application, the required fee and the information as required; the County will determine whether there is sufficient merit in processing the application further. The County shall receive any written submissions, confer with any persons or public bodies as deemed necessary and give full consideration to the application. Based on the received comments the Director of Planning and Development may give approval to the application or recommend that the application be subject to Sections 51, 51.1 and 51.2 of the Planning Act.

Concerns or issues raised as a result of any submission must be addressed prior to Final Approval or the development will be classified as not suitable for Exemption.

Exemption will not be granted if outstanding municipal requirements i.e., Site Plan Control Agreement and/or Development Agreement(s) have not been completed to the satisfaction of the County/local Municipality.

The completed application form and supporting documentation should be returned to the above noted address.

Contact Information:

1. Complete the information below and indicate one contact as the primary contact. All communications will be directed to the primary contact.

Registered Owner(s): _____

Address: _____

Email Address: _____

Telephone Number: _____ Fax Number: _____

Applicant: _____

Address: _____

Email Address: _____

Telephone Number: _____ Fax Number: _____

Surveyor: _____

Address: _____

Email Address: _____

Telephone Number: _____ Fax Number: _____

Agent (if any): _____

Address: _____

Email Address: _____

Telephone Number: _____ Fax Number: _____

Please indicate the primary contact: [] Owner, [] Applicant, [] Surveyor, [] Agent

Proposal:

2. Location of the Property:

Amalgamated Township: _____

Municipal Address: _____

Lot: _____ Concession: _____

Geographic Township: _____

Registered Plan: _____

Part(s): _____ of Lot(s): _____

3. Type of Condominium (please check one box)

- Standard (Not Phased) – The traditional condominium type
- Standard (Phased) – A single standard condominium built in phases
- Common Elements – Where common elements are defined but the land is not divided into units. Provide a summary of the property ownerships and a plan showing the affected freehold properties (parcels of tied land) outside the specific condominium site. Also provide a plan and a description of the common elements.
- Other (i.e. Leasehold, Amalgamation)

4. Is this a conversion of an existing building(s)?

- Yes
- No

If **NO**, proceed to Question 5

Are the proposed units currently being rented?

- Yes
- No

	Building 1	Building 2
Existing Number of Units		
Proposed Number of Units		

5. Are the lands part of an approved Draft/Final Plan of Subdivision or consent?

- Yes
- No

If **YES**, please provide the file number and the current status of the file:

6. What is the current County and Municipal official plan designations on the subject lands:

County Official Plan Designation: _____

Municipal Official Plan Designation: _____

7. What is the current zoning on the subject lands: _____

8. Please indicate the following:

	Required/Permitted	Proposed
Minimum Lot Area		
Minimum Lot Frontage		
Minimum Lot Frontage – Corner Lot		
Minimum Front Yard		
Minimum Rear Yard		
Minimum Side Yard		
Minimum Exterior Side Yard		
Minimum Ground Floor Area		
Maximum Building Height – Main Building		
Maximum Building Height – Accessory Building		
Maximum Lot Coverage		
Minimum Landscaped Open Space/Planting Area		
Outside Storage		
Loading Area		
Parking – Standard & Handicapped		

9. Are all buildings and structures (to be) constructed in conformity with the Zoning By-law provisions?

Yes

No

If NO, please

explain: _____

10. Is this application being submitted in conjunction with any other planning approval application(s) [i.e. Official Plan Amendment, Zoning By-law Amendment, Minor Variance or Consent]?

Yes

No

If YES, please indicate the type of application and provide the file number and the current status of the file:

11. Are there any encumbrances (mortgages, easements, right-of-way, restrictive covenants) affecting the subject land?

Yes

No

If yes, please describe the type and identify the location:

Describe all proposed servient and appurtenant easements and identify their location on the survey:

12. What is the current use of the subject land?

13. Has the local municipality approved a site plan?

Yes

No

14. Has a Site Plan Agreement been entered into?

Yes

No

15. Has a building permit been issued?

Yes

No

16. Is the proposed development under construction?

Yes

No

17. If the construction is completed, indicate the date of completion

18. Is this a conversion of an existing building containing rental residential units?
 (Justification will be required for a conversion of rented residential premises)

Yes

No

19. Please indicate the following:

Exclusive Use Elements (as illustrated on Plan)	Number of Units
Residential Single Detached	
Semi-Detached	
Multiple Attached	
Apartment(s) <2 bedrooms	
Apartment(s) 2 bedrooms or more	
Other: _____	
<i>Commercial</i>	
Industrial	
Institutional: _____	
Common Use Elements	Size or Number of Units
Hazard Lands and/or Stormwater Management	Area (m ² /ha.)
Parkland/Open Space/Walkways (private or dedicated)	Area (m ² /ha.)
<i>Internal Roadways</i>	Average width (m ² /ha.)
Parking - Standard Visitors - Handicapped Visitors	Number of spaces

Other Buildings or Structures Specify _____	
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20. Please indicate the following servicing (please reference **Appendix A** on page 12 for the different servicing options) :

	Existing	Proposed
Sewage Disposal System		
Water Supply System		
Stormwater Management		
Road Access		

21. Is there a Municipal Letter/Compliance Report/Engineers Report attached?

Yes

No

22. Is the Stormwater Management Report attached?

Yes

No

If not attached as a separate report, in what report can it be found?

Authorization:

23. Owner's Authorization (if the owner is not the applicant):

If an agent is employed, the registered owner(s) must complete the following (or provide similar authorization on the face of the draft plan).

PLEASE PRINT

I (we) _____
(name(s) of owner, individuals or company)

(name(s) of owner, individuals or company)

(name(s) of owner, individuals or company)

Being the registered owner(s) of the subject lands, hereby authorize

(Name of Agent)

To act as my/our agent and on my/our behalf to apply to the Corporation of the County of Grey for a Condominium Exemption on the lands herein described.

(signature of owner) (date)

(signature of owner) (date)

(signature of owner) (date)

NOTE: If the owner is an incorporated company, the company seal shall be applied (if there is one).

The Next Three Questions (24, 25, 26) must be signed in the presence of a Commissioner

24. Applicant's consent:

In accordance with the provisions of the Planning Act, it is the policy of the County of Grey to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I,

(applicant/agent)

hereby acknowledge the above noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

(signature)

(date)

25. Authorization:

I,

(applicant/agent)

hereby authorize a site visit(s) be undertaken by, but not limited to staff of the following agencies: County of Grey Planning Department, Local Municipality, Conservation Authority, Grey Bruce Health Unit.

26. Declaration:

I (we)

—

(name(s) of owner)

of the _____ in the County/Region/District of

(name of City/Town/Township)

Solemnly declare that all of the statement contained in this application and all of the supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the “Canada Evidence Act”.

Declared before me at: _____

in the County/Region/District of _____

this _____ day of _____, 20_____.

(signature of registered owner)

Commissioner of Oaths:

Appendix A: Servicing Options

<i>Sewage</i>	<i>Requirements</i>
a) Public piped sewage system	Municipality must confirm that the existing/proposed servicing is adequate for the development.
b) Public or private communal septic	Report indicating compliance with Certificate of Approval must be submitted.
c) Individual septic systems	Engineers Report must indicate that all septic systems for the development comply with the requirements of the Ontario Building Code.
d) Other	To be described by Applicant

<i>Water Supply</i>	<i>Requirements</i>
a) Public piped water system	Municipality must confirm that the existing servicing is adequate for the development.
b) Public or private communal well(s)	Report indicating compliance with Certificate of Approval must be submitted.
c) Individual well(s)	Engineers Report must indicate all wells are in compliance with the Ontario Drinking Water Objective.
d) Communal surface water	Report indicating compliance with Certificate of Approval must be submitted.
e) Other	To be described by Applicant

<i>Stormwater Management</i>	<i>Requirements</i>
Storm Sewer; Ditches or swales; Other	A final Stormwater Management Report is required, and shall be submitted concurrently with the submission.

<i>Road Access</i>	<i>Requirements</i>
Provincial Highway	An access permit is required from the Ontario Ministry of Transportation before development can occur. Application should be made prior to submitting this application. MTO approval may also be required for development within 800 metres of a highway.
Water Access Only	Information from the owner of the proposed docking facility on the capacity to accommodate the proposed required parking and information on proposed/existing fuel pumps.
County or local municipal road maintained year round	Detailed road alignment and access is to be submitted concurrently with the application, MTO approval may also be required for development within 800 metres of a Provincial Highway.
Municipal road maintained seasonally	Condominium development is not permitted gaining access on seasonally maintained roads
Right-of way	Access by right-of-way on private roads is not permitted except as part of the Condominium