



COUNTY OF BRUCE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

CONDOMINIUM EXEMPTION APPLICATION FORM

INTRODUCTION:

Application forms are available from the Planning and Economic Development Department and local Municipal Offices. These forms may also be available on the Internet at the County of Bruce Web Site (www.brucecounty.on.ca).

Should you have any difficulty filling out portions of this application, please contact your local Planning and Economic Development Department office for assistance.

You are advised to review the development proposal and completed application with a planner from the Planning and Economic Development Department prior to submitting the application.

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 Bruce 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 this office for Final Approval must show all of the buildings that are on the Site Plan/Development Agreement as approved by the 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 Bruce Agriculture, Tourism and Planning Committee (which also serves as the County's Land Division Committee) has delegated the authority to grant an exemption to the Secretary-Treasurer of the Land Division Committee. 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 Secretary-Treasurer.

APPLICATION FEES:

The fee for a 'Condominium Exemption' application is **\$1110.00**. Each application must be accompanied by the application fee in the form of a cheque payable to the 'Treasurer, County of Bruce'.

AUTHORIZATION:

If this application is signed by an Applicant or agent on behalf of the owner of the property, the owner's authorization for this action must accompany this application. If the Applicant is a Corporation acting without agent or solicitor, the application must be signed by an officer of the Corporation and the seal, if applicable, must be affixed. A sample format for authorization is attached to this form.

TYPES OF EXEMPTIONS NOT ACCEPTED:

The County of Bruce 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';
- d) Any other proposals at the discretion of the County of Bruce and review agencies.

INFORMATION REQUIREMENTS:

A 'Complete Application' includes the attached application and the following:

1. A copy of all completed Development or Site Plan Agreements that have been entered into with any agency, or executed and registered on title of the subject lands.
2. 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 Engineers report completed to the satisfaction of the Municipal Engineer that indicates the building is appropriate and sound for conversion and sale;
3. 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;
4. 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.

5. Computer disk containing a digital copy of i) Part 1 - Plan of Survey of the Condominium Property and ii) Part 2 – Plan of Survey of the Exclusive Use Elements in AutoCAD 14 (dwg or dxf) format tied to UTM-NAD 83.
6. A minimum of 5 copies of the completed application form with all prescribed information.
7. Five (5) reduced size (8 ½" x 11" or 11" x 17") copies of the Plan.
8. One copy of the registered deed to title for the subject lands.
9. Municipal Letter/Compliance Report/Engineers Report when required by Section 13 of the application;
10. A Stormwater Management Report when required by Section 14 of the application.
11. Any other requirements of the local Municipality in terms of inclusions within the Declaration or 'as built' drawings etc. must also be met.

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 Secretary-Treasurer 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:

Bruce County Planning & Economic Development Dept.
Box 848, 30 Park Street,
WALKERTON, Ontario. N0G 2V0
Phone: (519) 881-1782
Fax: (519) 507-3030
E-mail: bcplwa@brucecounty.on.ca

Bruce County Planning & Economic Development Department
578 Brown Street
Box 129,
WIARTON, Ontario N0H 2T0
PHONE: (519) 534-2092
FAX: (519) 534-1174
Email: bcplwi@brucecounty.on.ca

PLEASE NOTE THAT THE ABOVE INFORMATION IS ESSENTIAL INFORMATION. FAILURE TO PROVIDE THIS INFORMATION INHIBITS A COMPLETE EVALUATION OF THE PROPOSAL AND MAY RESULT IN A DELAY.



FILE No: _____

DATE RECEIVED: _____

COUNTY OF BRUCE CONDOMINIUM EXEMPTION APPLICATION FORM

This application is for condominium exemption from Sections 51 and 51.1 of the Planning Act, R.S.O. 1996 c.13, (as amended) as provide for by Section 9(6) of the Condominium Act R.S.O. 1998 c.19. The Secretary-Treasurer of the County of Bruce Land Division Committee reserves the right to determine if an application shall be subject to Sections 51 and 51.1 of the Planning Act.

This application must be filled out completely and the required information submitted before a decision can be recommended to the Secretary-Treasurer. The authority to approve such applications has been delegated to the Secretary-Treasurer by the County of Bruce Council.

In the event that the request for exemption is complete and has been approved, the drawings will be stamped accordingly and signed by the Secretary-Treasurer.

ALL COMMUNICATIONS WILL BE DIRECTED TO THE **PRIME CONTACT ONLY**. PLEASE INDICATE WHO THIS IS TO BE:

1. **Prime Contact:** _____

Address _____

Telephone: Home () _____ Work () _____ Fax () _____

E-mail address _____

** A Registered Owner's authorization is required if the Prime Contact is not the owner (see Appendix 'A')

2. **Registered Owner:** _____

Address _____

Telephone: Home () _____ Work () _____ Fax () _____

E-mail address _____

3. **Agent/Applicant Name:** _____

Address _____

Telephone: Home () _____ Work () _____ Fax () _____

E-mail address _____

4. **Location of Property:**

Local Municipality _____ Former Municipality _____

Lot(s) _____ Concession _____

Lot(s) _____ Registered Plan _____

Part(s) _____ Reference Plan _____

Street &/or 911 Address _____

Tax Assessment Roll # _____

5.0 TYPE OF CONDOMINIUM	
5.1	() Standard (Not Phased) - The traditional condominium type.
5.2	() Standard (Phased) - A single standard condominium built in phases.
5.3	() 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.
5.4	() Other (i.e., Leasehold, Vacant Land, Amalgamation):

6.0 CONDOMINIUM CONVERSION		
Is this a Conversion of an Existing Building(s):	YES	NO (If NO proceed to next question)
Are the proposed units currently being rented?	YES	NO
	Building #1	Building #2
Existing Number of Units:		
Proposed Number of Units:		

7.0 STATUS OF OTHER APPLICATIONS UNDER THE PLANNING ACT		
7.1 Are the lands part of an approved Draft/Final Plan of Subdivision or a consent?	Yes	No
If Yes indicate the file number and the current status of the file:		
7.2. What is the current Official Plan 'designation' on the lands?		
7.3 What is the current Zoning 'designation' on the lands?		
7.4 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 , indicate the type of application, the file number and the status of the application:		

8.0 ZONING BY-LAW CONFORMITY		
	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		
Are all buildings and structures (to be) constructed in conformity with the Zoning By-law provisions? YES NO		
If NO please explain:		

9. Are there any encumbrances (mortgages, easements, right-of-way, restrictive covenants) affecting the subject land? Yes No			
If YES , describe the type and identify the location:			
Describe all proposed servient and appurtenant easements and identify their location on the survey:			
10. What is the current use of the subject land? _____			
11.1	Has the local municipality approved a Site Plan?	Yes	No
11.2	Has a Site Plan Agreement been entered into?	Yes	No
11.3	Has a building permit been issued?	Yes	No
11.4	Is the proposed development under construction?	Yes	No
11.5	If construction is completed, indicate date of completion	_____	
12. Is this a conversion of an existing building containing rental residential units? Yes No			
Note: Exemptions will generally not be granted for a conversion of rented residential premises.			

13.0 EXCLUSIVE USE ELEMENTS (as illustrated on Plan)		Number of Units
<i>Residential</i>	Single Detached	
	Semi-Detached	
	Multiple Attached	
	Apartment(s) - less than 2 bedrooms - 2 bedrooms or more	
	Other: _____	
<i>Commercial</i>		
<i>Industrial</i>		
<i>Institutional:</i> _____		
13.1 COMMON USE ELEMENTS		
<i>Hazard Lands and/or Stormwater Management</i>		Area (sq. metres/ha.)
<i>Parkland/Open Space/Walkways (private or dedicated)</i>		Area (sq. metres/ha.)
<i>Internal Roadways</i>		Average width (sq. metres/ha.)
<i>Parking - Standard Visitors</i> <i>- Handicapped Visitors</i>		Number of spaces
<i>Other Buildings or Structures</i> <i>Specify</i> _____		

14. SEWAGE DISPOSAL AND WATER SUPPLY		
Indicate in 14.1 and 14.2 the existing/proposed servicing type for the subject land. Select the appropriate servicing type from below. Attach and provide the name of the servicing information/reports as indicated.		
14.1 Indicate the existing/proposed sewage disposal system: _____		
14.2 Indicate the existing/proposed water supply system: _____		
14.3 Municipal Letter/Compliance Report/Engineers Report attached: Yes No		
Sewage Disposal	a) Public piped sewage system	Municipality must confirm that the existing/proposed servicing is adequate for the development is required.
	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
Water Supply	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

15. STORMWATER MANAGEMENT/ROAD ACCESS		
Indicate in 15.1 and 15.2 the existing/proposed type of Stormwater Management and Road Access for the subject land. Select the appropriate type from below. Attach and provide the servicing information as indicated below.		
15.1 Indicate the existing/proposed Stormwater Management system from below: _____		
15.2 Is the Stormwater Management Report attached? Yes No		
If not attached as a separate report, in what Report can it be found?		
15.3 Indicate the existing/proposed type of Road Access: _____		
Stormwater Management	Storm Sewer	A final Stormwater Management Report is required, and shall submitted concurrently with the submission.
	Ditches or swales	

	Other	
Road Access	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.
	Municipal or other public road maintained all year	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 on seasonally maintained roads
	Right-of way	Access by right-of-way on private roads is not permitted except as part of the Condominium

QUESTION #16& #17 MUST BE COMPLETED IN THE PRESENCE OF THE "COMMISSIONER". STAFF IN EACH PLANNING OFFICE ARE AUTHORIZED COMMISSIONERS.

PLEASE PRINT

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

17. I _____ of the _____, in the _____ of _____, hereby solemnly declare that the statements made herein are to the best of my/our belief and knowledge, a true and complete representation of the purpose and intent of this application.

Date: _____ Signature of Owner: _____
Signature of Owner: _____
Signature of Agent /Applicant: _____

NOTE: If the Owner is an incorporated company, the Company Seal shall be applied. If there is no Company Seal, a Statement of Authority to Bind is required.

DECLARED BEFORE ME AT THE _____ OF _____ IN THE COUNTY/REGION/CITY/TOWN OF _____, THIS _____ DAY OF _____, 20__.

A COMMISSIONER, ETC.

17. Deemed to be a complete application on: (FOR OFFICE USE ONLY)

Date: _____ Signature of Planner: _____

APPENDIX 'A'
CORPORATION OF THE COUNTY OF BRUCE
IN THE MATTER OF APPLICATION FOR A CONDOMINIUM EXEMPTION

AUTHORIZATION

I,/WE _____ BEING THE () REGISTERED OWNER(S), () EXECUTOR/EXECUTRIX, () SIGNING CORPORATE OFFICER(S) OF THE LANDS FOR WHICH APPLICATION IS TO BE MADE, HEREBY AUTHORIZE AND DIRECT _____ TO ACT AS MY/OUR AGENT AND ON MY/OUR BEHALF TO APPLY TO THE CORPORATION OF THE COUNTY OF BRUCE FOR A CONDOMINIUM EXEMPTION ON THE LANDS HEREIN DESCRIBED.

Date: _____ Signature: _____
Date: _____ Signature: _____