

## Report PDR-PCD-20-16

**To:** Chair McQueen and Members of the Planning and Community Development Committee

**From:** Randy Scherzer, Director of Planning

**Meeting Date:** June 21, 2016

**Subject:** **McDonald – Condominium Exemption Exception Request**

**Status:** Recommendation adopted by Committee as presented per Resolution PCD74-16; Endorsed by County Council July 5, 2016 per Resolution CC87-16;

## Recommendation(s)

**WHEREAS the County has received a request to consider the conversion of two residential units to condominium units through a Condominium Exemption process;**

**AND WHEREAS a zoning by-law amendment from the Town of The Blue Mountains is required in order to recognize the two residential units as a duplex;**

**AND WHEREAS Town staff have indicated that they would support this being processed as a Condominium Exemption;**

**AND WHEREAS County Council passed By-law 4421-07 which allows the Director of Planning and Development to process and approve condominium exemptions in accordance with the terms and conditions set out in the Condominium Application Form and Guidelines, as approved by the Planning and Community Development Committee, as permitted legislatively by Section 9(7) of the Condominium Act, R.S.O. 1998, as amended;**

**AND WHEREAS the above noted development proposal does not fully meet the terms and conditions set out in the Condominium Exemption Application Form Guidelines as it relates to the age of the structure;**

**NOW THEREFORE BE IT RESOLVED that Planning Report PDR-PCD-20-16 be received;**

**AND THAT support be given for processing the conversion of the proposed residential units as condominium units through a condominium exemption application subject to Town of The Blue Mountains passing the zoning by-law amendment and subject to the two units meeting the Building Code requirements for condominium units.**

## Background

The County has received a request to consider the conversion of two residential units to condominium units. The units are located at 129 Leming Street in the geographic Town of Thornbury, Town of The Blue Mountains (See Map 1 below). The original single detached dwelling was constructed in 2000. A secondary suite was added to the dwelling in 2015, resulting in the creation of a second residential unit on the subject lands. A zoning by-law amendment was required to permit the secondary suite. The landowner wishes to convert the two residential units to two condominium units. The proposed conversion requires a zoning by-law amendment from the Town of The Blue Mountains to zone the property from an R2 zone to a multi-residential zone to recognize the two units as a duplex.

*Map 1: Location of the Subject Lands*



By-law 4421-07 was passed by County Council on July 3, 2007 which allows the Director of Planning and Development to process and approve condominium exemptions in accordance with the terms and conditions set out in the Condominium Exemption Application Form and Guidelines as approved by the Planning and Community Development Committee. The proposed condominium development meets all the terms and conditions outlined in the Condominium Application Form and

Guidelines save and except for the criteria regarding the building being less than 10 years old.

Town staff in an email dated April 22, 2016 indicates that the Town of The Blue Mountains has no objections to the County processing this as a Condominium Exemption application subject to the passing of the zoning by-law amendment and subject to the units meeting the Building Code requirements for condominium units.

Given the fact that the second unit was recently constructed, and the original structure is only 16 years old, County staff have no objections to considering the conversion of these units to condominium units subject to the passing of the zoning by-law amendment from the Town of The Blue Mountains and subject to the units meeting the Building Code requirements.

#### Financial / Staffing / Legal / Information Technology Considerations

At this point there are no financial, staffing, legal or IT considerations. Should Committee support this development being processed as a condominium exemption process, fees would be collected for the condominium exemption application, as well as the final approval fee, in accordance with the County's Fees and Services By-law.

#### Link to Strategic Goals / Priorities

Action 2.10, under Goal 2 of the County's Strategic Plan requires the continued management of growth and the application of sound land planning principles. Processing this development as a condominium exemption application represents sound land use planning, subject to the passing of the zoning by-law amendment by the Town of The Blue Mountains and subject to the units meeting the Building Code requirements.

Respectfully submitted by,

Randy Scherzer  
Director of Planning and Development