

August 6, 2019

TO: Mayor & Council

FROM: Elizabeth (Lisa) Slomke, Town Clerk

SUBJECT: Application for Condominium - 201 Minnie Avenue

BACKGROUND

A letter of interest was received by Council in 2017 to purchase municipal land located at the corner of Front Street and Minnie Avenue. Council subsequently declared the land surplus, advertised and sold said land to 1995031 Ontario Ltd. This developer proceeded to rezone the land and began construction on a 7-unit condominium in the summer of 2018. The construction is nearing completion.

An application for condominium is expected to be received in the near future. Under the *Condominium Act*, an approved plan of condominium is required in order for the units to be sold separately to new owners.

The *Condominium Act* provides that prior to making an application for condominium, an applicant may request an exemption of certain sections (specifically related to public meetings). An exemption is meant to streamline and facilitate the process of an application in cases where it is practical and is appropriate where construction has not begun or has recently been completed. I anticipate that the Town will receive a request for exemption and waiver of fees at the same time that the application is submitted.

The Provincial Policy Statement (PPS) requires municipalities utilize a coordinated, integrated and comprehensive approach when dealing with planning matters in order to manage/promote growth and development and address housing needs based on population and employment projections. The development of this condominium meets the requirements outlined in the PPS.

The development has gone through two planning reviews related to the Zoning by-law amendment and the preparation of a Site Plan Control agreement. Processing of the condominium application should not result in additional administration time due to the fact that divisional comments have already been gathered and considered. The Town of Fort Frances User Fee by-law provides administration the ability to charge applicants the approved fee plus the legal costs incurred to process. Due to the fact that little administration time will be spent on this application, I recommend that Council consider waiving the application fee which would leave the applicant with the legal costs only.

The Planning & Development Executive Committee considered this matter at the August 6th meeting. PDEC recommends approval of the 'draft' Plan of Condominium, authorize an exemption under the *Condominium Act*, and further to authorize the waiver of the Application for Condominium fee, leaving the developer with the responsibility of the legal costs only as they relate to the Application for Condominium.

Council approval of this report will agree to the recommendation of the Planning & Development Executive Committee to approve the 'draft' Plan of Condominium once it is prepared, authorize an exemption under the Condominium Act, and further authorize the waiver of Application for Condominium fees, leaving the developer with the responsibility of the legal costs as they relate to the Application for Condominium.