
CONDOMINIUM APPLICATION GUIDE

Common Element Condominium

A condominium application is required for tenure purposes and identifies individual ownership of units, common elements and exclusive use common elements. A Common Element Condominium is comprised solely of common elements such as a private road, parking spaces, mailbox pad, play area and any other common elements and do not include dwelling units/lots. Freehold lots that use the common elements such as the internal roads are considered to be “tied” to the condominium element condominium through the condominium declaration. The “parcel of tied land” is referred to as a “POTL”. The POTLs are created through an Exemption from Part Lot Control application, provided a public meeting was held as part of a subdivision or rezoning application. This guide applies to Common Element Condominium applications.

Required Submission Material for a Condominium Application

1. Condominium Application Form
 - Must be fully completed including the applicant's affidavit and registered owner's certificate
2. Condominium Declaration prepared by Applicant's solicitor
 - A draft is acceptable
3. Draft Plan of Condominium
 - Condominium Drawing Requirement Checklist (attached) lists the drawing requirements

Zoning By-law Compliance

At the time of application submission, if available or prior to draft approval, the Zoning Section, Building Division requires the following to confirm zoning compliance with the Zoning By-law:

Approved Site Plan

- Certified by a surveyor
- Detailed site schedule on the site plan (please refer to the site plan approved through the Site Plan Approval Process and/or Building Permit process and include all site statistics requested/required through those process reviews)

Surveyor's Real Property Report (As Built Survey)

- Indicate all buildings and structures including setback dimensions from all property lines. Dimension all parking spaces and aisles to curbs. Indicate and dimension landscaped buffers.
- Provide a separate survey for below grade structures (parking garage) where applicable
- Where the site specific zoning of the property includes an exception schedule (please refer to the zoning of your property, <http://www.mississauga.ca/portal/residents/zoningbylaw>) include all relevant zoning information as depicted on the exception schedule

Surveyor's Certification-As built parking aisles and parking spaces

- Due to construction tolerances, a surveyor's certification is required to confirm that all as-built parking aisles and parking spaces, including those that may have been provided in excess of the minimum zoning by-law parking requirement, comply with the minimum

parking space width, length and aisle requirements, as required under the current zoning by-law, as amended:

- In cases where parking spaces or aisles do not comply with the minimum Zoning By-law requirements, a detailed list will be required (from the surveyor), identifying the non-compliant parking space unit numbers and their respective sizes.
- Where a parking space is not in compliance with the minimum Zoning By-law requirements and a minor variance is approved for the deficiencies, the Zoning Section will require confirmation, to the satisfaction of the City Solicitor and Development and Design, that the condominium declaration has been amended to identify the under-sized parking units and the related Committee of Adjustment decisions, prior to the release for condominium registration.

Zoning by-law deficiencies or contraventions

- Must be dealt with prior to condominium draft approval.
- The applicant will be required to amend plans/documents to reflect zoning compliance, as per the site plan or approved building permit drawings, or a minor variance must be approved for every non-compliance issue prior to condominium draft approval.

Fire & Emergency Services, Fire Prevention Division

Confirmation by Fire & Emergency Services Fire Prevention Division (905-896-5908) that a final inspection to all applicable Codes, Bylaws and standards has been conducted and that all noted deficiencies have been rectified.

The municipal unit numbers and when required by By-law 30-11, an address sign / address map, are to be installed prior to the release of the condominium for registration. Signs, when required by By-law 30-11, are to be submitted to Mississauga Fire Prevention for review and acceptance prior to installation. For townhouse projects, a site plan drawing with the municipal numbering is to be submitted to this department for review and acceptance.

Fees

City of Mississauga

- Refer to Planning Act Processing Fee By-law for up to date fees.
- Legal Services Fee shall be payable in accordance with the City's General Fees and Charges By-law. The applicant will be made aware of the applicable fee following Legal Services review of the file.

Region of Peel

- Separate cheque made payable to the Region of Peel in the amount of \$3,000

Other Fees

- If the property is located within a conservation authority (Credit Valley, Halton Region or Toronto Region) screening area the application will be circulated to the applicable conservation authority. The applicable conservation authority will advise of the fee amount payable once the application has been received by the authority.

Footnote

- (1) A draft plan of condominium is used here as a general term to refer to and incorporate all documents included within a 'description' as referred to in Section 8 of the *Condominium Act* and the relevant regulations regarding 'description'.

Condominium Drawing Requirement Checklist

Section 51(17) of the *Planning Act, R.S.O., 1990* requirements

- a) Boundaries of the land proposed to be subdivided, certified by an Ontario Land Surveyor
- b) Locations, widths and names of the proposed highways within the proposed condominium and of existing highways on which the proposed condominium abuts
- c) On a small key plan, having a scale of not less than one centimeter to 100 meters, all adjacent land that is owned by the applicant or in which the applicant has an interest, every condominium 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) Purpose for which the proposed lots are to be used
- e) Existing uses of all adjoining lands
- f) Approximate dimensions and layout of the proposed plan
- f.1) If any affordable housing units are being proposed, the shape and dimensions of each proposed affordable housing unit and the approximate location of each proposed affordable housing unit in relation to other proposed residential units
- g) Natural and artificial features such as buildings and other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided
- h) Availability and nature of domestic water supplies
- i) Nature and porosity of soil
- j) Existing contours or elevations as may be required to determine grade of highways and drainage of lands to be subdivided
- k) Municipal services available or to be available to the land proposed to be subdivided
- l) Nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements

- Drawn to scale with boundaries certified by an Ontario Land Surveyor and include owner's certificate
- Municipal address
- Legal description
- Property zoning
- Building setbacks (in metric), including setbacks to all buildings, structures, porches, decks, stairways, etc. in accordance with the applicable zone
- Lot coverage (m²)
- Development area (m²)
- Building gross floor area (m²) ^{(1) (2)}
- Minimum open space (m²)
- Paved area (m²)
- Road widths
- Unit count
- Parking count-required and provided
- Parking space dimensions and aisle widths
- Accessible Parking required and provided ⁽³⁾
- Loading required and provided
- Street Furniture such as hydrants, hydro transformers, community mailboxes, etc.
- Fencing
- Common elements, exclusive use areas

Notes:

(1) Include gross floor area floor by floor (below and above ground) where applicable

(2) Gross Floor Area statistics to indicate the total building GFA (as per Zoning By-law definition and a separate breakdown indicating the total GFA-Non-Residential (as per Zoning By-law definition) with area calculation plans to show those areas being deducted

(3) Accessible Parking in accordance with current Provincial standards and Zoning By-law requirements for correct size and type (A/B)