



MISSISSAUGA

CONDOMINIUM APPLICATION GUIDE

application for approval under Section 51 of the Planning Act, R.S.O. 1990

City of Mississauga
Development and Design
Planning and Building Department
300 City Centre Drive, 3rd Floor
Mississauga ON L5B 3C1
Telephone: 905-615-3200 ext. 4165

A condominium application will not be accepted unless the project has reached a satisfactory stage of site plan approval for the purpose of submitting a condominium application.

The draft condominium plan, including all dimensions, must be identical to the site plan and any approved building permit drawings.

FEES:

City of Mississauga:

- Standard and Vacant Land Condominiums:

| | |
|---------------------------------|--|
| Base Fee: | \$14,426.00 |
| PLUS | \$39.00/apartment unit |
| | \$95.00/vacant lot or non-apartment unit (detached, semi-detached, townhouses, etc.) |
| | \$188.00 per ha (non-residential) |
| Maximum Charge Per Application: | \$28,713.00 |
- Common Element Condominium Application: \$22,333.00
- Recirculation due to lapsing of draft approval: 50% of the total application fee
- Recirculation due to revisions to application: \$782.00
- Condominium Amalgamation Fee: revision \$782.00
- Condominium Amendment Fee: \$782.00

A Legal Services Fee may 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 the Office of The City Solicitor's review of the file.

Region of Peel: \$3,792.50

Please issue a separate cheque made payable to the Region of Peel.

Other Fees:

- Upon receipt of the application a review will determine whether the subject property is located within a conservation authority screening area. Applications that the City circulates to a conservation authority (Credit Valley, Halton Region, Toronto Region) are subject to conservation authority fees. The conservation authority will advise of the amount payable once the application has been received by the authority. Please refer to the Typical Development Cost Guideline, which can be found at www.mississauga.ca for information regarding the fees of the various conservation authorities. All fees are collected in accordance with the [Planning Application Fees By-law](#).

Required Submission Material – all application types

1. The [condominium application form](#) must be fully completed including the applicant's affidavit and registered owner's certificate. Please keep a copy for your files.
 - It is the responsibility of the applicant to research and evaluate the site and the proposal to ensure that the development will conform with the interests of the health and safety convenience and welfare of the present and future residents. Any pertinent information should be reflected in the application form.
 - As noted on the application form, certain infrastructure projects are subject to the provisions of the *Environmental Assessment Act*. The applicant is advised to consult with their engineering consultant to provide determination in this matter.
 - Section 6 of the *Environmental Assessment Act* prevents draft approval until the requirements of Section 5(1) have been fulfilled. Section 6 of the condominium application requires that any Schedule C water, storm drainage, sewage or road projects to be identified.
 - Where additional support materials such as environmental, planning or engineering reports are required, all supporting technical reports and background information must be submitted with the application.
2. One copy of the condominium declaration – a draft is acceptable.
3. The Draft plan must be drawn to scale with boundaries certified by an Ontario Land Surveyor and must include the owner's certificate. All draft plans must be submitted in metric, and include the following:

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

- a) the boundaries of the land proposed to be subdivided, certified by an Ontario Land Surveyor;
- b) the 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 of the land adjacent to the proposed condominium 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) the purpose for which the proposed lots are to be used;
- e) the existing uses of all adjoining lands;
- f) the approximate dimensions and layout of the proposed plan;
- 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) the availability and nature of domestic water supplies;
- i) the nature and porosity of soil;
- j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the lands proposed to be subdivided;
- k) the municipal services available or to be available to the land proposed to be subdivided; and
- l) the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements.

Additional Requirements

The plan must also include:

- municipal address
- lot coverage (m^2)
- minimum open space (m^2)
- paved area (m^2)
- unit count
- play lots
- legal description
- development area (m^2)
- property zoning
- building gross floor area (m^2)
- parking count—required and provided
- fencing
- building setbacks (in metric)
- road widths
- porches, decks, stairways, etc.
- street furniture such as hydrants, hydro transformers, community mailboxes, etc.
- parking space dimensions and aisle widths
- common elements, exclusive use areas

Building Division Requirements

- a) Parking for all non-residential buildings must be communal for all units on the property. Parking units cannot be sold or assigned to a specific unit or to a specific tenant/unit owner, occupying any part of the building. Parking must be for on-site uses only.
- b) Any 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.
- c) The transfer or conveyance of any land(s) affecting the subject property must be finalized prior to condominium registration. Please note that transfers may result in zoning by-law deficiencies which could result in a minor variance application.
- d) Any existing building permit and or zoning certificate applications which have been applied for, but not issued a Permit/Certificate, must be issued prior to condominium registration. If the applicant does not intend to proceed with an open application, it must be cancelled. Written requests to can cancel a permit/certificate must be made to the Supervisor, Customer Services. Please note that cancellation requests will not be accepted in instances where work has commenced

CONVERSION FROM RENTAL TO CONDOMINIUM TENURE – ADDITIONAL REQUIREMENTS

1. Building Division, Planning and Building Department:
 - a. A legible as-built survey showing the location of all buildings and structures, complete with set-back dimensions from all property lines
 - b. A fully dimensioned, as built site plan, certified by a surveyor, indicating compliance with all zoning by-law requirements. The plan should include all parking areas, parking spaces, accessible parking spaces, aisle widths, driveway aisles, landscape and buffer areas and amenity areas and amenity spaces. (Note: all parking spaces must comply with current parking standards).
 - c. Fully dimensioned and labelled (use of all rooms) as built floor plans for the entire building, including mezzanines. For high-rise residential developments, typical floor plans may be provided.
 - d. Multi-tenanted non-residential buildings: All existing tenants within a building must “legally” exist – a Certificate of Occupancy (Zoning) must have been issued for each tenant. The applicant will be required to provide a tenant schedule which includes: tenant name; unit number, business name/type; unit total floor area: and, the associated zoning certificate number. A building inspector will confirm all uses on site as part of the application review process.
 - e. Submission of a Gross Floor Area Non-Residential Declaration Form, accompanied with red-lined floor plans of all areas/floors of the building being deducted or, a Gross Floor Area – Apartment Dwelling Zone declaration, whichever is applicable.
 - f. Parking for all non-residential buildings being converted to condominium tenure must be communal for all units on the property. Parking units cannot be sold or assigned to a specific unit or to a specific tenant/unit owner, occupying any part of the building. Parking must be for on-site uses only.
 - g. Note: Any 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 or a minor variance must be approved for every non-compliance issue.

2. Transportation and Works Department

Detailed comments and conditions will not be provided by the Transportation and Works Department until it is in receipt of, and has reviewed, a physical evaluation report with the information as set out below.

The applicant is to contact the Transportation and Works Department at 905-615-3200, ext. 5149 prior to the commencement of any remedial works.

- a) Internal Pavement Structure

The internal roads and parking areas for the proposed condominium conversion site shall be rendered in compliance with the Design Standards and Servicing Policy for Multi-Family Condominium Developments and industrial Condominiums, Section 6.1 of the Transportation and Works Subdivision Requirements Manual. The Applicant’s geotechnical consultant will be required to provide an evaluation of the existing asphalt pavement condition and structure. In addition, the evaluation is to recommend the remedial works required to achieve the minimum design standard for the internal roads and parking areas. Upon completion of any remedial works, the geotechnical consultant will be required to submit a pavement construction certificate confirming that the as constructed pavement structure conforms to the approved

design standard, as noted above.

- b) **Curbs, Sidewalks and Lockstone Walkways**
The applicant's consulting engineer is to provide an evaluation of these facilities including any remediation proposals. All concrete curbs, sidewalks and walkways which are cracked, displaced or broken will require replacing. Standard curbs will be required on both sides of the access road and parking areas.
 - c) **Site Grading and Drainage**
All landscaped areas will be reviewed to ensure that positive drainage and vegetative cover is provided. The applicant's engineering consultant will be required to provide an existing/proposed Site Grading Plan with the condominium application. Upon completion of any required site remediation works, the consulting engineer will be required as well to submit a Final Grading Certificate certifying that the site grading including parking paving area conforms to the approved lot grading plan, and that the proper drainage has been achieved in all areas. The Final Grading Certificate shall include confirmation of the structural adequacy of any retaining walls and/or fencing works associated with the site.
 - d) **External Interconnecting Easements**
The applicant shall provide copies of the necessary legal documentation (Registered Instruments and Reference Plans) describing any and all servicing, access or utility easements within or required for the proper servicing of the lands intended for condominium conversion. Detailed conditions will include requirements that the applicant's engineer, surveyor and solicitor certify to the effect that the necessary and appropriate easements, rights-of-way and agreements for the use and maintenance of all internal services, utilities and access ways which may be capable of separate ownership have been prepared, executed, delivered and where appropriate, to be registered on title.
 - e) **Environmental Site Screening Questionnaire and Declaration (ESSQD)**
Prior to the provision of detailed comments and conditions for condominium registration, the property owner will be required to provide an ESSQD, fully completed and sworn before a commissioner for the taking of affidavits.
3. **Conversion from rental housing to condominium tenure only:** The property owner must sign an [Acknowledgement](#) indicating that all tenants have been notified that the owner proposes to convert the existing rental residential development to condominium tenure and that the tenants have been made aware of their rights under the *Residential Tenancies Act, 2006*.

PROCESSING THE APPLICATION

1. After the application has been deemed to be complete, the application will be circulated to various departments and agencies for comment.
2. The City may confer with officials and appropriate ministries, commissions and authorities, and with others who may be concerned, to obtain information and recommendations.
3. Initial comments from departments and agencies may require the applicant to make changes and submit revised plans, which will be recirculated. Each resubmission shall be accompanied with a resubmission cover letter, which must contain a summary of the changes and address ALL outstanding issues.
4. Upon receipt of final comments from departments and agencies, conditions will be imposed by the City in granting draft approval of the plan.
5. Section 51(39) of the *Planning Act* provides that any person or public body may, not later than 20 days after the giving of notice, appeal the decision to the Ontario Municipal Board.
6. The agencies/departments that have requested conditions must advise the City that the conditions have been fulfilled to their satisfaction prior to the approval of the final plan for registration.

May 2021