



REPORT N° AMÉ-19-47-R

Date	22/05/2019
Submitted by	Marie-Eve Bélanger
Subject	Condominium conversion – 535-545 Russell Road, Cheney
File N°	D-11-276, D-11-277

1) **NATURE/GOAL :**

A request was submitted by Mr. Jean-Paul Vincelette, being one of the owners of 535, 545 Russell Road in Cheney, to obtain an exemption from the condominium approval process for those properties.

2) **DIRECTIVE/PREVIOUS POLICY :**

n/a

3) **DEPARTMENT'S RECOMMENDATION :**

QUE le comité plénier recommande au conseil l'adoption du règlement 2019-50 en vue de soustraire de la procédure d'approbation de plan de lotissement, la description de condominiums du projet au 535-545 Russell Road à Cheney, appartenant à 1847305 Ontario Inc. et que le maire et la greffière soient désignés pour signer le certificat à cet effet.

THAT the Committee of the Whole recommends to Council to adopt By-law 2019-50 to exempt from the plan of subdivision approval process, the condominiums' description of the subject property of 1847305 Ontario Inc., located at 535-545 Russell Road, and that the Mayor and the Clerk be authorized to sign the appropriate certificate.

4) **BACKGROUND :**

Sections 51 and 51.1 of the *Planning Act* establishes the requirements for subdivision approvals. The *Condominium Act*, 1998, imposes the same requirements as the *Planning Act* for the approval of a Condominium project. The *Condominium Act* also has provisions that allow the Approving Authority (the municipality) to exempt a project from the plan of subdivision requirements of Sections 51 and 51.1 of the *Planning Act*.

Therefore, the Approval Authority may grant an exemption if it believes that the exemption is appropriate in circumstances.

5) **DISCUSSION :**

Mr. Jean-Paul Vincelette communicated with the City in order to obtain information on the conversion of the rental units to condominium units. He advised the City that the property was not financially viable as rental units and wish to sell them individually instead.



Figure 1: Location of the property

The intent of the *Condominium Act, 1998*, was to have Council consider a faster process for approvals when all planning issues have been dealt with. The planning requirements for the land in question have, in staff's opinion, been appropriately dealt with.

Staff believes that it is appropriate for Council to exempt the project from the Draft Plan of Condominium, effectively approving the condominium project for registration. This project complies with the direction of the Official Plan and Zoning By-law of the City of Clarence-Rockland. There are no further planning issues that need further investigation at this time.

6) **CONSULTATION:**

n/a

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

n/a

8) **FINANCIAL IMPACT (expenses/material/etc.):**

n/a

9) **LEGAL IMPLICATIONS :**
n/a

10) **RISK MANAGEMENT :**
n/a

11) **STRATEGIC IMPLICATIONS :**
n/a

12) **SUPPORTING DOCUMENTS:**
2019-50