



City of North Bay Report to Council

Report No: CSBU 2021 - 37

Date: June 29, 2021

Originator: Peter Carello, Senior Planner

Business Unit:

Community Services

Department:

Planning & Building Department

Subject: Request for Exemption from the Condominium Approval Process by Miller & Urso Surveying Inc. on behalf of Jeffrey Staples (537 Ann Street)

Closed Session: yes ☐ no ☒

Recommendation

That the Request for Exemption from the Condominium Approval Process by Miller & Urso Surveying Inc. on behalf of Jeffrey Staples for the property legally described as PIN 49156-0971 (LT) Part Lots 25-26 Plan 23 Widdifield Parts 1 & 2 36R14460; S/T & T/W NB144554; City of North Bay and PIN 49156-0974 (LT) Part Lot 25 Plan 23 Widdifield Part 3 36R14460; City of North Bay, known locally as 537 Ann Street in the City of North Bay, as represented on Schedules "A" & "B" to Report to Council No. CSBU 2021-37, be approved.

Background

An application has been made by Miller & Urso Surveying Inc. on behalf of Jeffrey Staples for an Exemption from Approval of a Plan of Condominium for lands described as PIN 49156-0971 (LT) Part Lots 25-26 Plan 23 Widdifield Parts 1 & 2 36R14460; S/T & T/W NB144554; City of North Bay and PIN 49156-0974 (LT) Part Lot 25 Plan 23 Widdifield Part 3 36R14460; City of North Bay, known locally as 537 Ann Street in the City of North Bay.

The subject property is located on Ann Street and has a frontage of approximately 23.2 metres and a total area of 1,072 square metres.

The building is currently under construction and consists of our (4) apartment style dwelling units. The units are not occupied.

The property is zoned "Residential Sixth Density (R6)" and is currently subject to Site Plan Control, registered in January 25, 2021 as Instrument No. BS195219.

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Financial/Legal Implications

None

Corporate Strategic Plan

- | | |
|--|---|
| <input type="checkbox"/> Natural North and Near | <input checked="" type="checkbox"/> Economic Prosperity |
| <input checked="" type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government | |

Specific Objectives

- Facilitate the development of housing options to service the entire community, with consideration to socio-economic characteristics of the community
- Promote and support public and private sector investment

Options Analysis

Applications for Approval of a Plan of Condominium can be dealt with in two ways:

Option 1

The Applicant could apply for a Plan of Condominium, which is similar to subdivision approval, where the Applicant receives conditional approval, and upon satisfying the conditions of approval the Applicant receives final approval and registers the Condominium Plan. This process is used primarily where no prior approvals have been given under the Planning Act, R.S.O. 1990, c. P. 13.

Option 2

Section 9 of the Condominium Act, 1998, allows a second process where the approval of the Condominium is exempt from Section 51 of the Planning Act. Section 9 of the Condominium Act permits the Municipality to grant an exemption if it deems it appropriate in the circumstance.

Staff are recommending the exemption from Section 51 of the Planning Act. The zoning permits the construction of the four unit building and the Owner has entered into a Site Plan Control Agreement with the City. There are no municipal concerns outstanding and adequate security has been held by the City to ensure compliance with the Agreement. This exemption provides exemption from the public meeting process related to the Plan of Condominium. The Owner will be required to enter into a Condominium Agreement with the City and request Final Approval from Council at a future date upon completion of construction.

Option 2 is the recommended option.

In my professional opinion, the exemption process is appropriate for the subject application for the aforementioned reasons. The building and property conforms to the residential policies of the Official Plan. The "Residential Sixth Density (R6)" zone property permits the four (4) unit building.

Recommended Option

Option 1 is the recommended option

Respectfully submitted,

Name: Peter Carello, MCIP RPP

Title: Senior Planner, Current Operations

I concur with this report and recommendation.

Name: Beverley Hillier, MCIP, RPP

Title: Manager, Planning & Building Services

Name: Ian Kilgour, MCIP RPP

Title: Director of Community Development and Growth

Name: David Euler, P.Eng

Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Peter Carello

Title: Senior Planner – Current Operations

Schedule A



Schedule B

