



**Town of Midland  
Planning Services  
575 Dominion Avenue  
Midland, ON L4R 1R2**

**Office Hours:  
Monday to Friday  
8:30 a.m. to 4:30 p.m.**



### **How do I get started?**

The Applicant is required to complete the Pre-Consultation process prior to submitting a formal application. The Pre-Consultation process outlines the proposal and gives Staff and external agencies the opportunity to provide comments and outlines the requirements for a complete application.

### **How much will it cost?**

The fees associated are noted in the Town's Composite Fees By-law and identified through Pre-Consultation. Additionally, you may need the services of planning consultant(s), engineering consultant(s), environmental consultant(s), and surveyor(s). It is recommended that you retain these services for the Pre-Consultation process.

### **How long will it take?**

Upon completion of the Pre-Consultation stage, the average time to process an Application depends on a number of factors including the complexity of the application and the quality of the submission. It may take several months to receive draft approval and may take several years to receive final approval, pending the fulfillment of draft plan conditions.

### **What is a Plan of Condominium?**

A Plan of Condominium is a form of ownership or type of land status that can be residential, commercial, and industrial or a combination and can be applied to new and existing buildings and properties. Residential condominiums typically include multi-storey buildings and ground-oriented development such as townhouses and to a lesser extent detached homes. Typically, each unit/lot is individually owned with shared facilities known as common elements including hallways, elevators, parking areas, private roads, etc. The approval process is governed by the *Condominium Act* and is usually followed by Site Plan Approval.

Upon completion of the application stage, Council will decide to approve or deny the Plan of Condominium. If approved, the proposal receives Draft Approval subject to a number of conditions that need to be fulfilled prior to receiving final approval of the Plan.

### **Condominium Exemptions**

The Town may approve applications for exemption from condominium approval subject to specific provisions outlined under Section 7.5.3 b) of the Town's Official Plan.

### **Need More Information?**

Contact the Planning Services Department for more information:

Phone: 705-526-4275

Email: [planning@midland.ca](mailto:planning@midland.ca)

Online Resources: [Pre-Consultation webpage](#)  
[Plan of Condominium webpage](#)

## **Plan of Condominium Application Process**

The process described below outlines the typical process for Standard Condominium, Common Element, and Vacant Land Condominiums. Additional and/or different steps may be required when filing Standard or Conversion to Rental Condominium Applications and do not need to follow the statutory process.

### **1. Pre Submission Review Stage (formerly Pre-Consultation Stage)**

Prior to submitting a Plan of Condominium Application, you may choose to complete the Pre-Submission Review process. The purpose of Pre-Submission Review is to:

- Confirm whether a Plan of Condominium is necessary and whether it may be supportable by Staff
- Provide feedback on the development (if proposed)
- Confirm whether other approvals will be required (e.g. Site Plan, Zoning By-law Amendment, Official Plan Amendment, etc.)
- Outline the plans and studies that may be required to be submitted as part of a complete application

The Pre-Submission Review Stage concludes with a Record of Pre-Submission review being provided to the Applicant outlining application submission requirements.

### **2. Application Submission**

The Record of Consultation notes provided will outline the requirements for submitting a complete application. The Record of Consultation will outline the fees, other requirements, and materials required to be submitted. All submissions are to be submitted electronic through the Town's electronic submission platform. After receipt of the application, Staff will review the application for completeness. Applications that are deficient of the required materials or fee(s) have no status and may be returned to the Applicant with additional information or fees being required. The application will not proceed to any further Steps until all outstanding information is received.

### **3. Notice of Complete Application**

After the application is deemed complete, a Notice of Complete Application is circulated to the applicant, internal departments, external agencies, and public bodies for comment. It is also circulated to landowners within 120 metres of the property. Public input is requested and only correspondence received prior to preparation of the Public Meeting Report will be published in the Staff Report.

### **4. Posting of Public Notice Sign**

The Applicant is required to post a Public Notice sign(s) with application information on the subject lands. The *Planning Act* requires the sign(s) to be posted a minimum of 20 days prior to the Public Meeting. The Town will provide the Applicant with the Notice Sign template and it is their responsibility to have the sign printed and posted.

### **5. Notice of Public Meeting**

Notice of Complete Application and Notice of Public Meeting are circulated to landowners within 120 metres of the subject property at least 20 days prior to the meeting date. The Notices are also posted on the Town's website.

## **6. Review of Application and Planning Considerations**

After the circulation, Staff receives comments from internal departments and external agencies. Comments that require clarification, changes, or modifications are provided back to the Applicant and are to be addressed in a subsequent submission. Depending on the quality of the first submission, additional submissions may be required to satisfy concerns raised by Staff and external agencies. Note that the application fee includes three submissions and that each submission thereafter requires an additional review fee.

Planning Staff review the merits of the application based on the following, but not limited to, considerations:

- Assessment of the physical, environmental, social, and economic aspects of the plan
- Conformity with all other local planning documents and Provincial Plans and legislation
- Compatibility and suitability with the surrounding neighbourhood
- Proposed Density and impact on the existing built form
- Grading and drainage
- Municipal servicing availability
- Availability of community services including schools, parks, recreation facilities, etc.
- Transportation, access, and road network design
- Lot size and dimensions
- Building height and setbacks
- Environmental, traffic and neighbourhood impacts
- Buffering and landscape screening
- Screening and fencing
- Public input

## **7. Public Meeting**

The assigned File Manager gives an overview to Council relating to the proposed amendment. As part of the statutory Public Meeting, the Applicant is also given the opportunity to present the proposed amendment and members of the public are then given the opportunity to provide their comments.

## **8. Planning Recommendation Report and Council Meeting**

The recommendation report from the Planning Services Department is submitted to Council for a decision and is only prepared once the Applicant has responded to all comments. Council may approve, deny, or amend the recommendation. If the Plan of Condominium is draft approved, a Notice of Passing of the By-law is provided within 15 days of the decision to the Applicant, the specified persons or public bodies and to any persons who made written request for notification. If the Plan of Condominium is refused a Notice of Refusal is administered in the same manner.

## **9. Ontario Land Tribunal (OLT) Appeals**

Appeals must be filed with the Town by the date indicated on the Notice. The OLT may refuse an appeal by an individual or public body who did not initially object to the proposal. Additional information regarding appeal rights can be directed to the [OLT](#).

## **10. Draft Plan Approval**

If the application is approved by Council and no appeals are received, then it is considered to be Draft Plan approved. The Draft Plan approval typically includes a list of conditions that must be satisfied before the lots, blocks, and roads can be registered through an M-Plan. These conditions must be satisfied prior to a specified date in the Decision or the draft approval may lapse. In order to avoid the lapsing of a Draft Plan approval, the Applicant must apply for a draft plan extension at least 90 days before the lapsing date.

## **11. Condominium Agreement & Registration of Plan**

Upon completion of all conditions, a Condominium Agreement is prepared and once finalized is sent to the Applicant for review and signature. The Applicant will need to return the executed copies of the agreement to the Town together with all items identified by the Condominium Agreement. This may include, but is not limited to, applicable fees, site works securities, cash-in-lieu of Parkland, and/or proof of insurance. Once all items identified by the Agreement are provided to the Town, it is signed by the Town and sent for registration.

## **12. Other Approvals**

Where other approvals are required (e.g. Site Plan Control), those processes would need to be completed before building permits can be applied for.