THE CITY OF
Guelph

INFORMATION SERVICES DEPARTMENT
CITY CLERK'S DIVISION
City Hall, 59 Carden Street
Guelph, Ontario, Canada N1H 3A1
Telephone: (519) 837-5603 Fax: (519) 763-1269
Website: guelph.ca

CERTIFICATE WITH RESPECT TO AN APPLICATION FOR APPROVAL OF A DRAFT PLAN OF CONDOMINIUM SUBDIVISION

THE CORPORATION OF THE CITY OF GUELPH

I, Lois A. Giles, Clerk of the Corporation of the City of Guelph, hereby certify that the Notice of Decision of a Draft Plan of Condominium Subdivision 23CDM-07505, for Part of Block 3, Plan 696, municipally known as 45 Airpark Place, in the City of Guelph, County of Wellington, was given in the manner and form to the persons prescribed by regulation made by the Lieutenant Governor in Council under Subsection 37 of Section 51 of The Planning Act, R.S.O. 1990, c. P.13., as amended. I also certify that the 20 day objection period expired on the 19th day of February, 2008, and to that date, no notice of objection or request for a change in the provisions of the decision of the draft plan of condominium subdivision has been has filed by any person in the office of the Clerk. A declaration to this effect is on file.

In accordance with Section 51(41) of The Planning Act, R.S.O. 1990, c.P.13., this Draft Plan is deemed to have been approved on February 20, 2008.

Dated this 22nd day of February, 2008.

City Clerk

Certified copy to:
Scott Hannah
Minna Bunnett
Linda Chapman
Bruce Poole
Julie Owens, Planner
Assessment Commissioner
Jeff Buisman, Van Harten Surveying Inc, Applicant
2090152 Ontario Limited, c/o Mason Real Estate, Owner

NOTICE OF DECISION OF A DRAFT PLAN OF CONDOMINIUM SUBDIVISION PURSUANT TO SECTION 51(37) OF THE PLANNING ACT, R.S.O 1990, c. P.13, AS AMENDED, BY THE CORPORATION OF THE CITY OF GUELPH

IN THE MATTER of an Application for Approval for a Draft Plan of Condominium Subdivision for Part of Block 3, Plan 696, municipally known as 45 Airpark Place, in the City of Guelph, County of Wellington.

TAKE NOTICE that the Director of Community Design and Development Services of The Corporation of the City of Guelph gave approval for an application for a draft plan of condominium subdivision on the 21st day of January, 2008, under Section 51(31) of The Planning Act, R.S.O. 1990, c. P.13, as amended, in respect of Part Block 3, Registered Plan 696, municipally known as 45 Airpark Place, in the City of Guelph, County of Wellington.

AND TAKE NOTICE that any person or public body may appeal the decision to approve the draft plan of condominium subdivision, or any of the conditions of the approval of the draft plan of condominium subdivision to the Ontario Municipal Board, by filing with the Clerk of The Corporation of the City of Guelph, not later than the 19th day of February, 2008, at 4:30 p.m., a notice of appeal that must set out the reasons for the appeal.

AND THAT the applicant, or any public body may, at anytime before the approval of the final plan of condominium subdivision, under Section 51(58) of The Planning Act, appeal any of the conditions imposed by the Director of Community Design & Development Services of the Corporation of the City of Guelph to the Ontario Municipal Board by filing with the Clerk of The Corporation of the City of Guelph a notice of appeal that must set out the reasons for the appeal, accompanied by the applicable fee of $125.00, *paid by certified cheque or money order only*, made payable to the Minister of Finance.

You will be entitled to receive notice of any changes to the conditions of approval of the draft plan of condominium subdivision if you have either made a written request to be notified of the decision to approve, or refuse to approve the draft plan of condominium subdivision, or made a written request to be notified of changes to the conditions of approval of the draft plan of condominium subdivision.

Note: Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of condominium subdivision to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. If you wish to appeal to the Ontario Municipal Board, the requisite appeal forms are available from the Ontario Municipal Board on their website: *www.omb.gov.on.ca*, the City of Guelph's website: *guelph.ca* or you may obtain the appeal forms from the City Clerk's Office.

A copy of the decision, including the conditions, is attached. Additional information regarding the proposed plan of condominium subdivision will be available to the public for inspection in the Community Design and Development Services Department, Planning Services during regular business hours. (8:30 a.m. to 4:30 p.m.)

DATED at the City of Guelph this 30th day of January, 2008.

Lois A. Giles,
City Clerk
Guelph City Hall
59 Carden Street
Guelph, Ontario N1H 3A1

THE CITY OF
Guelph

COMMUNITY DESIGN AND DEVELOPMENT SERVICES
City Hall, 59 Carden Street
Guelph, Ontario, Canada N1H 3A1
Tel 519-837-5616 Fax 519-837-5640
guelph.ca

(Offices located at 2 Wyndham Street North, 3rd Floor)

January 21 2008

Mr. Bob Mason
2090152 Ontario Limited
32 Douglas Street,
Guelph, ON N1H 2S9

Dear Mr. Mason,

RE: 45 Airpark Place, Part of Block 3, Registered Plan 696, (File#: 23CDM007505)

As City Council's delegated approval authority for most condominium applications in the City of Guelph, I would like to confirm that your condominium application for draft plan approval has been reviewed by the City of Guelph Community Design and Development Services, and as of the date of this letter, I have decided to approve the condominium plan for 45 Airpark Place under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, as amended, subject to the conditions attached.

By copy of this letter, I am requesting the City Clerk to initiate the Notice of Decision circulation which will be mailed in accordance with Section 51(37) of the Act. This Notice of Decision of the approval of the plan including conditions will be circulated for a 20 day time period during which, any person or public body may file a notice of appeal of the decision. Should no appeals be filed, the approval of the condominium plan of subdivision shall be deemed to have been made on the day after the last day for appealing the decision.

Once your condominium plan has received draft plan approval, when you wish to register your plan, please contact the Community Design and Development Services Staff and advise in writing, how you have satisfied all of the conditions of draft plan approval.

If you have any questions on this file, please contact Julie Owens, Senior Planning Technician, Community Design and Development Services at (519) 837-5616, extension 2357.

Yours truly

James N. Riddell
Director of Community Design and Development Services

JO:jo

cc: Lois Giles, City Clerk
Rajan Philips, Engineering Services
Lois Payne, City Solicitor
Scott Hannah, Manager of Development and Parks Planning

Condominium Application Report

January 21, 2008

Community Design & Development Services
(07-119)

Prepared by:
Julie Owens
Senior Planning Technician

Approved by:
R. Scott Hannah
Manager of Development & Parks Planning

Subject	**Proposed Draft Plan of Condominium (23CDM07505) – VanHarten Surveying Inc., on behalf of 957899 Ontario Inc.**
Location	45 Airpark Place (see Location Map – **Schedule 1**); legally described as Lot 19, Registered Plan 680, City of Guelph.
Summary of Proposal	Request for draft plan approval for an eight (8) unit industrial condominium subdivision in one phase.
Official Plan Designation	The property is designated Industrial in the Official Plan. The proposal conforms to the Official Plan designation.
Recommendations	Draft Plan Approval, subject to the conditions outlined in **Schedule 2**.

Background

The City of Guelph is in receipt of an application for a Draft Plan of Condominium from VanHarten Surveying Inc.. The application pertains to lands municipally known as 45 Airpark Place. The subject property has an area of approximately 0.54 hectares.

The applicant is requesting draft plan approval for an industrial condominium that consists of eight (8) units, and sixteen (16) exclusive use parking and loading areas. The plan of condominium is to be completed in one phase. The industrial development would be in accordance with the attached Draft Plan of Condominium (**Schedule 3**).

The property is designated Industrial in the Official Plan and is zoned B.2 (Industrial) in the City of Guelph Zoning By-law. This application does not effect the site's present Official Plan designation or zoning.

Site plan approval was granted by the City for this development on November 7, 2006 (**Schedule 4**). Building permits have been issued and construction is completed.

Planning Department Comments

The Planning Department recommends approval of this application for draft plan approval of an industrial condominium, subject to the conditions outlined in **Schedule 2**. The development has received the necessary site plan approval and building permits have been issued. The conditions contained in **Schedule 2** will ensure that site development is completed to the satisfaction of the City, prior to the registration of the plan of condominium. The applicant has reviewed and approved the conditions contained in **Schedule 2**.

Attachments

Schedule 1 – Location Map
Schedule 2 – Conditions
Schedule 3 – Proposed Condominium Plan
Schedule 4 – Approved Site Plan
Schedule 5 – Relevant Correspondence

Condominium Application Report

January 21, 2008

Community Design & Development Services
(07-119)

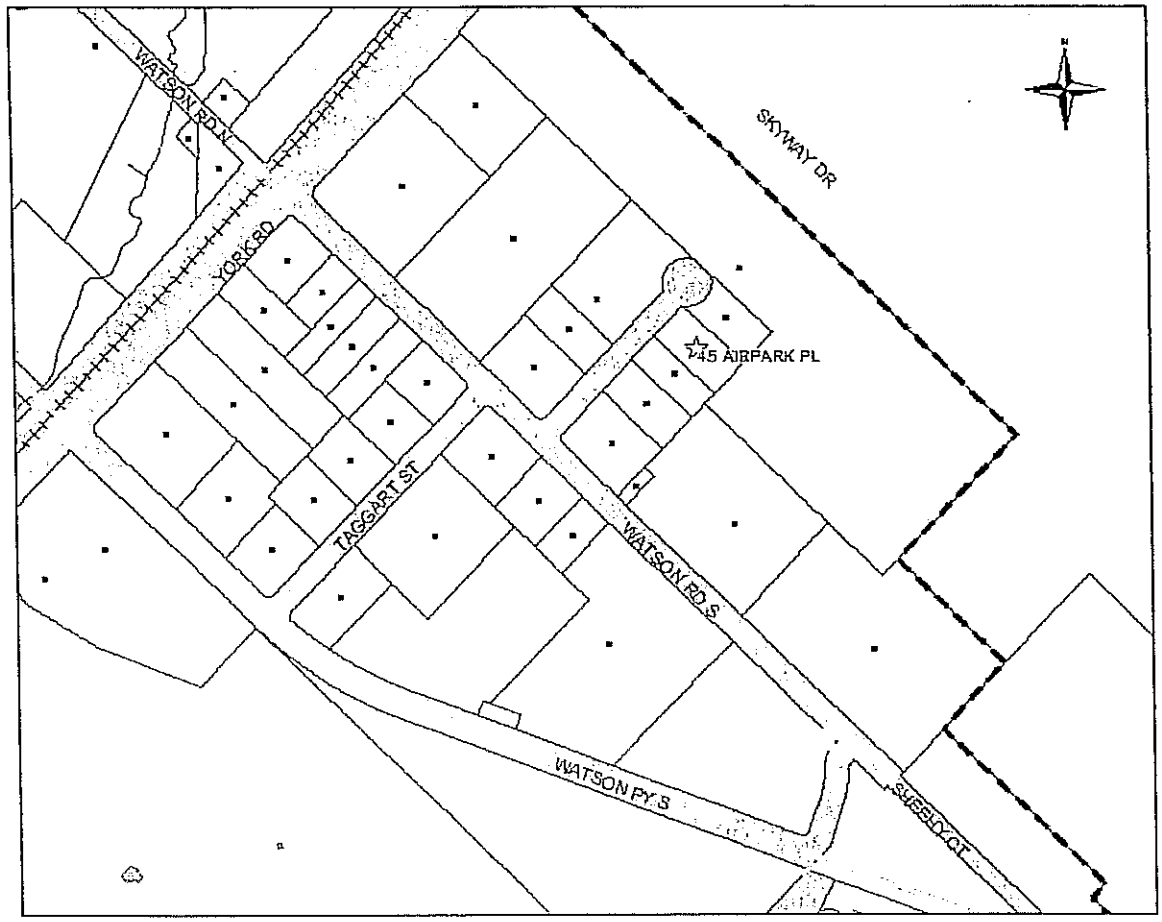
Prepared by:
Julie Owens
Senior Planning Technician

Approved by:

R. Scott Hannah
Manager of Development & Parks Planning

SCHEDULE 1

LOCATION MAP



SCHEDULE 2

Conditions

1. That this approval applies to the draft plan of condominium prepared by Van Harten Surveying Inc., O.L.S., Project Number 17325-06, dated September 12, 2007, illustrating a total of 8 industrial units, to be registered in one phase.

2. The owner shall develop the site in strict accordance with the Ontario Building Code as set out in Section 6, of Ontario Regulation 48/01, as amended from time to time, and the approved plans, including but not limited to, the fully detailed site plan, servicing plan, grading and drainage plan, landscape plan, building elevations and building drawings and mechanical drawings approved by the City in accordance with Section 41 of the Planning Act, to the satisfaction of the City, prior to the registration of the condominium plan.

3. The owner acknowledges and agrees that the City shall make a detailed site inspection at 45 Airpark Place to ensure the site is completed according to the plans approved by the City, prior to the registration of the condominium plan.

4. The owner shall pay any outstanding debts owed to the City prior to the registration of the plan.

5. The owner shall register the condominium plan in one phase, containing eight (8) industrial units within one condominium corporation, to the satisfaction of the City of Guelph.

6. The owner agrees to meet all of the requirements of Guelph Hydro including the relocation of existing hydro services and the installation of new hydro services and shall enter into any agreements required by Guelph Hydro in order to fully service the said lands with hydro facilities to the satisfaction of Guelph Hydro, prior to the registration of the plan.

7. That prior to the registration of the Plan of Condominium, the owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer stating that the building constructed and the grading of the lots is in conformity with the drainage plan and that any variance from the plan has received the prior approval of the City Engineer.

8. That all easements and rights-of-way required within or adjacent to the proposed condominium be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities.

9. That prior to the registration of the Plan of Condominium, the developer shall have the Professional Engineer, who designed the storm water

management system, certify to the City, that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.

10. That prior to the registration of the Plan of Condominium the owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.

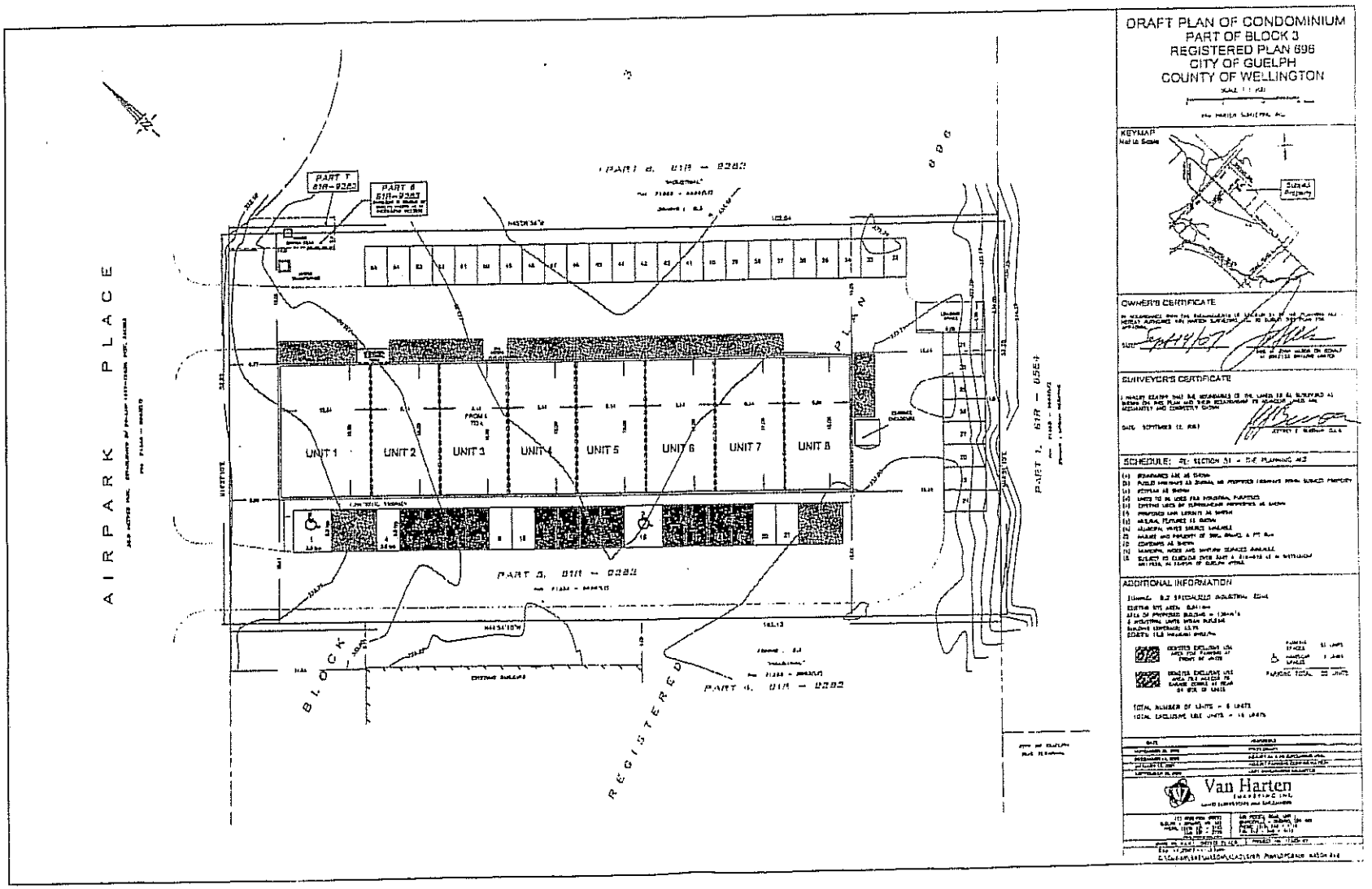
11. Further to requirements outlined in Condition 2, any works not completed as per the approved site plans shall be completed prior to registration and/or the Owner shall pay to the City a security amount representing the outstanding items therein as agreed to by the Manager of Development and Parks Planning.

12. Prior to the City's final approval of the plan of condominium, the City shall be advised in writing by the owner how conditions 1 through 11 have been satisfied.

Condominium Application Report

SCHEDULE 3

Proposed Condominium Plan



Condominium Application Report

SCHEDULE 4

Approved Site Plan

