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Date February 13, 2025 **Report No.** 2025-100
To Chair and Members
Planning Committee
From Alan Waterfield, MCIP, RPP
Chief Planner and Director of Planning and Development Services
Community Development Commission

1.0 Type of Report

Consent Item
Item For Consideration

2.0 Topic **Information Report Regarding Draft Plan of Condominium Application for 1 and 2 Melrose Street [Financial Impact - None]**

3.0 Recommendation

- A. THAT Report 2025-100, Information Report Regarding Draft Plan of Condominium Application for 1 and 2 Melrose Street, BE RECEIVED; and
- B. THAT any comments received as part of the February 13, 2025 public meeting be considered in a future staff recommendation report; and
- C. THAT the staff recommendation report BE PRESENTED to the March 6, 2025 Planning Committee.

4.0 Executive Summary

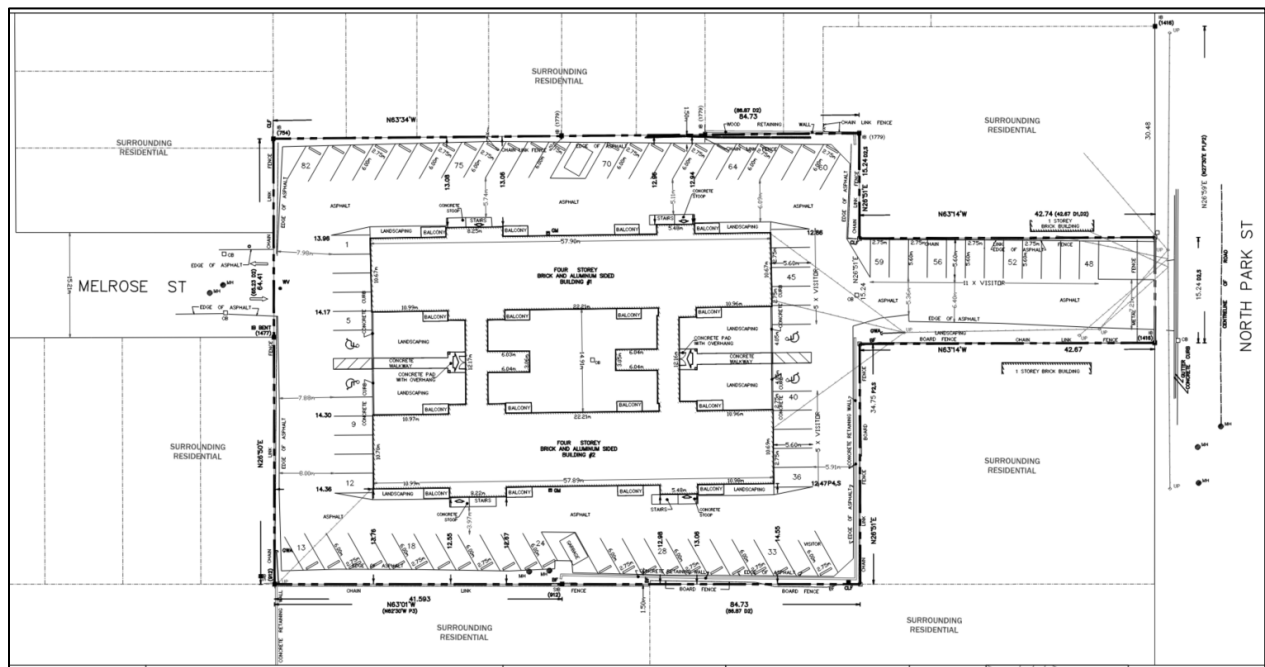
This Report provides information regarding an application for a Draft Plan of Condominium for the lands municipally known as 1 and 2 Melrose Street. The

applicant is proposing to convert the ownership structure of the existing 4-storey, 60-unit rental apartment complex to condominium ownership. No changes or modifications are proposed to the buildings or general layout of the structures in the condominium plan.

A total of 82 off-street parking spaces currently exist on-site, and it is proposed that each condominium unit will be provided one parking space. Twenty-two (22) remaining parking spaces are proposed to become common elements and treated as visitor spaces. Stairways, hallways, elevators and other common areas will also form the common elements component of the condominium.

The lands are designated “Residential” under Schedule 3: Land Use Plan in the City of Brantford Official Plan. The site is zoned “Residential Medium Density Type B Zone” (R4B (60U)) within Zoning By-law 160-90, and “Residential Mid-Rise Zone” (RMR) within Zoning By-Law 124-2024. All property owners within 120 m of the subject property were notified of the application and a public notice sign with the details of the proposal and the February 13 meeting date was posted on-site. The same public notice that was sent out to property owners was also posted in the common area of the apartment complex. The existing conditions plan is presented below in **Figure 1**.

Figure 1: Existing Conditions Plan (full-scale version attached as Appendix A)



The purpose of this report is to provide preliminary information on the application and to seek comments from the public and Planning Committee. Planning Staff

have brought this information report to Planning Committee to provide preliminary information on the application. The comments received from the public and the Planning Committee Comments are critical for Staff to assess considering the community concern regarding the conversion of ownership structure. The comments and direction received will be incorporated into a recommendation report to be provided at a future Planning Committee meeting, including conditions of draft approval to ensure that applicable issues are addressed prior to the final recommendations being presented to Committee and Council for consideration.

5.0 Applicant Information

Table 1 – Application Details

Application Details	
Applicant	Andrew Head
Owner	Braco Award Ltd.
Agent	Dryden, Smith & Head Planning Consultants Ltd. (c/o Andrew Head)
File Number(s)	29CD-24501
Application Type	Draft Plan of Condominium
Proposed Use	Two 4-storey apartment buildings attached by two connections, each containing 30 dwelling units converted to condominium ownership; physical site to remain unaltered.
Property Details	
Address / Ward	1 and 2 Melrose Street / Ward 3
Area	6,141.5 m ² (1.52 acres)
Existing Use	Two 4-storey apartment buildings attached by two connections, each containing 30 dwelling units rented by single ownership.

Official Plan and Zoning	
Official Plan Designation (existing)	Residential
Official Plan Designation (proposed)	No change required
Existing Zoning (By-Law 160-90)	“Residential Medium Density Type B Zone” (R4B (60U))
Proposed Zoning (By-Law 160-90)	To remain the same
Existing Zoning (By-law 124-2024)	“Residential Mid-Rise Zone” (RMR)”
Proposed Zoning (By-law 124-2024)	To remain the same
Processing Details	
Deemed Complete	July 16, 2024
Neighbourhood Meeting(s)	January 17, 2024
Public Meeting	February 13, 2025
Public Comments	Public comments relating to this application are summarized in Section 10.2 of this Report

6.0 Purpose and Overview

The purpose of this Report is to provide information regarding the Draft Plan of Condominium Application for the lands municipally known as 1 and 2 Melrose Street, to permit the conversion of an existing 4-storey apartment complex containing 60 apartment dwelling units to condominium tenure.

7.0 Background

Condominium conversion refers to the creation of a new ownership model for an existing multi-unit building where the entire building and all units within it are no

longer owned by one property ownership who administers rental leases to all of the occupants. A residential condominium conversion changes existing rental dwelling units to a separate, distinct ownership for each unit, and common elements within the existing building are mutually owned, administered and maintained by a condominium corporation governed by a board of directors elected by the unit owners. Common elements may include the roof, exterior walls, lobby, common hallways, stairwells, elevators, utility rooms and shared amenities such as laundry rooms, fitness rooms and pools, as well as outside landscaping, shared outdoor amenities, driveways and parking areas. Condominium fees are established and intended to fund maintenance of common areas and administration of the condominium, paid by each owner within the condominium. The fees are directed to a reserve and should ensure there are sufficient funds set aside for major repairs and replacements of the shared common elements on the property. Potential purchasers of condominium units need to be aware of the condition of the building and the general cost of potential improvements that can impact the condominium fee. A building condition assessment can be a condition of approval for a draft plan of condominium conversion, to ensure this information is available to condominium purchasers.

8.0 Corporate Policy Context

8.1 2023-2026 Council Priorities

The 2023-2026 Council Priorities relating to this application includes Strategic Theme #4: “Create a vision and strategy for managing development and affordable housing.” This theme is supported by priority actions to provide for the diversification of housing and to consider the diverse needs of the community. This priority will be assessed within the recommendation report brought forward by Staff to a future Planning Committee meeting, balancing the need to ensure both rental and low-cost, affordable ownership housing is available in the City.

9.0 Description of Proposal

The application proposes to convert the existing 4-storey, 60-unit apartment complex to a condominium ownership structure. The existing site includes a total of 82 parking spaces. One parking space is to be allocated to each unit, with the remaining 22 spaces to become common elements and treated as visitor parking spaces. No changes or modifications are proposed to the buildings or general layout of the structures, though the applicant proposes to perform

capital improvements over time to all units, mainly for energy preservation. The full list of planned capital improvements can be found in Section 1.5 of the Affordable Housing and Rental Housing Conversion Study attached as **Appendix B**. Once the property is converted to condominium tenure, the applicant has stated their intention is to finance the future renovations from the sale of individual dwelling units over time, and not displace current residents who will continue to pay rent to the owner of their specific unit. The current owner of 1 and 2 Melrose Street intends to maintain ownership of 31 of the 60 dwelling units to maintain overall control of the condominium corporation and the administration of the apartment complex.

9.1 Supporting Documents

The following materials have been submitted in support of the Draft Plan of Condominium application:

- Existing Conditions Plan;
- Existing Elevation and Floor Plans;
- Affordable Housing Affordability and Rental Conversions Report;
- Plan of Survey;
- Planning Justification Report;
- Tenant Engagement & Meeting Materials and Minutes.

9.2 Site Information

The subject lands have a lot area of 6,155.0 m² (1.5 acres). The site is currently occupied with two (2) existing 4 storey apartment buildings, with each building containing 30 units. The existing buildings were constructed circa 1961, and an additional building permit for the multi-storey corridors connecting the two buildings was approved in 1999. The total Gross Floor Area of the two buildings is approximately 5,577.4 m². The existing access off Melrose Street provides resident and visitor access to the property and associated parking, while a gated Fire Department access is provided off North Park Street to the southeast of the site. The site is landscaped on the perimeter and contains a courtyard between the two buildings. An aerial photo is included below in **Figure 3** and site photos are included in **Figures 4, 5, and 6**.

Figure 3: Aerial Photo



Figure 4: Site Photo from northeast of Property (Melrose Street)



Figure 5: Site Photo from southeast of Property



Figure 6: Site Photo from southeast end of Property, facing North Park Street (Fire Department Access)



The property is surrounded by a variety of residential uses to the north, east, and south, predominantly consisting of single-detached dwellings, converted residential buildings, and one apartment building to the south. The property is surrounded by a variety of residential uses to the north, east, and south, predominantly consisting of single-detached dwellings, converted residential buildings, and one apartment building to the south. A commercial plaza is located southwest of the site with retail and service commercial uses.

Melrose Street is a local road and is partially developed with sidewalks on the south side. Melrose Street connects with St. Paul Avenue, providing three transit stops within 200 metres of the subject lands. Another transit stop is located directly to the east of the property on North Park Street.

10.0 Input From Other Sources

10.1 Technical Comments

A summary of relevant consultation is provided below. Very few comments relating to the application were received, likely due to the nature of the application, with no construction proposed. Essentially, the purpose of the condominium plan is to outline which areas of the property are to be under separate ownership (dwelling units and associated parking space) and which areas are the common elements shared by all owners within the condominium corporation.

Department	Comment	Staff Response
Accessibility	<p>No comments related to Draft Plan of Condominium.</p> <p>As there is no proposed change to the site plan, there are no accessibility comments other than requests for accessible parking accommodations will need to be considered.</p>	<i>Comments provided to Applicant/Agent.</i>
Bell	<p>No comments related to Draft Plan of Condominium.</p> <p>Standard comments relating to existing and proposed easements.</p>	<i>Comments provided to Applicant/Agent.</i>
Building	<p>No comments related to Draft Plan of Condominium.</p> <p>Any proposed construction will require that a building permit be applied for and approved through this department. Development charges may be applicable to any new development.</p>	<i>Comments provided to Applicant/Agent.</i>
Source Water	<p>No comments related to Draft Plan of Condominium.</p> <p>There are no Source Water Protection requirements for this application.</p>	<i>Comments provided to Applicant/Agent.</i>
Transportation	<p>Comments relating to location of bicycle storage and visitor parking.</p>	<i>Comments provided to Applicant/Agent. Plans to be updated.</i>

Department	Comment	Staff Response
<p>The following departments/commenting agencies had no comments:</p> <ul style="list-style-type: none"> • Long Range Planning • Heritage • Development Engineering • Landscaping • Environmental Services • Fire • Transit • Economic Development • Real Estate • Parks and Recreation • Grand Erie District School Board (GEDSB) • Brant Haldimand Norfolk Catholic District School Board (BHNDCS) • Mississaugas of the Credit First Nation (MCFN) • Six Nations of the Grand River • Grandbridge Energy • Enbridge • Canada Post • Hydro One 		

10.2 Public Consultation and Engagement

While the Planning Act does not require a statutory public meeting for a Draft Plan of Condominium application, the applicant held a neighbourhood meeting for tenants on January 17, 2024, from 4:00pm - 7:00pm at the Rope Factory Hall (111 Sherwood Drive). The meeting was attended by 36 people who were all existing tenants. Detailed tenant comments and questions, notice of tenant meeting and attendance, and tenant support of the application can be found in Appendix B. The agent and applicant explained the purpose of the application, and how it would affect tenants. Attendants had questions regarding the process, including tenant security, capital improvements, and timing of the conversion. Their rights under the Residential Tenancies Act were explained, and the owner assured tenants that they would transition units to condominiums once existing tenants move out or express interest in purchasing a unit. The owner conveyed that no tenants will be displaced, and that they expect the full sale of all 60 converted units to take several years. The applicant further detailed that capital improvements were expected to take place after the conversion is approved and will result in lower utility costs applicable to tenants and future owners.

To advertise the February 13, 2025 Planning Committee meeting, notice of this application was circulated to all property owners within 120 metres of the subject lands (150 notices). In addition, a public notice sign with the details of the proposal and the February 13 meeting date was posted on-site. The same public notice that was sent out to property owners was also posted in the common area of the apartment complex. Comments received by Staff at the time of drafting this Report can be found in Appendix C.

11.0 Analysis

11.1 Planning Policy Context

A map identifying the land use designations in the general area of the subject lands is attached as **Appendix D**. The City of Brantford Official Plan designates the lands as follows:

Official Plan Schedule	Designation
Schedule '1' Growth Management	Neighbourhoods
Schedule '3' Land Use Plan	Neighbourhoods – Residential Designation
Schedule '12' Road Network	North Park Street – Major Collector Road

- The “Neighbourhoods” provide for a diverse range of residential land uses in the City. Lands within the Residential Designation may include a full range of low-, mid-, and high-rise residential housing types, including apartment buildings, subject to the implementing zoning by-law, and can also include smaller scale neighborhood-supporting commercial and institutional uses intended to serve local residents.
- The subject property is zoned under Zoning By-Law 160-90 as “Residential Medium Density Type B Zone” (R4B(60U)) and zoned under Zoning By-Law 124-2024 as “Residential Mid-Rise Zone” (RMR). The existing apartment complex is a permitted use in both by-laws.
- The Provincial Planning Statement (PPS) 2024 establishes overall policy directions on matters of provincial interest related to land use planning and development within Ontario. It sets out province-wide direction on matters related to the efficient use and management of land and infrastructure; the provision of housing; the protection of the environment, resources and water; and, economic development. The PPS further directs Planning

authorities to support general intensification and redevelopment in Settlement Areas to aid the achievement of complete communities, including by planning for a range and mix of housing options (Sections 2.3.3).

- The Brantford-Brant Housing Stability Plan (2014-2024) consists of the City's Affordable Housing Strategy, to be read in conjunction with the City's Official Plan. The document details policies for achieving affordable ownership and rental housing.
- This application for a Draft Plan of Condominium will be reviewed and assessed under the above noted legislative frameworks and Plans.

11.2 Other Considerations

11.2.1 Existing Tenant Considerations

The main concerns of the public relayed to Staff relate to displacement of existing tenants. The applicant has provided detailed information regarding tenant protection (for current tenants) as noted in **Appendix B**. Specifically, the applicant noted that under the *Residential Tenancies Act* (RTA), existing tenants at the date of the Condominium registration continue to have the right to occupancy. They cannot be displaced due to the registration of the condominium. Section 51 of the RTA provides that existing tenants are provided with security of tenure if they remain tenants on the day the condominium is registered, subject to standard conditions of a tenancy agreement (e.g. rental payment, unit damage, etc.). The tenant maintains this same protection if a landlord enters into an agreement to sell a unit and are provided with the right of first refusal to purchase their unit should an offer of purchase be received from the landlord. The subsequent purchase of the unit would also not impact the security of tenure of existing tenants.

Planning Staff have brought this information report to Planning Committee to hold a public meeting for interested parties, understanding the importance of providing transparency and detailed responses to questions and concerns brought forth from members of the public. Pending the comments received and direction from Committee, Planning Staff will bring a recommendation report back to Planning Committee with conditions of draft approval to ensure that the pertinent and

applicable issues are addressed prior to the final approval of the development.

Standard conditions of draft approval will require the owner to undertake several assessments to the satisfaction of the City to maintain compliance with the Property Standards Act, maintain adequate servicing, fire access, and more. These conditions will be brought forward with the upcoming recommendation report.

12.0 Financial Implications

There are no direct municipal financial implications respecting this application.

13.0 Climate and Environmental Implications

There are no direct municipal climate and environmental implications that can be assessed at this time respecting this application. The application is proposing to change the ownership structure of the dwelling units within the existing buildings; however, no increased impact on climate or the environment is expected due to the change of tenure. The future capital improvements that the applicant intends to undertake over time as dwelling units are prepared for sale will improve the energy efficiency of the apartment complex.

14.0 Conclusion

This report summarizes the Draft Plan of Condominium application submitted for 1 and 2 Melrose Street, and provides background information relating to condominium conversions. The application will be assessed under applicable provincial and municipal policy for conformity and scope in relation to the City of Brantford's housing supply and market. Planning Staff will make a recommendation on this proposal after the February 13, 2025 public meeting has been held, to ensure that questions and issues raised can be adequately addressed in the recommendation report.



Alan Waterfield MCIP, RPP
Chief Planner and Director of Planning and Development Services
Community Development Commission

Prepared By:

Mila Masic, Intermediate Development Planner

Sean House MCIP RPP, Senior Project Manager – Development Planning

Attachments:

Appendix A: Existing Conditions Site Plan

Appendix B: Affordable Housing and Rental Housing Conversion Study

Appendix C: Public Correspondence (as of January 29, 2025)

Appendix D: Official Plan Designation

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required yes no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk yes no

Is the necessary by-law or agreement being sent concurrently to Council? yes no