

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

REPORT P&B-2024-29
November 26, 2024

SUBJECT: Request for Extension to Draft Plan of Vacant Land Condominium Approval – Southwoods (26CD-14-19003) – 633 South Pelham Road – Submitted by Upper Canada Consultants on Behalf of Mountainview Homes (Niagara) Ltd.

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RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves extension to Draft Plan of Vacant Land Condominium for the Southwoods Condominium (file no. 26CD-14-19003) for an additional eighteen (18) months to July 6, 2026, subject to modification to conditions of approval; and

1. That the following condition be replaced with:
 - **Condition 14** - If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the Niagara Regional Police Service and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C. <https://www.niagararegion.ca/projects/archaeological-managementplan/default.aspx>

THAT Welland City Council approves a policy amendment to allow for the extension to Draft Plan of Vacant Land Condominium for the Southwoods Condominium (file no. 26CD-14-19003) for an additional 18 months which exceeds the one (1) year extension provided through Policy SER-012-0014.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council's strategic priority of ensuring "Liveability" by creating a sense of belonging while enhancing mobility by improving access to recreation and community events, ensuring adequate housing options, encouraging job growth, and improving ways to efficiently move people throughout the city.

EXECUTIVE SUMMARY:

The Southwoods approved Draft Plan of Vacant Land Condominium (file 26CD-14-19003) for 633 South Pelham Road was approved by the Ontario Land Tribunal on January 6, 2022. The lapsing date for the draft approval is January 6, 2025. There have been no previous requests for extension. Staff recommend the approval of the extension to the Draft Plan of Vacant Land Condominium approval for 18 months to July 6, 2025

BACKGROUND:

The Southwoods approved Draft Plan of Vacant Land Condominium (file 26CD-14-19003) for 633 South Pelham Road was approved by the Ontario Land Tribunal on January 6, 2022, and consists of 85 townhouse dwellings that are accessed via an internal roadway, a block for a future apartment building that is anticipated to contain 50 apartment dwellings and associated parking, and 42 visitor parking spaces on the east side of the property. The west side of the property is predominantly zoned for environmental protection and designated Provincially Significant Wetlands. The protected lands are anticipated to be transferred to the City.

The Draft Plan of Vacant Land Condominium received approval from the Ontario Land Tribunal on January 6, 2022. The lapsing date for the draft approval is January 6, 2025.

The request for extension is based on the following:

- The developer has been working towards final clearance of conditions. The remaining conditions would occur closer to the time of site servicing;
- The site servicing of the lands is anticipated to occur in the spring of 2025;
- The developer has several active developments in the City of Welland and an extension to draft plan approval would allow for the orderly management of these developments; and
- The fluctuation of the housing market has impacted market absorption and an extension to draft plan approval would allow the developer time to appropriately respond to market fluctuations.

DISCUSSION:

There have been no previous requests for extension to Draft Plan of Vacant Land Condominium. The Draft Plan was approved by the Ontario Land Tribunal on January 6, 2022, and the current lapsing date is January 6, 2025.

In accordance with the Memorandum of Understanding amongst the local municipalities and the Region of Niagara all requests for extension to draft plans are to be circulated to the Region for comments. This is to ensure that any conditions of draft approval comply with current policies.

The comprehensive Niagara Region comments are included in the appendices for further review.

FINANCIAL:

There is no financial impact resulting from the recommendations in this report at this time. All costs associated with the development of this property will be borne by the Developer.

CONCLUSION:

The Southwoods approved Draft Plan of Vacant Land Condominium (file 26CD-14-19003) for 633 South Pelham Road consists of 85 townhouse dwellings that are accessed via an internal roadway, a block for a future apartment building that is anticipated to contain 50 apartment dwellings and associated parking, 42 visitor parking spaces, and protected environmental lands.

Staff recommend the approval of the extension to the Draft Plan of Vacant Land Condominium approval for 18 months to July 6, 2025.

ATTACHMENT:

- Appendix I - Key Map
- Appendix II - Approved Draft Plan of Vacant Land Condominium
- Appendix III - Approved Conditions of Draft Approval
- Appendix IV - Relevant Correspondence