

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

REPORT P&B-2025-16
April 22, 2025

SUBJECT: Application for Condominium Exemption (File No. 26CD-14-25004) by 2812793 Ontario Inc. For Lands Municipally Known as, 35 Southworth Street.

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RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption request by 2812793 Ontario Inc. for an Application for Condominium Approval consisting of twenty-six (26) condominium units located at 35 Southworth Street, in accordance with Section 9 (7) of the Condominium Act, Chapter 4, 1998, as amended.

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 City received an application for Condominium Exemption made by 2812793 Ontario Inc. for twenty-six (26) residential units. The Condominium Act (Section 9

(7)) provides that an application for Condominium Approval may be exempted from Section 51 of the Planning Act where the approval authority is of the opinion that the exemption is appropriate in the circumstances.

Following staff's review, staff are satisfied that exemption from Condominium approval is appropriate as there is an approved site plan agreement registered on the property (see attached Appendix II, Approved Site Plan).

BACKGROUND:

The City received an application from 2812793 Ontario Inc. for Condominium Exemption for twenty-six (26) residential units.

The subject property is located on the east side of Southworth Street, south of Lincoln Street and north of Lewis Street. These lands are described as Lots 13 to 18, Plan 951 and referred to as, 35 Southworth Street (As shown in Appendix I, Location Sketch).

Construction of the development is underway under an existing site plan agreement and building permits.

DISCUSSION:

The Condominium Act (Section 9 (7)) provides that an application for Condominium Approval may be exempted from Section 51 of the Planning Act where the approval authority is of the opinion that the exemption is appropriate in the circumstances.

On June 11, 2024, a site plan agreement was registered on title to permit the construction of twenty-six (26) residential units on the property. Securities have been submitted to ensure that the development of the site proceeds in accordance with the approved site plan.

The application requirements that are typically reviewed through the condominium approval process have been addressed through the registered site plan agreement. Staff are therefore satisfied that exemption from condominium approval is appropriate as proposed.

FINANCIAL:

There is no financial impact resulting from the report recommendation.

ATTACHMENTS:

- Appendix I - Location Map
- Appendix II - Approved Site Plan