

**Subject:** Block 155 Peach Street (Rolling Meadows Phase 12) Plan of Vacant Land Condominium and Assumption Agreement (D07-01-2022)

**Report to:** Thorold City Council

---

## Recommendations

1. That Development Services Report DS 45-2023 **BE RECEIVED**;
2. That the Final Plan of Condominium for Block 155, Plan 59M-479, located on Peach Street within the Rolling Meadows Plan of Subdivision (Phase 12) **BE APPROVED**; and
3. That a By-law authorizing the Mayor and City Clerk to execute the Condominium Assumption Agreement for the lands known as Block 155, Plan 59M-479 between the City of Thorold and ECRM Lundy's Townhomes Ltd. **BE FORWARDED TO COUNCIL FOR APPROVAL**.

## Key Facts

- The purpose of this report is to seek a decision from Council regarding Final Approval of Plan of Condominium and Condominium Assumption Agreement for Block 155, located on Peach Street within the Rolling Meadows (Phase 12) Plan of Subdivision. The agreement will be between the City of Thorold and ECRM Lundy's Townhomes Ltd.
- The application previously received Draft Plan Approval from City Council in October 2021. The applicant has now addressed the conditions of approval, received applicable agency clearances and signoffs, and is seeking final approval of the condominium.
- The proposed Assumption Agreement (see **Attachment A**) and related Site Plan Agreement for the block were previously reviewed by the applicable agencies, with comments duly incorporated. The applicant has executed the Assumption Agreement and it has been returned for final City signature.
- Required securities were previously provided through the site plan approvals process, which concluded in late 2022.

- The applicant has provided an overview of the conditions required to be fulfilled, including a description of how each of the conditions have been addressed.
- City staff have concluded their review of the applicable materials, and recommend Council support the final approval of the Vacant Land Condominium Plans

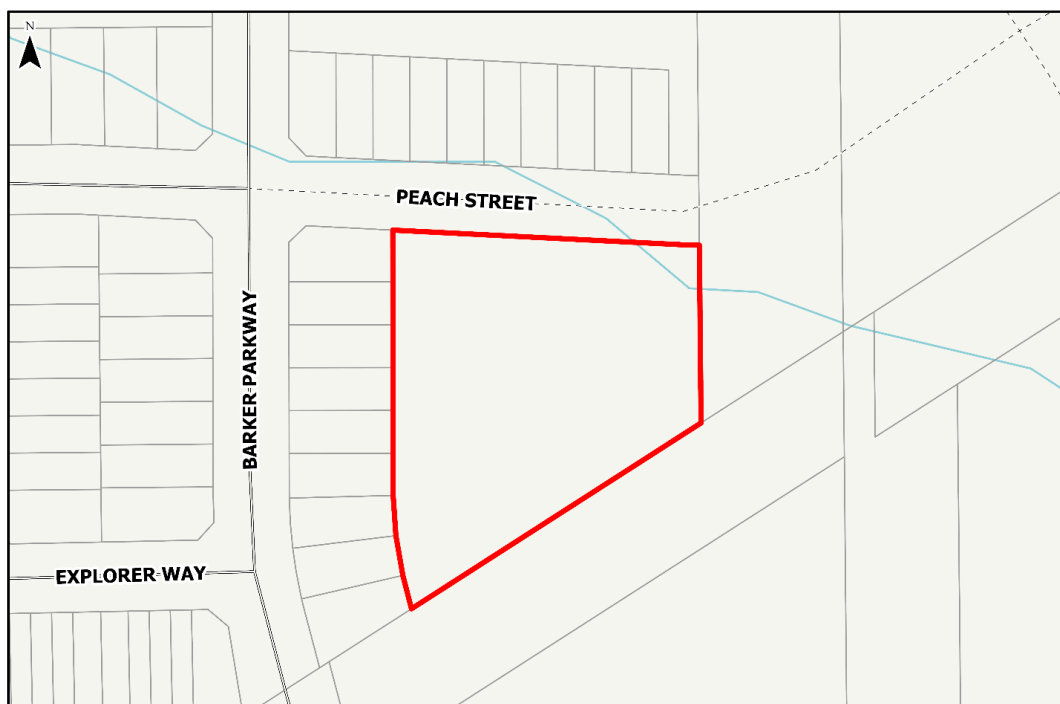
## Budgetary Status

There is no budgetary impact resulting from this report.

## Analysis

### Site context and description

The subject properties are located on the south side of Peach Street, east of Barker Parkway. A Hydro One corridor is located immediately east and south of the subject lands, with Highway 20 located further south (see **Figure 1**, below). These lands are currently vacant and have frontage on Peach Street.



*Figure 1: Site location plan*

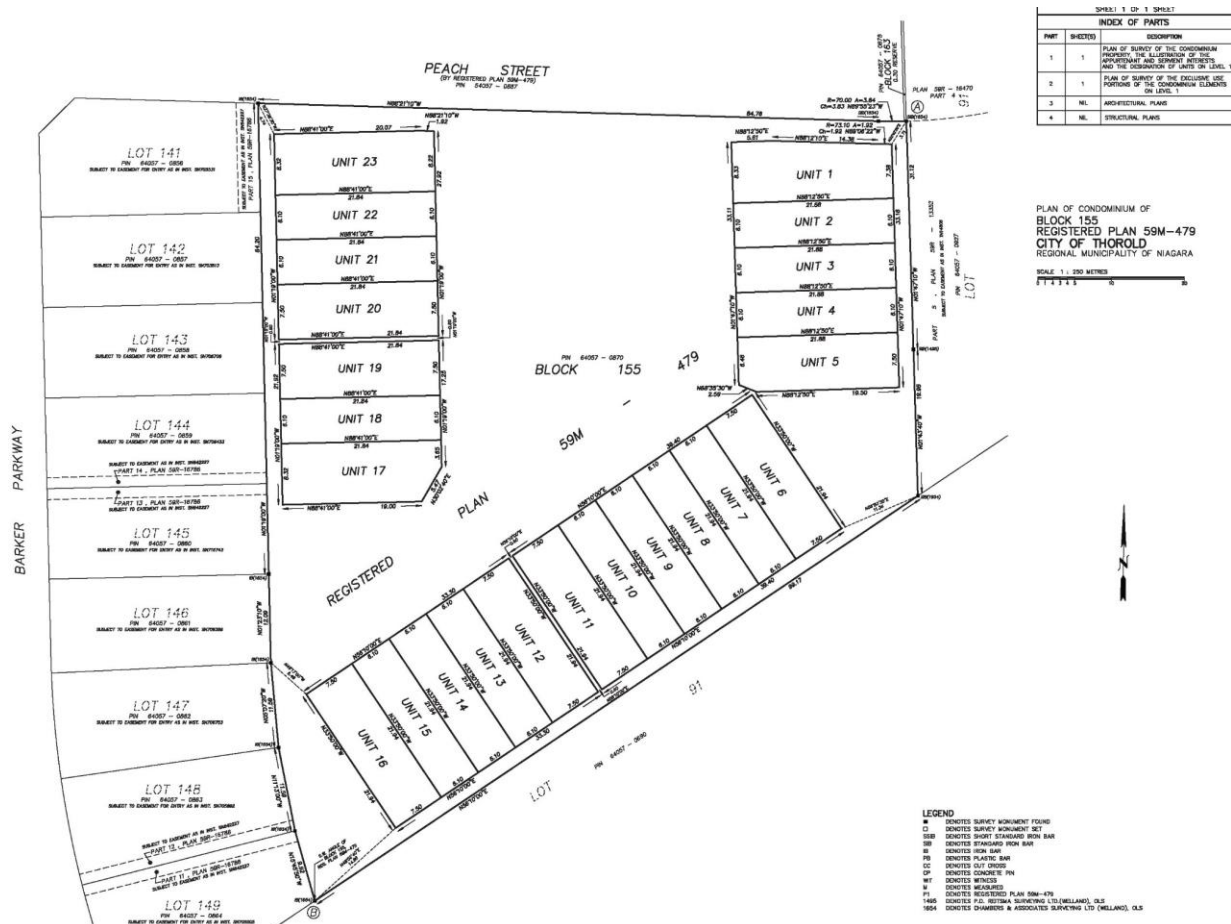
The subject lands are located within the Rolling Meadows Plan of Subdivision (Phase 12), which was previously approved by the City of Thorold and is in the process of being constructed. The applicant subsequently proceeded through the site plan approvals

process, with final site plan approval being granted in October 2022. Related Zoning By-law Amendments and Minor Variance applications were also approved by the City of Thorold to facilitate the proposed development.

## Background

The proposed Plan of Vacant Land Condominium consists of twenty-three (23) lots for residential townhouse dwelling units, split into five (5) blocks of between three (3) and six (6) units each. Visitor parking spaces (13 total) are included, as is a private street to access Peach Street. The buildings will be two (2) storeys in height, and each will contain their own private garage.

An excerpt from the Draft Plan of Condominium is identified below:



One (1) private road allowance is proposed to be created for each block and will be managed by the future condominium corporation. Common amenity space is also included in the development. The full Plans of Vacant Land Condominium is included as

**Attachment B** to this report. A separate reference plan has been prepared, depicting applicable exclusive use common elements.

#### Conditions of Final Condominium Approval

All required clearances from external agencies were previously obtained by the applicant, and all conditions imposed by the City have been or will be fulfilled upon registration of the Plan of Condominium and Condominium Assumption Agreement.

#### Planning Act

Section 51(26) of the *Planning Act* allows the City to enter into agreements imposed as a condition to the approval of a Plan of Subdivision, and allows the agreements to be registered against the land to which they apply. The City may enforce the provisions of an agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

#### Conclusion

Prior to approval of the Draft Plan of Condominium, City staff reviewed the application in accordance with applicable policies and regulations. Staff remain satisfied that the Plan of Vacant Land Condominium is consistent with or conforms to Provincial, Regional, and local policies, as applicable, including the Provincial Policy Statement, Growth Plan, Regional Official Plan, City of Thorold Official Plan, and Zoning By-laws 2140 (97) and 60-2019.

All required clearances from external agencies were obtained through the final review of the application and are attached to this Report as **Attachment C** for information purposes. All conditions imposed by the City have been or will be fulfilled upon registration of the Plan of Condominium and Condominium Assumption Agreement. A site plan agreement was previously entered into and was registered on title of the property, and governs the specifics of the site development.

Accordingly, Planning staff recommend that Council provide final approval for the Plan of Condominium for the lands known as Block 155 (Peach Street), and that the Assumption Agreement be duly executed by the Mayor and Clerk.

#### **Impact on the Environment, Climate Change**

There are no known environmental or climate change related impacts to this Report.

## Alternatives Reviewed

N/A

## Relationship to Strategic Plan

- Vibrant, Inclusive Neighbourhoods

## Other Pertinent Reports

N/A

## Attachments

Attachment A	Condominium Assumption Agreement
Attachment B	Draft Plan of Vacant Land Condominium
Attachment C	Agency Clearances
Attachment D	By-law authorizing execution of an Assumption Agreement

## Prepared by:



Nicholas Bogaert, BES, MCIP, RPP, CAHP  
Associate, MHBC Planning



Andrea Sinclair, BES, MUDS, MCIP, RPP  
Partner, MHBC Planning

---

## Prepared by:

Tara O'Toole  
Manager, Planning

---

## Recommended by:

Jason Simpson  
Director, Development Services

---

## Approved and Submitted by:

Manoj Dilwaria  
Chief Administrative Officer