

Committee of Adjustment Agenda

CofA 11-2025

November 3, 2025

4:00 pm

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

The Town of Pelham is holding hybrid meetings of Council and Committee in accordance with Procedure By-law 4507(2022). Public access to meetings will be provided in-person at the location indicated on the agenda, via Livestream: www.youtube.com/townofpelham/live and subsequent publication to the Town's website at www.pelham.ca.

Pages

1. **Attendance**
2. **Call to Order, Declaration of Quorum and Introduction of Committee and Staff**
3. **Land Recognition Statement**

The Town of Pelham is situated on treaty land, steeped in the rich history of the First Nations such as the Hattiwendaronk, Haudenosaunee and the Anishinaabe, including the Mississaugas of the Credit First Nation. This territory is covered by the Upper Canada Treaties and is protected by the Dish With One Spoon Wampum Agreement. Today, many First Nations, Métis, and Inuit people from across Turtle Island live and work in Niagara. The Town of Pelham stands in solidarity with all Indigenous peoples, past and present, acknowledging that our high standard of living is a result of the resources and lasting friendship of Indigenous peoples.

4. **Approval of Agenda**
5. **Disclosure of Pecuniary Interest and General Nature Thereof**
6. **Requests for Withdrawal or Adjournment**
7. **Applications for Consent**

7.1 B10-2025P 920 Kilman Road

1

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Town of Pelham Tax Department

5. Niagara Region
6. Hydro One

8. Adjournment

Town of Pelham Committee Report
Committee of Adjustment
Monday, November 03, 2025

Consent Application: B10-2025P

Municipal Address: 920 Kilman Road

Legal Description: CON 5 PT LOT 18

Roll Number: 2732 010 008 13100

Prepared By: Andrew Edwards, Planner

Department: Community Planning and Development

Location of Lands and Purpose of Application:

The subject parcel, shown as Part 1 on the attached sketch, has a frontage of 135.69m on the south side of Kilman Road, lying north of Metler Road, being Part Lot 18, Concession 5 in the Town of Pelham.

Application is made for consent to convey 1 hectare of land (Part 1) made surplus to a farming operation as a result of farm consolidation. Part 2 is to be retained for continued agricultural use of the property known municipally as 920 Kilman Road.

The applicant is proposing the creation of one new rural residential lot (Part 1) as a residence surplus to a farming operation as a result of farm consolidation.

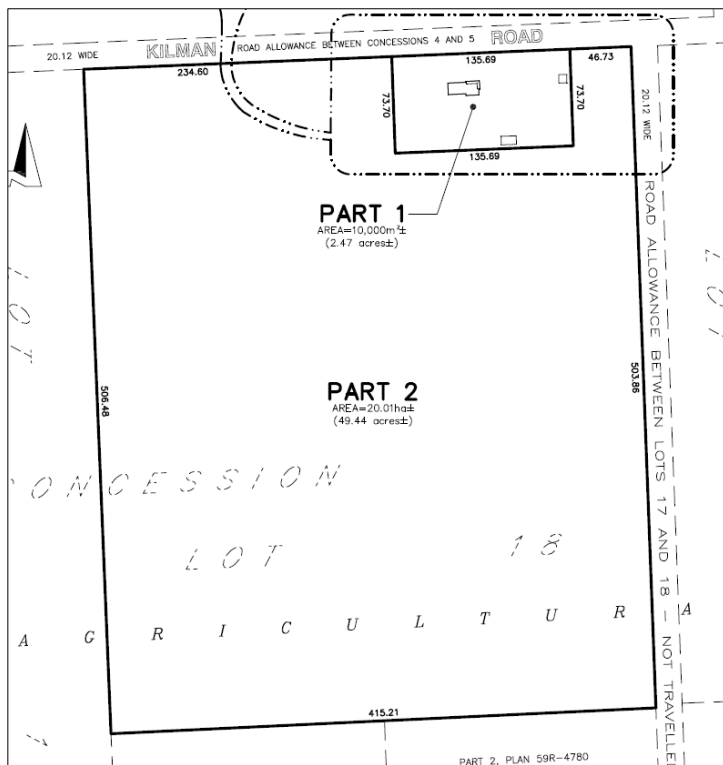
Part 1 is proposed to have an area of 1 hectare and a lot frontage of 135.69 metres on Kilman Road. Part 1 currently contains an existing privately serviced dwelling, a detached garage, and pole barn historically used for agricultural purposes, which is now proposed to be used as an accessory structure associated with the residential dwelling. Part 2 is proposed to have an area of approximately 20.01 hectares and a combined frontage of 281.33 metres on Kilman Road. There are no buildings or structures on Part 2.

Surrounding lands are characterized by rural residential and agricultural uses, including an existing poultry operation on the lands to the southwest.

Figure 1. Subject Lands



Figure 2. Severance Sketch



The Owners have longstanding involvement in agriculture (poultry and cash cropping) and own approximately 80.93 hectares of farmland in Pelham (909 Metler Road, 920 Metler Road, 935 Metler Road, and 920 Kilman Road). The lands subject to the application were acquired by the Owner in 2010.

While farm consolidation is not explicitly defined in Provincial Policy, it is referred to in the PPS as the acquisition of additional farm parcels to be operated as one farm operation. Farm consolidation is not restricted to the acquisition of abutting lands. Through the acquisition of 920 Kilman Road, the Owners have expanded their operational capacity and increased the long-term viability of agricultural use on these lands.

As a result of farm consolidation, the dwelling located at 920 Kilman Road is no longer required for the farming operation. It is not the Owner's intention for these properties to be utilized by the farming operation, either directly or indirectly, now or in the future, including the accessory structures on the lands.

Applicable Planning Policies:

Planning Act

Section 53 (1) states a landowner may apply for a consent and the Council may, subject to this section, give consent if satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

This report addresses the Provincial interests (Section 2 of the Act) and in more depth through the Provincial land use planning policy framework and the Niagara Region and Town of Pelham Official Plans.

Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land. The PPS identifies the subject lands as being within a “prime agricultural area”.

Policy 4.3.1 of the PPS states that, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.

Policy 4.3.3.1 of the PPS provides that lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:

- c) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:*

1. *the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
2. *the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective;*

The applicant provided the rationale for the larger parcel size proposed for Part 1 in the accompanying planning justification brief. Similar to the existing single detached dwelling, the existing accessory structures are considered surplus to the Owner's business needs as their equipment is stored on an adjacent parcel (909 Melter). The accessory structures are anticipated to remain as they are located near the dwelling and will offer utility for the future residents of the dwelling. The balance of the lands offers adequate land area for a reserve private sewage system should the existing system fail in the future. Furthermore, the proposed lot geometry will retain a group of trees along the Kilman frontage of the site.

Policy 4.6.2 does not permit development or site alteration on lands containing archaeological resources or areas of archaeological potential unless the resources have been conserved. The lands are identified in the Town's Heritage Master Plan as displaying a high degree of archaeological potential. No development or ground disturbance is proposed through the surplus farm dwelling severance and as such an archaeological assessment was not required.

Policy 4.3.2.3 states: *new land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

An existing poultry barn exists on the adjacent lot (935 Metler), approximately 110 metres from the lot line of Part 2, and approximately 540 metres from the proposed lot line of Part 2.

Minimum Distance Separation (MDS) Guideline #9 under Section 4 of the MDS document outlines that for a proposed severance of a residence surplus to a farming operation where the existing dwelling to be severed and livestock facility are located on separate lots prior to consent, MDS Setback I is not required. This is because a potential odour conflict may already exist between those uses. Given that both the existing dwelling and the poultry facility to the southwest are located on separate lots prior to the proposed consent, Staff are satisfied that the MDS I calculation is not applicable to the proposed

severance of Part 2. The current proximity between the existing dwelling on Part 1 and the existing livestock facility to the southeast represents an existing situation. Accordingly, MDS considerations are satisfied.

Planning staff are of the opinion that the proposed severance is consistent with the Provincial Planning Statement.

Greenbelt Plan, 2024

Policy 4.6.1 e) states that lot creation is discouraged but minor lot adjustments or boundary additions may be permitted, provided they do not create a separate lot for a residential dwelling in prime agricultural areas, including specialty crop areas, and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature.

The policies of the Greenbelt Plan largely mirror those of the PPS with respect to protection of Prime Agricultural Areas for long-term use for agriculture and lot creation in Prime Agricultural Areas. Creation of new residential lots are permitted for farm dwellings that existed prior to December 16, 2004, and were subsequently deemed to be surplus to a farming operation due to a farm consolidation.

In order to ensure that a separate lot for a residential dwelling is created on that portion of the specialty crop lands, it is recommended that Part 2 be zoned to an Agricultural Purposes Only (APO) Zone as a condition of consent approval.

Accordingly, staff are of the opinion the application conforms with the Greenbelt Plan.

Niagara Region Official Plan (2022)

The lands are designated prime agricultural lands in the Niagara Official Plan. The policies of the NOP build upon PPS and Greenbelt Plan policies.

4.1.5.2 The severance of a residence surplus to a farming operation may be permitted under the following circumstances:

- a) the proposed lot contains a habitable residence, which existed as of December 16, 2004, that is rendered surplus as a result of farm consolidation;*
 - ✓ Aerial imagery shows that the dwelling on Part 1 has existed since at least 2000, demonstrating that the dwelling was constructed prior to the Greenbelt Plan coming into effect in 2004. MPAC records indicate that the dwelling was constructed in 1943.
- b) the size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and*

private sewage disposal system as determined by Provincial and Regional requirements to a maximum of one hectare;

- ✓ The intent of the minimum lot size is to limit impacts to the farming operation, while ensuring there is enough useable area on the lot to support a replacement septic system in the future, when required.

i. proposals that exceed one hectare may be considered subject to an amendment to this Plan; and,

- ✓ The lot does not exceed 1 hectare in area.

c) to reduce fragmentation of the agricultural land base, the retained lot shall be merged with an abutting parcel. Where merging of two lots is not possible, the retained farm parcel shall be zoned to preclude its use for residential purposes.

- ✓ As a condition of consent, Part 2 is to be rezoned “Agricultural Purposes Only (APO),” having an area of approximately 20 hectares. The rezoning will prohibit residential development in perpetuity on the lands, ensuring no further fragmentation of the agricultural operation on Part 2.

The subject property is impacted by the Natural Environment System (NES) of the Niagara Official Plan (NOP), consisting of Provincially Significant Wetland (PSW), Other Woodland, and a Permanent or Intermittent Watercourse. The northern half of the property is within the Greenbelt Natural Heritage System, and as such the PSW and watercourse in this area are considered Key Hydrologic Features (KHF). Niagara Official Plan (NOP) policy 3.1.5.7.1 requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 m of KHFs. The new lot line is greater than 120m from all features.

Regional staff provided comments which offered no objections pending the remnant lands be rezoned to preclude further residential development, and the Town is satisfied with any cultural heritage and MDS requirements. As such, staff are of the opinion that the application conforms with the Niagara Official Plan.

Town of Pelham Official Plan (2014)

The Town of Pelham Official Plan is the primary planning document that will direct the actions of the Town and shape growth that will support and emphasize Pelham’s unique character, diversity, cultural heritage and protect our natural heritage features.

The Official Plan designates the property Specialty Agricultural, per Schedule ‘A.’ The purpose of the Specialty Agricultural designation is to implement the Province of Ontario’s

Greenbelt Plan and recognize the importance of specialty croplands in the Provincial and Regional economies. The principal use of land in the Specialty Agricultural designation shall be for the production of the full range of specialty crops identified in the Greenbelt Plan.

B2.1.3.3 sets the policy basis for farm consolidations. Generally, the Town's Official Plan policies mirror Provincial and Regional policy, in that the residential use must have existed before the Greenbelt Plan came into effect, the lot must be limited to a minimum lot size needed to accommodate the use, including appropriate sewage and water services, new dwellings are prohibited in perpetuity on the remaining farmland, and the new residential lot is located to minimize the impact of the remaining farm operation.

Policy D5.2.1 states that for any consent application, the Committee of Adjustment shall be satisfied that (among other things) the proposed lot:

- a) Fronts on and will be directly accessed by a public road that is maintained on a year-round basis;
 - ✓ Unchanged. Both Parts front on publicly accessible roads that are maintained on a year-round basis.
- b) Will not cause a traffic hazard as a result of its location on a curve or a hill;
 - ✓ Unchanged. Driveway accesses to each Part are existing.
- c) Is in keeping with the intent of relevant provisions and performance standards of the Zoning By-law;
 - ✓ Unchanged. Existing uses are to continue, and Part 2 is recommended to be rezoned to an Agricultural Purposes Only (APO) Zone to preclude the future residential development of the lands.
- d) Can be serviced with an appropriate water supply and means of sewage disposal;
 - ✓ Unchanged. The lands to be severed maintain adequate lot area for a replacement septic system should it be required in the future.
- e) Will not have a negative impact on the drainage patterns in the area;
 - ✓ Unchanged. No concerns per Town Public Works staff.
- f) Will not affect the develop ability of the remainder of the lands, if they are designated for development by this Plan;
 - ✓ Part 2 is proposed to be rezoned to and Agricultural Purposes Only (APO) Zone to facilitate the continued long term agricultural use of the lands.

- g) Will not have a negative impact on the features and functions of any environmentally sensitive feature in the area;
 - ✓ No concerns as the proposed lot is outside of the prescribed distances for policy measures of key natural heritage features.
- h) Conforms with Regional lot creation policy as articulated in the Regional Policy Plan; and,
 - ✓ No objection from Region Development Services Division.
- i) Complies with the appropriate provincial Minimum Distance Separation Formulae, where applicable.

The proposed severance would allow for the severance of an existing residential dwelling that the applicant considers surplus to their farming needs. The existing agricultural structures are also not required due to their nature of business on 920 Kilman Road (cash cropping) and storage of farm equipment on other lands (909 Metler Road). Despite the oversized residential surplus dwelling parcel exceeding the 0.4 ha policy requirement, justification has been provided for the additional lot area conveyed from the farm parcel. According to the applicant, the barns do not serve a benefit to their business needs and will provide some utility for the existing residential dwelling. The balance of the open space dedicated to the dwelling provides adequate reserve area for a replacement septic system and is not being actively cultivated. There will be no net loss to the area being farmed as a portion of the land that is currently maintained as grass will now be farmed.

Town planning staff are of the opinion that the application conforms with the 2014 Pelham Official Plan.

Town of Pelham Official Plan 2025:

In May 2025, Town Council adopted By-law No. 28(2025) to approve a new Official Plan. The document has now been submitted to the Ministry of Municipal Affairs and Housing for final approval under the Planning Act. As such, the 2014 Official Plan remains in effect until such time as final approval is granted by the Province.

The subject lands are designated Specialty Agricultural per Schedule A of the 2025 TOP. Generally, the policies of the 2025 TOP mirror the NOP.

Section 9.1.5.1 states: *the severance of a surplus farm dwelling as a result of farm consolidation, on which a habitable residence was an existing use constructed before December 16, 2004, is permitted, subject to the following:*

- a) *the severance will be limited to the 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and private sewage disposal system as determined by the Provincial and Regional requirements to a maximum of 1 hectare. Proposals that exceed 1 hectare may be considered, subject an amendment to this Plan;*
- b) *the farms must be merged in title, or the remnant farm parcel must be rezoned to preclude residential development in perpetuity;*
- c) *the applicant must be a bona fide farming operator; and,*
- d) *the remnant parcel of farmland should be of a substantive size to function as a significant part of the overall farm unit.*

Staff are of the opinion that the application conforms to the 2025 Pelham Official Plan.

Town of Pelham Comprehensive Zoning By-law 4481 (2022)

The lands are zoned Specialty Agricultural (SA) and within the Greenbelt Natural Heritage Overlay per Schedule A of the Town's Zoning By-law. Based on the consent sketch provided by the applicant, both Parts continue to comply with relevant zoning provisions. A site-specific Zoning By-law Amendment is required as a condition of approval to prohibit future residential use on Part 2.

Agency and Public Comments:

On October 7, 2025, a notice of public hearing was circulated by the Secretary Treasurer of the Committee of Adjustment to applicable agencies, Town departments, and to all assessed property owners within 60 metres of the property's boundaries.

To date, the following comments have been received:

- Building Division
 - No comments or conditions.
- Public Works Department
 - The construction of new or modification of existing driveways requires a Driveway Entrance Permit. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the owner.
 - That the applicant confirm that no existing utilities currently cross the proposed new property line. Should any services cross this new property line, the applicant will be responsible for the costs associated with their relocation and/or removal.
- Niagara Region Public Works – Infrastructure Planning and Development Division
 - The applicant should be informed of the following warning clause pertaining to the potential discovery of deeply buried archaeological resources:

- *"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 police 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, which can be accessed here: <https://www.niagararegion.ca/projects/archaeological-management-plan/default.aspx>."*
- The application as submitted is acceptable from a private servicing perspective provided the septic tank lid is replaced with an access riser or manufactured concrete tank lid as a condition of consent approval.
- Regional Infrastructure Planning and Development staff offer no objections to the proposed consent application to convey 1 hectare of land (Part 1) made surplus to a farming operation provided that the septic tank lid is replaced with an access riser or manufactured concrete tank lid as a condition of approval.

No public comments were received at the time of writing this report.

Planning Staff Comments:

A pre-consultation meeting was held with the applicant of the property and staff from the Town and Niagara Region Planning and Development Services staff to discuss the proposal. In addition, a consent sketch and planning justification brief were provided in support of the proposed application.

Based on the analysis in the sections above, Planning staff is of the opinion that the proposed surplus farm dwelling application is consistent with the PPS and conforms to Provincial, Regional, and local plans. The resulting parcels comply with applicable zoning regulations and should not negatively impact the surrounding neighbourhood with respect to traffic, privacy, and stormwater management.

Planning Staff Recommendations:

Planning staff recommend that consent file B10-2025P be approved subject to the following condition(s):

THAT the applicant:

- Replace the septic tank lid with an access riser or manufactured concrete tank lid to the satisfaction of Niagara Regional Private Sewage System staff.

- Obtain approval for a Zoning By-law Amendment to rezone Part 2 to an Agricultural Purposes Only (APO) zone.
- That the applicant confirm that no existing utilities currently cross the proposed new property line. Should any services cross this new property line, the applicant will be responsible for the costs associated with their relocation and/or removal.
- The construction of new or modification of existing driveways requires a Driveway Entrance Permit. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the owner.
- Provide the Secretary-Treasurer with a registerable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
- Provide the final certification fee of \$445, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

Approved and Submitted by:

Shannon Larocque, MCIP, RPP
Manager of Planning

Engineering Department Committee of Adjustment Report

For

**B10-2025P
920 Kilman Road**

October 22, 2025

Town staff have reviewed the following documentation for the purpose of
B10-2025P - Consent application for:

Consent to convey 1 hectare of land (Part 1) made surplus to a farming operation as a result of farm consolidation. Part 2 is to be retained for continued agricultural use of the property known municipally as 920 Kilman Road.

Introduction:

The subject parcel, shown as Part 1 on the attached sketch, has a frontage of 135.69m on the south side of Kilman Road, lying north of Metler Road, being Part Lot 18, Concession 5 in the Town of Pelham.

Analysis:

Public Works staff have reviewed the following documentation.

Severance Sketch, Chambers and Associates Surveying LTD, dated September 29, 2025

General Comments:

No comments.

Public Works offer the following comments:

- The construction of new or modification of existing driveways requires a Driveway Entrance Permit. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the owner.
- That the applicant confirm that no existing utilities currently cross the proposed new property line. Should any services cross this new property line, the applicant will be responsible for the costs associated with their relocation and/or removal.

To: Jodi Conte

Cc: Andrew Edwards

From: Jessica Passant, Building Intake/Zoning Technician

Date: October 7th, 2025

Subject: Building Comments on Applications to the Committee of Adjustment for
920 Kilman Rd

File Number: B10-2025P

Comments:

- The Building Department has no comments or conditions at this time.

Respectfully,

Jessica Passant

From: [Pelham Taxes](#)
To: [Jodi Conte](#)
Subject: RE: Committee of Adjustment Notice of Hearing B10-2025, November 3, 2025
Date: Wednesday, October 8, 2025 8:32:46 AM

Hello Jodi,

There is no comment from the Tax Department on the following files:

FILE B10-2025P – 2732 010 008 13100 0000 – 920 KILMAN RD

Thank you
Riley Rousseau



Taxes

Town of Pelham

T: 905-892-2607 | E: taxes@pelham.ca

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

TOWN OF PELHAM CONFIDENTIALITY NOTICE

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From: Jodi Conte <JConte@pelham.ca>

Sent: Tuesday, October 7, 2025 8:30 AM

To: Pamela Duesling <pduesling@pelham.ca>; Shannon Larocque <SLarocque@pelham.ca>; Andrew Edwards <AEwards@pelham.ca>; Andrew McMurtrie <AMcMurtrie@pelham.ca>; Building Info <Building-Info@pelham.ca>; Derek Young <DYoung@pelham.ca>; Gimuel Ledesma <GLedesma@pelham.ca>; Nicholas Palomba <NPalomba@pelham.ca>; Anthony LaSelva <alaselva@pelham.ca>; Riley Rousseau <rrousseau@pelham.ca>

Subject: Committee of Adjustment Notice of Hearing B10-2025, November 3, 2025

Good morning,

Please refer to the attached Notice of Hearing related to the following Committee of Adjustment file:

- B10-2025P: 920 Kilman Road

Comments are due: October 22, 2025

If you have any questions, please do not hesitate to contact me.

Thank you!



Jodi Conte, Dipl.M.A

Deputy Clerk

Town of Pelham

D: 905-980-6662 | E: jconte@pelham.ca

T: 905-892-2607 x320

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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Public Works – Infrastructure Planning and Development Division

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

905-980-6000 Toll-free:1-800-263-7215

Via Email Only

October 21st, 2025

Region File: PLCS202502161

Sarah Leach

Deputy Clerk/Secretary Treasurer of the Committee of Adjustment

Town of Pelham

20 Pelham Town Square, P.O. Box 400

Fonthill, ON L0S 1E0

Dear Ms. Leach:

Re: Regional and Provincial Comments

Application Type: Consent

Town File: B10-2025P

LITTLE LAKE POULTRY LTD.

Debi and Dave Vanderzanden

Craig Larmour

920 Kilman Road

Town of Pelham

Regional Infrastructure Planning and Development staff has reviewed the application for consent for 920 Kilman Road in the Town of Pelham (“subject lands”).

A pre-consultation meeting was held to discuss the proposal on July 3rd, 2025, with Town and Regional staff in attendance. The following comments are provided from a Provincial and Regional perspective to assist the Committee with their consideration of the application.

Planning Act Changes

Staff advise pursuant to the *Planning Act*, as of March 31, 2025, Niagara Region became an upper-tier municipality without planning responsibilities. The council of an upper-tier municipality, on conditions agreed upon with the council of a local municipality, may provide advice and assistance to local municipalities in respect of planning matters generally. Niagara Region has entered into a ‘Planning Services Agreement’ (PSA) with the Town of Pelham to continue providing support and advice to the Town for certain planning matters.

Please be advised that through a related change to the *Planning Act*, the *Niagara*

Official Plan, 2022 (NOP) is effectively an official plan of the Town of Pelham, which remains in effect until the Town revokes or amends it to provide otherwise. As such, Town staff should be satisfied that the application conforms to NOP policies.

On this basis, the following comments pertaining to archaeological assessment and environmental review are provided as advice to assist the Town in their review of the application. Under the Memorandum of Understanding for Engineering Review between the City and the Region, the comments related to Regional infrastructure, private servicing and/or waste collection (if provided) are considered Regional requirements with respect to the Region's interests.

Archaeological Assessment

The subject lands are within an area of archaeological potential, as identified on Schedule 'K' of the NOP. Provincial and Regional policies state that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved, or the land has been investigated and cleared or mitigated following clearance from the Province.

The proposed surplus farm dwelling consent would not result in ground disturbance that has the potential to disturb deeply buried archaeological resources. Accordingly, an archaeological assessment is not recommended by Regional staff.

The applicant should be informed of the following warning clause pertaining to the potential discovery of deeply buried archaeological resources:

"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 police 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, which can be accessed here: <https://www.niagararegion.ca/projects/archaeological-management-plan/default.aspx>."

Natural Environment System

The subject property is impacted by the Natural Environment System (NES) of the NOP, consisting of Significant Woodland and Other Wetland. NOP policy 3.1.5.7.1 requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 m of these features. Since the new lot lines are outside of the above-noted setback, Regional staff offer no recommendations.

Private Servicing

Private Sewage System staff has reviewed the application and notes that no record was found for the existing legal non-conforming sewage system servicing Part 2 known as 920 Kilman Road. At the time of inspection (October 20, 2025), no visual defects were observed with the existing sewage bed; however, staff observed that one of the septic tank lids was cracked. A new septic tank lid will be required to replace the defective tank lid to be in compliance with the Ontario Building Code.

In addition, upon inspection a new concrete sidewalk and patio were constructed along the east side of the dwelling and in the rear yard. As there are no records of the existing system available, it was uncertain if the new concrete patio encroached on the existing sewage system. After further investigation by the owner and a re-inspection by our department, it was confirmed that the existing septic bed area is not within the 5 metre setback of the new concrete patio.

As such, the application as submitted is acceptable from a private servicing perspective provided the septic tank lid is replaced with an access riser or manufactured concrete tank lid as a condition of consent approval. The applicant can contact Regional Private Sewage System staff (Caitlin.Goodale@niagararegion.ca) for a re-inspection of the septic tank lid when completed.

Waste Collection

Niagara Region provides curbside waste collection services for developments that satisfy its Procedure for Requirements for Waste Collection and do not exceed the allowed limits. Curbside collection will continue as currently provided subject to the Regional waste collection requirements and allowed limits.

Circular Materials Ontario is responsible for the delivery of residential blue and grey box recycling collection services, and related information can be found at the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/>.

Conclusion

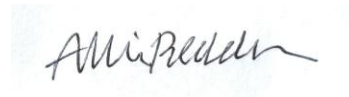
Regional Infrastructure Planning and Development staff offer no objections to the proposed consent application to convey 1 hectare of land (Part 1) made surplus to a farming operation provided that the septic tank lid is replaced with an access riser or manufactured concrete tank lid as a condition of approval.

Please be advised that through changes to the *Planning Act*, the NOP is effectively an official plan of the Town of Pelham, which remains in effect until the Town revokes or amends it to provide otherwise. As such, Town staff should be satisfied that the application conforms to NOP policies.

If you have any questions regarding the above comments, please contact the undersigned at Alexandra.Reddon@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

Please send notice of the Town's decision on this application.

Kind regards,

A handwritten signature in black ink, appearing to read "Allie Reddon", is positioned above a light blue rectangular stamp.

Allie Reddon
Development Planner

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region
Lori Karlewicz, Planning Ecologist, Niagara Region
Caitlin Goodale, Private Sewage System Inspector, Niagara Region

Jodi Conte

From: LANDUSEPLANNING <LandUsePlanning@HydroOne.com>
Sent: Thursday, October 23, 2025 10:42 AM
To: Jodi Conte
Subject: Pelham - 920 Kilman Road (Part Lot 18, Concession 5) - B10-2025P

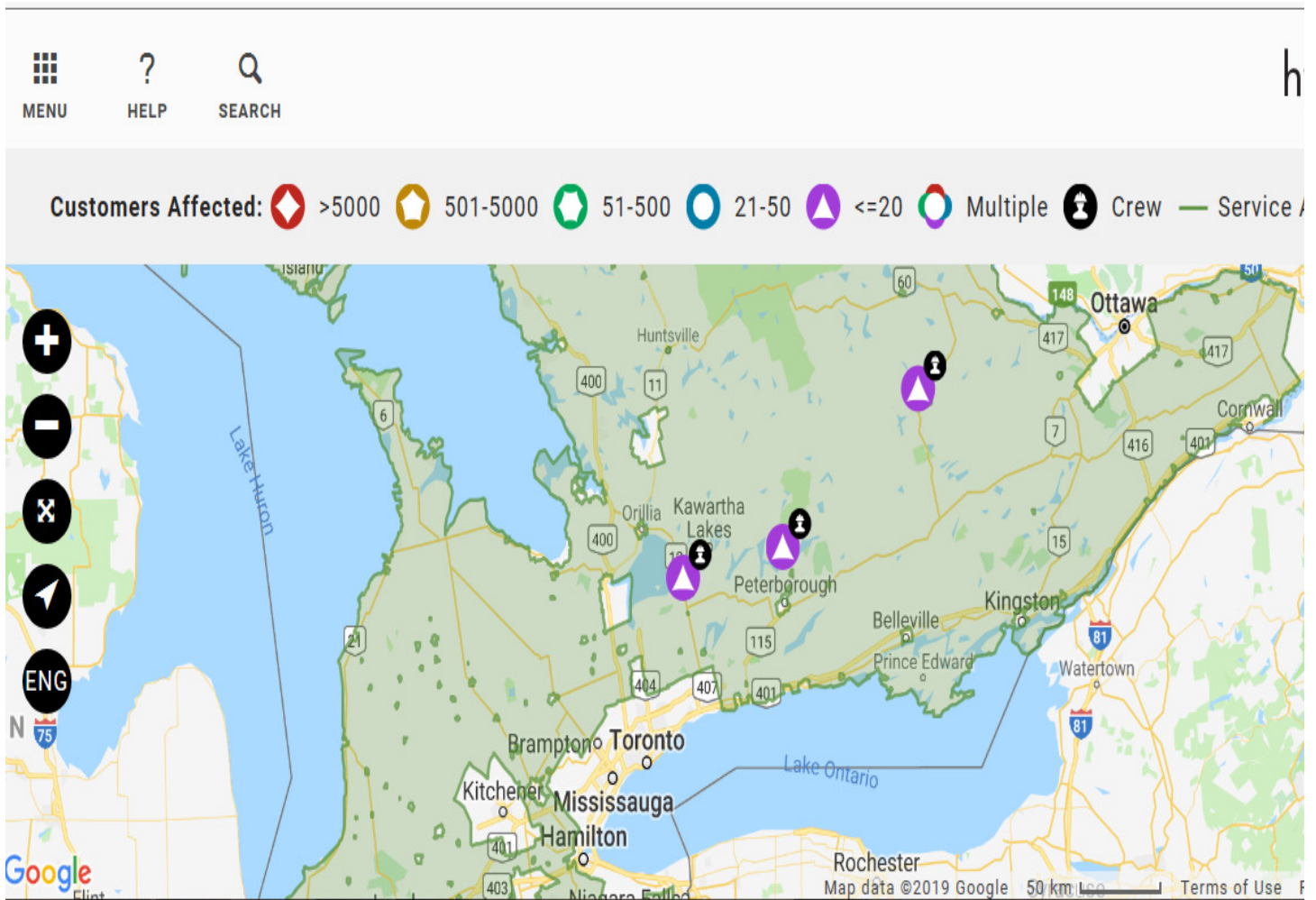
Hello,

We are in receipt of your Application for Consent, B10-2025P dated 2025-10-07. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: [Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

Please select "Search" and locate the address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Land Use Planning Department
Hydro One Networks Inc.
Email: LandUsePlanning@HydroOne.com