

COMMITTEE OF ADJUSTMENT

Department of Planning and Building Services
3540 Schmon Parkway, P.O. Box 1044
Thorold, ON L2V 4A7
905-227-6613

December 18, 2025

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Application for Consent
D10-16-2025 & D10-17-2025 – Glen Gordon
2908 Cataract Road, Thorold, Ontario
THOROLD PT TWP LOTS 59 AND 60 RP 59R1606 PT PART 1; and
THOROLD PT TWP LOTS 59 AND 60 RP 59R13845 PART 1
Roll Number: 273100002315200
273100002315220

KEY FACTS

- Two (2) consents to sever agricultural parcels, approximately 17.5 hectares (Part 2) and 17.9 hectares (Part 3) in the Specialty Crop (AS) zone from 2908 Cataract Road for continued agricultural uses, and for the partial discharge of mortgages on both lots to be created.
- No new development or site alteration is proposed.
- Staff have reviewed the applications in accordance with Section 50(1) of the *Planning Act* and recommend approval subject to the conditions listed herein.

RECOMMENDATIONS

That the City of Thorold Committee of Adjustment **APPROVE** application D10-16-2025, submitted by Eric Beauregard, Upper Canada Consultants, on behalf of Glen Gordon, for lands known municipally as 2908 Cataract Road (Part 2) (THOROLD PT TWP LOTS 59 AND 60 RP 59R1606 PT PART 1), as it relates to:

1. A consent to sever and partial discharge of mortgage of Part 2, an approximately 17.5 hectare lot, from Part 1 for agricultural purposes.

Subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with a legal description acceptable to the Registrar, and to complete the Certificate of Consent of the subject parcel as illustrated by the Severance Sketch prepared by Chambers and Associates Surveying Ltd, OLS together with a copy of the deposited reference plan for use in the issuance of the Certificate of Consent.
2. That the owner provides a lawyer's undertaking, to the satisfaction of the City Solicitor, and agrees to forward a copy of documentation confirming the transaction has been carried out, to the City within two years of issuance of the Certificate of Consent, or prior to the issuance of a building permit, whichever occurs first.
3. That the lot (Part 2) be reconfigured to the satisfaction of the Niagara Region.
4. That a final certification fee, payable to the City of Thorold, be submitted to the Secretary-Treasurer and that all conditions of consent be fulfilled.
5. That all outstanding property taxes be paid prior issuance of the Certificate of Consent.
6. That the owner/applicant obtains a municipal address for the newly created lot (Part 2) to the satisfaction of the City.
7. That all of these conditions shall be fulfilled within a period of two years after the giving of the Notice of Decision of the Committee of Adjustment, pursuant to Subsection 53(41) of the *Planning Act*, failing which this consent shall be deemed to be refused.

That the City of Thorold Committee of Adjustment **APPROVE** application D10-17-2025, submitted by Eric Beauregard, Upper Canada Consultants on behalf of Glen Gordon, for lands known municipally as 2908 Cataract Road (Part 3) (THOROLD PT TWP LOTS 59 AND 60 RP 59R13845 PART 1), as it relates to:

1. A consent to sever and partial discharge of mortgage of Part 3, an approximately 17.9 hectare lot, from Part 1 for agricultural purposes.

Subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with a legal description acceptable to the Registrar, and to complete the Certificate of Consent of the subject parcel as illustrated by the Severance Sketch prepared by Chambers and Associates Surveying Ltd, OLS together with a copy of the deposited reference plan for use in the issuance of the Certificate of Consent.
2. That the owner provides a lawyer's undertaking, to the satisfaction of the City Solicitor, and agrees to forward a copy of documentation confirming the transaction has been carried out, to the City within two years of issuance of the Certificate of Consent, or prior to the issuance of a building permit, whichever occurs first.
3. The owner/applicant shall enter into a development agreement for the improvement of a portion of Faywell Road, fronting onto Part 3, to municipal standards to the satisfaction of the City of Thorold.
4. That the lot (Part 3) be reconfigured to the satisfaction of the Niagara Region.
5. That the applicant replaces the existing septic lid on the second chamber of the septic tank servicing the dwelling known as 3000 Cataract Road (Part 1).
6. That a final certification fee, payable to the City of Thorold, be submitted to the Secretary-Treasurer and that all conditions of consent be fulfilled.
7. That all outstanding property taxes be paid prior issuance of the Certificate of Consent.
8. That the owner/applicant obtains a municipal address for the newly created lot (Part 3) to the satisfaction of the City.
9. That all of these conditions shall be fulfilled within a period of two years after the giving of the Notice of Decision of the Committee of Adjustment, pursuant to Subsection 53(41) of the *Planning Act*, failing which this consent shall be deemed to be refused.

PROPOSAL

The applicant is seeking to sever two lots, approximately 17.5 (Part 2) and 17.9 hectares (Part 3) from the retained lot (Part 1) which contains a residential dwelling, two

barns and a farm help house at 2908 Cataract Road as shown in Figure 2. The severance will facilitate a partial discharge of mortgage on both Parts 2 and 3

The proposed lots, Parts 2 and 3, are currently vacant land used for crop farming. No new development or site alteration is proposed.

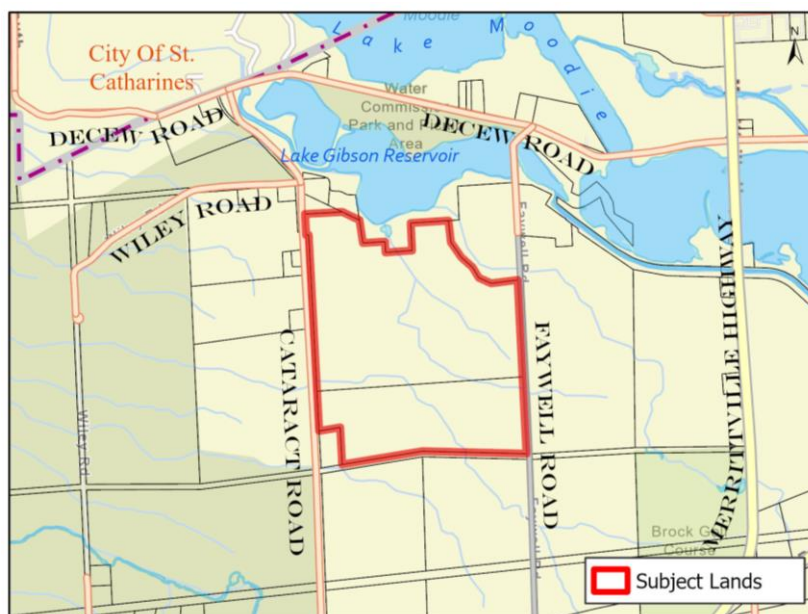


Figure 1: Location Map

Site Description

The subject lands are located north of Seburn Road, east of Cataract Road, south of Lake Gibson and Decew Road and west of Faywell Road, a partially improved road. The lands comprise approximately 55.64 hectares. The subject lands contain an existing single-detached residential dwelling, two barns and a farm help house. Under the City of Thorold Official Plan (2016) and the Region of Niagara Official Plan (2022) the lands are designated as part of the Specialty Crop with portions of Environmental Protection One, Environmental Protection Two and Environmental Protection Three; and Speciality Crop Area and Greenbelt Plan Area, respectively.

The subject lands also include City of Thorold Official Plan Greenbelt Natural Heritage System overlay as well as areas identified as Significant Woodlands and Groundwater

Protection areas. The Region of Niagara Official Plan identifies the subject lands as partially overlapping with an Intake Protection Zone One area.

The lands are presently zoned Specialty Crop (AS) with small areas of Environmental Protection One (EP1), Environmental Protection Two (EP2) along the north edge of the property and Environmental Protection Three (EP3) in the south west corner of the property according to the City of Thorold Comprehensive Zoning By-law 60 (2019). The subject lands overlap with the following zoning buffers: Natural Heritage features, Greenbelt Natural Heritage and Source Water Protection Area.

The subject lands contain areas regulated by the Niagara Peninsula Conservation Authority.

Planning Report
 Consents D10-16-2025 & D10-17-2025 for 2908 Cataract Road
 City of Thorold
 Page 6

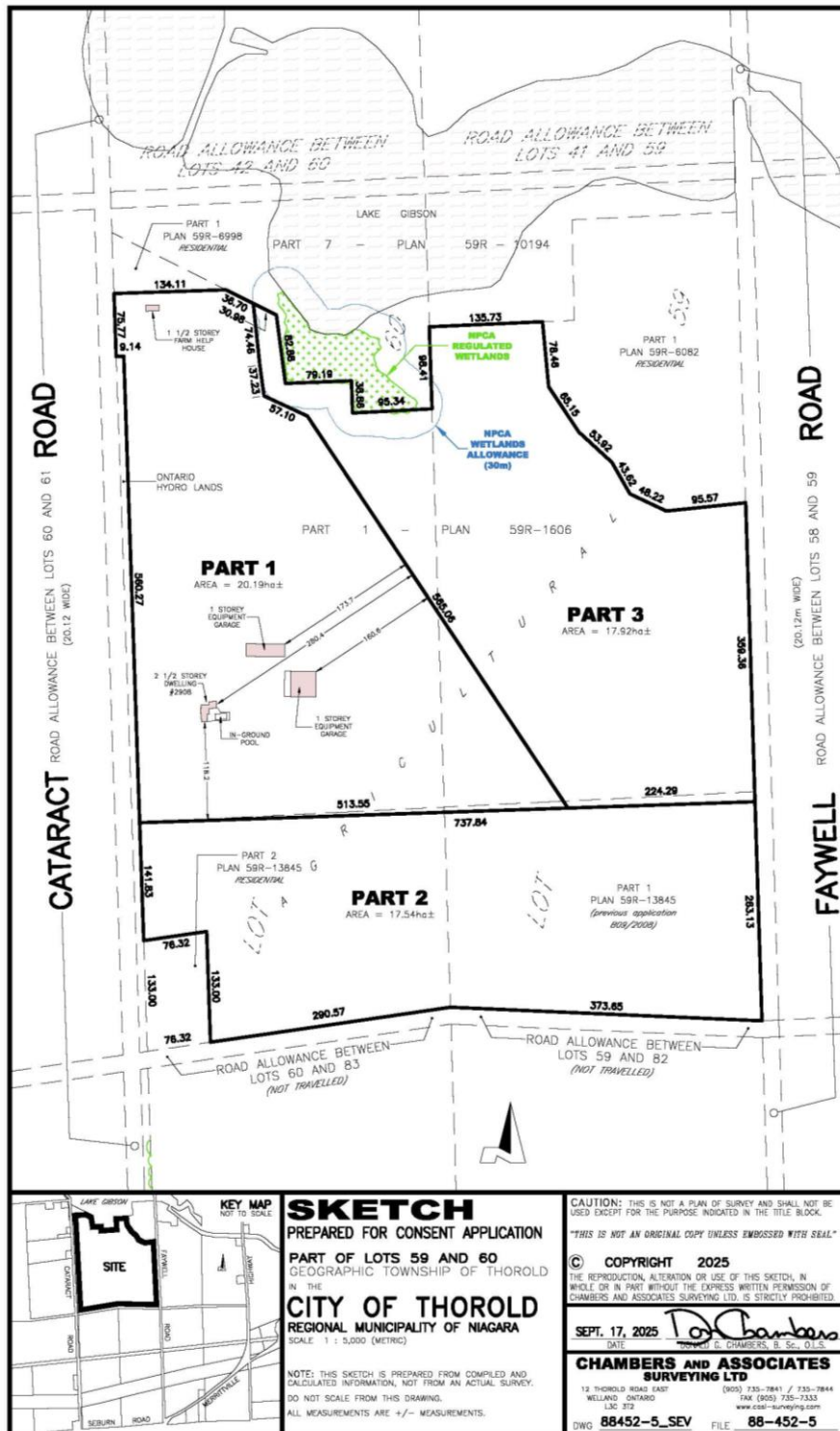


Figure 2: Proposed Plan

In order to facilitate this proposal on the subject lands, Section 53(1) of The *Planning Act* applies:

An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.

Background Review

Provincial Planning Statement (PPS) (2024)

The PPS, effective October 20, 2024, provides the planning policy framework for municipalities within the Province of Ontario. The PPS includes 6 chapters, including the introduction and implementation, which outlines the goals and objectives of planning authorities as it relates to building homes, infrastructure and facilities, the wise use and management of resources, protecting public safety.

The PPS contains the following policies which relate to the submitted application:

4.1.1 - Natural features and areas shall be protected for the long term.

4.1.9 - Nothing in policy 4.1 is intended to limit the ability of agricultural uses to continue.

4.3.1.1 - Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.

4.3.1.2- As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.

4.3.1.3 - Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

4.3.3.1.a) - *Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for: agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.*

Greenbelt Plan (2017)

The Greenbelt Plan is a provincial document that identifies areas where urbanization should not occur in the Greater Golden Horseshoe (GGH) together with the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan. The Greenbelt Plan builds on the PPS to establish a land use planning framework for the GGH that supports a thriving economy, a clean and healthy environment and social equity.

The subject lands are part of the Greenbelt Plan area, and the following policies of the Plan relate to the submitted application:

3.1.2 - *For lands falling within specialty crop areas of the Protected Countryside, the following policies shall apply:*

- 1. All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted based on the provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.*
- 4. New land uses, including the creation of lots (as permitted by the policies of this Plan), and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*
- 6. The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network shall be maintained and enhanced.*

3.2.2 *For lands within the Natural Heritage System of the Protected Countryside, the following policies shall apply:*

1. The full range of existing and new agricultural, agriculture-related and on-farm diversified uses and normal farm practices are permitted subject to the policies of section 3.2.2.2.

3. New development or site alteration in the Natural Heritage System (as permitted by the policies of this Plan) shall demonstrate that:

a. There will be no negative impacts on key natural heritage features or key hydrologic features or their functions;

b. Connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;

c. The removal of other natural features not identified as key natural heritage features and key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible;

d. Except for uses described in and governed by the policies of sections 4.1.2 and 4.3.2,

i. The disturbed area, including any buildings and structures, of the total developable area will not exceed 25 per cent (40 per cent for golf courses); and

ii. The impervious surface of the total developable area will not exceed 10 per cent; and

4.6.1 Lot creation is discouraged and may only be permitted for:

b. Within prime agricultural areas, including specialty crop areas:

i. Agricultural uses, where the severed and retained lots are intended for agricultural uses and provided the minimum lot size is 16 hectares (or 40 acres) within specialty crop areas and 40 hectares (or 100 acres) within prime agricultural areas; and

Niagara Regional Official Plan (NOP) (2022)

As of March 31, 2025, the Region no longer holds planning authority under the *Planning Act*. The NOP now serves as an Official Plan for the City of Thorold, who in turn is responsible for ensuring conformity with its policies.

The subject lands are designated as part of the Speciality Crop Area and Greenbelt Plan Area within the NOP. The following policies of the NOP relate to the submitted application:

3.3.1.4 *Any planning or building application made for a land use other than Residential in the DeCew Falls Intake Protection Zone 1, as shown on Schedule E, may require a Section 59 notice from the Risk Management Official. The requirements of the notice will be determined through the application screening process.*

4.1.4.1 *- Within the prime agricultural area, including the protected countryside of the Greenbelt Plan which also includes specialty crop area, lot creation is discouraged and may only be permitted in accordance with the policies in Sections 4.1.4, 4.1.5 and 4.1.6 of this Plan.*

4.1.4.3 *All proposed development and uses will include sustainable on-site private water supply and private sewage disposal systems subject to applicable Provincial and Regional regulations and associated approvals.*

4.1.5.1 *In the specialty crop areas, consents to convey may be permitted only in accordance with the following provisions and the general consent provisions in Policy 4.1.4.2. Within the Niagara Escarpment Plan Area, the policies of the Niagara Escarpment Plan, as amended from time to time, shall prevail unless the following policies are more restrictive, then the more restrictive policies shall prevail.*

- a. the consent is supported through a planning justification report;*
- b. the consent is for an agricultural use where the severed and retained lots are intended for agricultural uses and provided the minimum lot size is 16 hectares for both the severed and retained lots;*

City of Thorold Official Plan (CTOP) (2016)

The CTOP, approved April 18, 2016, provides the basis for managing growth within the City of Thorold. The intention of the plan is to provide direction and encouragement for public and private sector investment, while recognizing the existing, built and natural features which contribute to the quality of life in Thorold.

The subject lands are designated as part of the Specialty Crop and Environmental Protection Three as well as the Greenbelt Natural Heritage Overlay within the CTOP. The following policies of the CTOP relate to the submitted application:

A4.2.3 - *Lands designated Specialty Crop, as identified in the Provincial Greenbelt Plan, are lands within prime agricultural areas that are identified as Unique Agricultural areas in the Niagara Regional Official Plan.*

A4.3.3 - *The Environmental Protection Three designation is intended to reflect key natural heritage features and key hydrologic features identified in the Natural Heritage System and anywhere in the Protected Countryside designation of the Provincial Greenbelt Plan (2005).*

A4.3.4 - *The Greenbelt Natural Heritage Overlay designation is intended to reflect lands within the Natural Heritage System of the Provincial Greenbelt Plan (2005).*

B2.2.4 - *The creation of new lots in the Specialty Crop designation is generally not permitted. Applications for consent may be considered by the Committee of Adjustment only in the following circumstances:*

c) The application will result in the creation of a new parcel that is intended for and capable of sustaining agricultural use. In order to fulfil this intent, the severed and retained lots shall each have a minimum area of 16.2 hectares (40 acres);

B3.4.4.1 - *In accordance with the policies of the Greenbelt Plan (2005), new development and/or site alteration is not anticipated within the Environmental Protection Three designation as this designation is intended to represent the most significant concentration of sensitive environmental land in the Greenbelt. In accordance with the Greenbelt Plan and Regional Official Plan, no new development or site alteration shall be permitted within lands designated Environmental Protection Three, including any associated vegetation protection zone, with the exception of uses specified in Section B3.4.3.*

Any proposal for development or site alteration on lands within 120 metres of any feature located within the Environmental Protection Three designation shall prepare an Environmental Impact Study (EIS), the primary purpose of which is to identify a self-sustaining vegetation protection zone. The EIS will be subject to the review and

approval of the appropriate approval authority, in accordance with policy C6.3 of this Plan.

The vegetation protection zone shall be determined in conjunction with a planning approval, however in the case of wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, lakes and significant woodlands, the minimum width of the vegetation protection zone shall be 30 metres.

Any vegetation protection zone developed in accordance with this Section should be sufficient to protect features as identified in the Environmental Protection Three designation and the related function(s) of the feature during and subsequent to site alteration or development. Vegetation protection zones shall also be designed to exist over the long term in a natural self-sustaining manner. Vegetation protection zones may also be zoned or recognized in Site Plan Agreements or Development Permits to protect their natural features and ecological functions.

New agricultural buildings and structures, agriculture-related buildings and structures or on-farm diversified uses are permitted in the adjacent lands to a feature in the Environmental Protection Three designation provided such buildings or structures maintain a minimum 30 metre vegetation protection zone. However, if the lands are used for agricultural purposes at the time of construction, such development may be exempted from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be used for agricultural purposes. Despite this exemption, agricultural uses should pursue best management practices to protect and/or restore key hydrological features and functions.

B3.5.4.1 - *Development and site alteration may occur within the Greenbelt Natural Heritage Overlay designation provided that an Environmental Impact Study (EIS) is prepared in accordance with Section C6 of this Plan. The EIS will be subject to the review and approval of the appropriate approval authority, in accordance with policy C6.3 of this Plan. In addition to the requirements of Section C6, such an EIS will also demonstrate that:*

- a) There will be no negative effects on key natural features or key hydrologic features or their functions within the Greenbelt Natural Overlay;*

B3.5.4.2 - *The policies of Section B3.5.4.1 shall not apply to new or expanding agricultural buildings and structures, agriculture-related buildings and structures or on-*

farm diversified uses but such development and site alteration is subject to Section B3.4.4.1.

D4.2.1 - *Prior to considering an application to create a new lot for any purpose, the Committee of Adjustment shall be satisfied that the proposed lot:*

- a) Fronts on and will be directly accessed by a public road that is 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;*
- c) Is in keeping with the intent of relevant provisions and performance standards of the zoning by-law;*
- d) Can be serviced with an appropriate water supply and means of sewage disposal;*
- e) Will not have a negative impact on the drainage patterns in the area;*
- f) Will not compromise the ability to develop the remainder of the lands, if such lands are designated for development by this Plan;*
- g) Will not have a negative impact on the features and functions of any environmentally sensitive feature in the area;*
- h) Conforms with Regional lot creation policy as articulated in the Regional Official Plan, and the lot creation policies of the NEP, where applicable; and,*
- i) Complies with Provincial Minimum Distance Separation Formulae, where applicable.*

Comprehensive Zoning By-Law 60(2019) (CZBL)

The CZBL adopted May 23, 2024, is intended to implement the policies of the City's Official Plan. The Zoning By-law regulates the dimensions and built forms of permitted uses on lots, as well as identifies the relevant zone based on usage type as prescribed by the CTOP.

The subject lands are zoned Specialty Crop (AS) with small areas of Environmental Protection One (EP1), Environmental Protection Two (EP2) and Environmental Protection Three (EP3) under the CZBL. The following provisions of the CZBL relate to the submitted application:

Table 9.2 – Lot, Building, and Structure Requirements for the Agricultural and Rural Zones				
AS Requirements				
Provision	AS Requirement	Part 1	Part 2	Part 3
<i>Minimum lot area</i>	30,000 m ² (3 ha) for greenhouses 161,870.0 m ² (16.2 ha) for all other uses	Approximately 20.19 ha	Approximately 17.54 ha	Approximately 17.92 ha
<i>Minimum lot frontage</i>	45.0 m	560.27 m	141.83 m	359.36 m

CONSENT PLANNING ANALYSIS

The application for consent was reviewed with consideration of applicable policies in the PPS, the Greenbelt Plan, the NOP, the CTOP and the CZBL.

Provincial Planning Statement (PPS) (2024)

The PPS directs municipalities to use an agricultural systems approach to maintain and enhance a geographically continuous agricultural land base. Additionally, the PPS discourages lot creation within prime agricultural areas, including specialty crop areas, unless it is in accordance with provincial guidance. New lot creation is only permitted for agricultural uses, and new lots must be of an appropriate size to maintain agricultural uses while being flexible to future changes. Additionally, natural features should be protected for the long term.

The proposed lots are for future agricultural use, and the lot areas of the retained and new subject lands meet minimum size requirements. The proposed severances do not physically alter the site and will have no impact on natural heritage features.

It is Staff’s opinion that the proposed development **is consistent** with the PPS.

Greenbelt Plan (2017)

The Greenbelt Plan outlines policies to provide permanent protection for the agricultural land base and ecological and hydrological features. This includes policies to discourage lot creation in prime agricultural areas unless specific criteria are met and to prevent

negative impacts on key natural heritage features. The subject lands fall within the Niagara Peninsula Tender Fruit and Grape Area of the Protected Countryside. The proposed lot sizes of the new and retained lots are above the minimum requirement of 16.2 hectares (see Table above). The proposed severances do not physically alter the natural heritage system. No change of use or new uses are being proposed as a result of the applications.

It is Staff's opinion that the proposed development **conforms** with the Greenbelt Plan.

Niagara Regional Official Plan (NOP) (2022)

The NOP discourages the creation of lots within the Protected Countryside of the Greenbelt Plan, including the specialty crop area. Consents may be permitted in specialty crop areas when supported through a planning justification report and if the lots are intended for agricultural use and are a minimum size of 16.2 hectares in order to support agricultural uses. As noted in the Table above, the new lots and retained lot will be of an appropriate size and are intended to be used for agricultural purposes. A planning justification brief was prepared by Eric Beauregard and reviewed by William Heikoop of Upper Canada Consultants in support of the application. Additionally, a Stage 1 & 2 Archaeological Assessment has been waived as no physical site alteration is proposed. In consultation with the Region and NPCA, an EIS has been waived since no physical site alteration is proposed.

It is the opinion of staff that the proposal **conforms** to the NOP.

City of Thorold Official Plan (CTOP) (2016)

The subject lands are primarily designated Specialty Crop by the CTOP, with portions of Environmental Protection One, Environmental Protection Two and Environmental Protection Three. The subject lands also include Greenbelt Natural Heritage System overlay as well as areas identified as Significant Woodlands and Groundwater Protection areas. Severances are generally not permitted in speciality crop areas unless they meet a minimum of 16 hectares in order to sustain agricultural use. As outlined in the Table above, the remnant and proposed lots exceed minimum requirements and existing agricultural uses will continue. The proposed severances do not include physical development or site alteration and no negative impacts on environmental features are anticipated.

The CTOP provides criteria for land severances, including that new lots will front on an improved road. Conditions for D10-17-2025 for Part 3 will include a development agreement with the City to improve to municipal standards the relevant portion of Faywell Road.

Staff is of the opinion that the proposal facilitates future development that is **appropriate** and keeping with the general intent of the CTOP.

City of Thorold Comprehensive Zoning By-law (CZBL) 60(2019)

As per CZBL Part 1.6(b), any severed lands must be compliant with the provisions outlined in the existing zone. Both the existing and created lots of the proposed severance as noted in the Table above are of an appropriate lot area and frontage required. Buildings and structures on Part 1 are compliant with setback requirements.

As such, staff is of the opinion that the proposal is **consistent with** the policies of the CZBL.

COMMENTS

The application was circulated in accordance with the requirements of the *Planning Act* to property owners within 60 metres of the subject lands. The application was also circulated to internal departments and external agencies for comments (see Appendix 1), which are summarized below.

Niagara Peninsula Conservation Authority

- Please see attached comment.
- At this time, the NPCA offer no objection to the Consent Applications, D10-16-2025 & D10-17-2025.
- Should there be any future development activities proposed on Parts 1, 2, or 3, the NPCA will require prior review with the potential for a site visit as the properties do contain NPCA regulated features as identified in the letter. Depending on the scope, nature, and location of any future proposed development activities, an NPCA works Permit maybe required prior to the start of works on the subject property.

Niagara Region

- Please see attached comment.
- To assist staff with their evaluation, as detailed above under ‘Natural Environment System’, Regional staff recommend the lot line be adjusted to be outside the required 30 m vegetation protection zone from the Significant Woodland for the applications to be in conformity with the natural environment policies of the NOP. Currently the lot line only provides a 30 m vegetation protection zone from the Provincially Significant Wetland.
- Based on the MOU for Engineering Services between the City and Region, staff offer no objection to the applications provided the applicant replaces the existing septic lid on the second chamber of the septic tank servicing the dwelling known as 3000 Cataract Road as a condition of consent.

The following agencies and departments were circulated for comment and either indicated no objections or did not provide comment at this time.

Indicated no objections	Did not provide comment
Niagara Escarpment Commission Bell Canada City of Thorold Building Cogeco	Mississaugas of the Credit First Nation City of Thorold Engineering City of Thorold Fire City of Thorold Public Works City of Thorold Community Services City of St. Catharines Canada Post Ministry of Transportation District School Board of Niagara Niagara Catholic District School Board Enbridge Hydro One Ontario Power Generation

Public Comments

A letter from a group of residents was received outlining several concerns with the application and requesting a deferral or rejection of the applications (see Appendix 1). Concerns raised include:

1. Notice of Hearing, notice posting and process concerns;

2. Clarity on the purpose of the severances;
3. Perceived conflict with agricultural and environmental policies;
4. Access and safety concerns related to Faywell Road;
5. Compatibility issues with the surrounding area;
6. Potential future development and impacts on surrounding natural features; and
7. Broader concerns regarding provincial planning reforms.

Response to Resident Concerns

Notice of Hearing were mailed on Wednesday November 26, 2025. A list of property owners within 60 metres was generated and Notices were mailed to each address. The Notice of Hearing was uploaded on the City website on Wednesday, November 26, 2025 and posted on Tuesday, December 2, 2025, 16 days before the meeting. Notice was given following the requirements of Section 53(5) of the Planning Act, at least fourteen (14) days before a decision is made.

Two consent signs were provided for posting on or before December 4, 2025 in accordance with Section 53(5). The signs were posted on December 3, 2025 and photos were submitted showing the signs posted. Signs appear setback far from the public right of way due to the hydro corridor which runs between the right of way and 2908 Cataract Road. The property was visited on December 11, 2025 and one sign appears to be posted along the property line just behind the hydro poles. Cataract Road is narrow, rolling and with ditches of varying depth on either side of the road which makes it challenging for vehicles to stop along side the road. This challenge is compounded by winter conditions. However, the sign was posted on the subject lands from the required date, following statutory requirements.

O. Reg 197/96 Consent Applications outlines the requirements for a consent application. This includes requiring information for the type and purpose of the proposed transaction and the existing and proposed uses of the land. This information was provided in the application form.

The applications have been reviewed by the NPCA, Region and City Planning Staff. The proposed application does include physical site alteration and no concurrent applications have been received. The severance, as proposed, will not result in significant change or impact on the surrounding or adjacent lands. The location of the proposed lot lines have been reviewed in relation to natural heritage features and have been proposed to reduce and avoid fragmentation. The NPCA has reviewed the

application and noted the proposed lot line to establish Parts 1 and 3 are outside of the identified Provincially Significant Wetland boundary and the associated 30-meter buffer. The Region has identified an additional buffer area for significant woodlands which will be reviewed, to the satisfaction of the Region, as a condition of the consents.

As a condition of consent for D10-17-2025, Part 3, a portion of Faywell Road will need to be improved to municipal standards to the satisfaction of the City. There are currently two neighbouring residential properties fronting on Faywell Road (3111 Faywell Road and 2986 Faywell Road). The applications were circulated to the Engineering department and the Fire Prevention Office and no comments were received in relation to the proposed severances.

No physical site alteration or development is proposed and there no concurrent applications. The Speciality Crop zone permits certain development as of right including a single detached dwelling and accessory buildings and structures. Any future *Planning Act* applications will be reviewed by the municipality, Region and NPCA, as required.

Applications for a consent are evaluated based on the requirements set out in the Planning Act and are reviewed against provincial legislation and policy and regional and local policies. Potential future applications are outside of the scope of review.

Broader concerns in regard to provincial changes of land use planning and other environmental legislation are outside the scope of the planning analysis.

CONCLUSION

It is the recommendation of planning staff that Consent Applications D10-16-2025 and D10-17-2025 for the purpose of severing 2908 Cataract Road to create two new parcels for agricultural purposes and the partial discharge of mortgage, **BE APPROVED**, subject to the conditions listed herein.

Prepared by:
Courtney Kaupp
Planning Clerk
City of Thorold Planning

Submitted by:
Nancy Reid
Senior Planner
City of Thorold Planning

This report was reviewed in consultation with Marc Davidson, Manager of Planning.

Appendices

Appendix 1 Comments



BELL CANADA COMMENTS

From: [circulations](#)
To: [City of Thorold Planning](#)
Subject: 905-25-81 - Consent Application D10-16-2025 & D10-17-2025 - 2908 CATARACT ROAD
Date: November 28, 2025 11:39:59 AM

Good morning Committee,

Bell Canada has no concerns with respect to Application for Consent D10-16-2025 & D10-17-2025, regarding 2908 CATARACT ROAD.

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

Thank you,
Lisa



CITY OF THOROLD BUILDING COMMENTS

From: [David Hornblow](#)
To: [City of Thorold Planning](#)
Subject: RE: Notice of Hearing - D10-16-2025 & D10-17-2025 - 2908 Cataract Road
Date: December 2, 2025 2:35:41 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Planning,

I don't have any comments at this time.



David Hornblow
Manager of Building Services
Development Services
City of Thorold
905-227-6613 x329
P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON, L2V 4A7
www.thorold.ca

From: City of Thorold Planning <Planning@thorold.ca>
Sent: November 26, 2025 11:19 AM
To: rosi.zirger@ontario.ca; kendra.adair@ontario.ca; tlennard@npca.ca; ppearson@npca.ca; smastroianni@npca.ca; tproks@npca.ca; Abby.LaForme@mncfn.ca; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; Building <Building@thorold.ca>; thoreng <thoreng@thorold.ca>; Alex Sales <Alex.Sales@thorold.ca>; Jenny Rodriguez <Jenny.Rodriguez@thorold.ca>; Abu Rashed <Abu.Rashed@thorold.ca>; Ugo Obiako <Ugo.Obiako@thorold.ca>; Paula Wake <Paula.Wake@thorold.ca>; Steven Polich <Steven.Polich@thorold.ca>; FPO <FPO@thorold.ca>; Mark Richardson <Mark.Richardson@thorold.ca>; sritchie@stcatharines.ca; andrew.carrigan@canadapost.ca; peter.deluca@ontario.ca; Usama.Ali@ontario.ca; katie.young@niagararegion.ca; Jessica.Fajta@niagararegion.ca; Lori.Karlewicz@niagararegion.ca; Josh.Wilson@niagararegion.ca; Susan.Dunsmore@niagararegion.ca; devtplanningapplications <devtplanningapplications@niagararegion.ca>; planning@ncdsb.com; planninganddevelopment@bell.ca; moc.bell@bell.ca; jeremy.leemet@cogeco.com; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; talitha.laurenson@opg.com; David Hornblow <David.Hornblow@thorold.ca>
Subject: Notice of Hearing - D10-16-2025 & D10-17-2025 - 2908 Cataract Road

Hello,

Please find attached the Notice of Hearing for the Consent applications D10-16-2025 and D10-17-2025 for 2908 Cataract Road to be heard at the City of Thorold December 18, 2025 Committee of Adjustment meeting.

Please review and provide comments to Planning@Thorold.ca on or before 4:00 pm., December 10, 2025. If no comment or intention to provide response is received, we will consider this to mean there is no comment on the application.

Thank you,

Courtney Kaupp
Planning Clerk

City of Thorold Planning
Development Services
City of Thorold
905-227-6613



COGECO COMMENTS

From: [Jeremy Leemet](#)
To: [City of Thorold Planning](#)
Subject: Re: Notice of Hearing - D10-16-2025 & D10-17-2025 - 2908 Cataract Road
Date: November 27, 2025 8:07:42 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Good Morning
Cogeco has no comment.
Thanks Jeremy Leemet

On Wed, Nov 26, 2025 at 11:19 AM City of Thorold Planning <Planning@thorold.ca> wrote:

Hello,

Please find attached the Notice of Hearing for the Consent applications D10-16-2025 and D10-17-2025 for 2908 Cataract Road to be heard at the City of Thorold December 18, 2025 Committee of Adjustment meeting.

Please review and provide comments to Planning@Thorold.ca on or before **4:00 pm., December 10, 2025**. If no comment or intention to provide response is received, we will consider this to mean there is no comment on the application.

Thank you,

Courtney Kaupp
Planning Clerk

City of Thorold Logo



City of Thorold Planning

Development Services

City of Thorold

905-227-6613

P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON, L2V 4A7

www.thorold.ca

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JEREMY LEEMET
Network Delivery Coordinator
Niagara

phone # (437)553-7079

7170 McLeod
Road
Niagara Falls,
Ontario L2G
3H2 Canada
cogeco.ca



NIAGARA ESCARPMENT COMMISSION COMMENTS

From: [Zirger, Rosi \(MNR\)](#)
To: [City of Thorold Planning](#)
Cc: [Adair, Kendra \(MNR\)](#)
Subject: RE: Notice of Hearing - D10-16-2025 & D10-17-2025 - 2908 Cataract Road
Date: November 26, 2025 11:59:14 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Good morning

The subject property at 2908 Cataract Road, Thorold is not within the Niagara Escarpment Area of Development Control or within the Niagara Escarpment Plan (NEP) Area. As such, NEC staff will NOT be reviewing or providing comments on this circulation.

Regards

Rosi Zirger

Senior Planner | Niagara Escarpment Commission
232 Guelph Street, Georgetown, Ontario, L7G 4B1
905-703-7216
rosi.zirger@ontario.ca | www.escarpment.org



Accessibility: As part of the NEC's commitment to providing accessible service, please let me know if you have any accommodation needs or require the contents of this email in an alternative format.

Availability: NEC staff provide services in person, via telephone, or via email. To better serve you, **we ask that you make an appointment if you prefer to meet in person.** You may request an appointment with staff at escarpment.org/appointments.

Did you know: You can now submit Development Permit Applications to the Niagara Escarpment Commission online? Visit our [website](#) to learn more.

From: City of Thorold Planning <Planning@thorold.ca>
Sent: November 26, 2025 11:19 AM
To: Zirger, Rosi (MNR) <Rosi.Zirger@ontario.ca>; Adair, Kendra (MNR) <Kendra.Adair@ontario.ca>; tlennard@npca.ca; ppearson@npca.ca; smastroianni@npca.ca; Thomas Proks <tproks@npca.ca>; Abby.LaForme <Abby.LaForme@mncfn.ca>; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; Building <Building@thorold.ca>; thoreng <thoreng@thorold.ca>; Alex Sales <Alex.Sales@thorold.ca>; Jenny Rodriguez <Jenny.Rodriguez@thorold.ca>; Abu Rashed <Abu.Rashed@thorold.ca>; Ugo Obiako <Ugo.Obiako@thorold.ca>; Paula Wake <Paula.Wake@thorold.ca>; Steven Polich <Steven.Polich@thorold.ca>; FPO <FPO@thorold.ca>; Mark Richardson <Mark.Richardson@thorold.ca>; sritchie@stcatharines.ca; andrew.carrigan@canadapost.ca; Deluca, Peter (MTO) <Peter.Deluca@ontario.ca>; Ali, Usama (MTO) <Usama.Ali@ontario.ca>; Young, Katie <katie.young@niagararegion.ca>; Jessica.Fajta@niagararegion.ca; Lori.Karlewicz@niagararegion.ca; Josh.Wilson@niagararegion.ca; Susan.Dunsmore@niagararegion.ca; devtplanningapplications <devtplanningapplications@niagararegion.ca>; planning@ncdsb.com; planninganddevelopment@bell.ca; moc.bell@bell.ca; jeremy.leemet@cogeco.com; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; talitha.laurenson@opg.com; David Hornblow <David.Hornblow@thorold.ca>
Subject: Notice of Hearing - D10-16-2025 & D10-17-2025 - 2908 Cataract Road



NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS

December 3, 2025

VIA EMAIL ONLY

Committee of Adjustment
City of Thorold, Development Services Department
8 Carleton Street South,
Thorold, ON L2V 5C2

Attention: Secretary Treasurer of the Committee of Adjustment

Subject: Application for Consent, D10-16-2025 & D10-17-2025
2908 Cataract Road,
Thorold, Ontario
ARN 273100002315200 & 273100002315220

To the Committee of Adjustment,

Further to your request for comments for the Consent for the above noted property, the Niagara Peninsula Conservation Authority (NPCA) can offer the following.

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 41/24 of the Conservation Authorities Act. The NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority (NPCA policies) provides direction for managing NPCA regulated features.

The NPCA has reviewed the NPCA Mapping of **ARN 273100002315200 & 273100002315220** and notes that the property is impacted by NPCA regulated features; these are as follows:

- The Provincially Significant Wetland (PSW) 30-meter Wetland Allowance (i.e., wetland buffer area) from the north PSW (i.e., Lake Gibson Moodie Welland Canal Reservoir Wetland Complex) with minor encroachment of the PSW onto the subject property;
- Watercourses with an associated 15-meter regulated buffer from the top of bank;
- Areas of potential unevaluated wetlands to the southwest;
- Potential encroachment from the adjacent Valley Slope Hazards and an associated NPCA regulated 15-meter Erosion Hazard Allowance;
- Potential encroachment from the unmapped floodplain hazard to the northeast; the NPCA staff anticipates the floodplain would be contained to the valley to the east adjacent property.

As per the NPCA current Policy, it is of the general intent to direct lot creation away from hazardous features and it was brought to the NPCAs attention by the Consultant that the intent of the lot creation for Part 2 is to re-establish the lot lines that were merged on title. With consideration to the NPCA current mapping and the provided survey, the proposed lot line to establish Parts 1 and 3 would be entirely outside of the identified PSW boundary and the associated 30-meter wetland allowance. The watercourses that extend north to south from PSW, between Parts 1 and 3, are no longer present within this area. As for the proposed lot line to establish

Part 2, this lot line would cross an area of a potential watercourse and associated 15-meter buffer area; this watercourse is not of a floodplain concern (i.e., 100-year storm). As the proposed lot lines are in conformance with the NPCA current Policies and there being sufficient envelope for servicing and amenities outside of the NPCA features, the NPCA can offer no objection to the Consent Applications, **D10-16-2025 & D10-17-2025**.

Depending on the scope, nature, and location of future proposed works in relation to the NPCA Regulated Areas identified, the NPCA may require completing a site visit and NPCA work Permits may be required to be issued prior to the start of works. Please note, the provided survey did not include the areas of identified watercourses and other potential hazards impacted by adjacent properties and should there be any future works proposed, the applicant will require to contact the NPCA for prior review and approval.

Conclusion

At this time, the NPCA offer no objection to the Consent Applications, **D10-16-2025 & D10-17-2025**.

Should there be any future development activities proposed on Parts 1, 2, or 3, the NPCA will require prior review with the potential for a site visit as the properties do contain NPCA regulated features as identified above. Depending on the scope, nature, and location of any future proposed development activities, an NPCA works Permit maybe required prior to the start of works on the subject property.

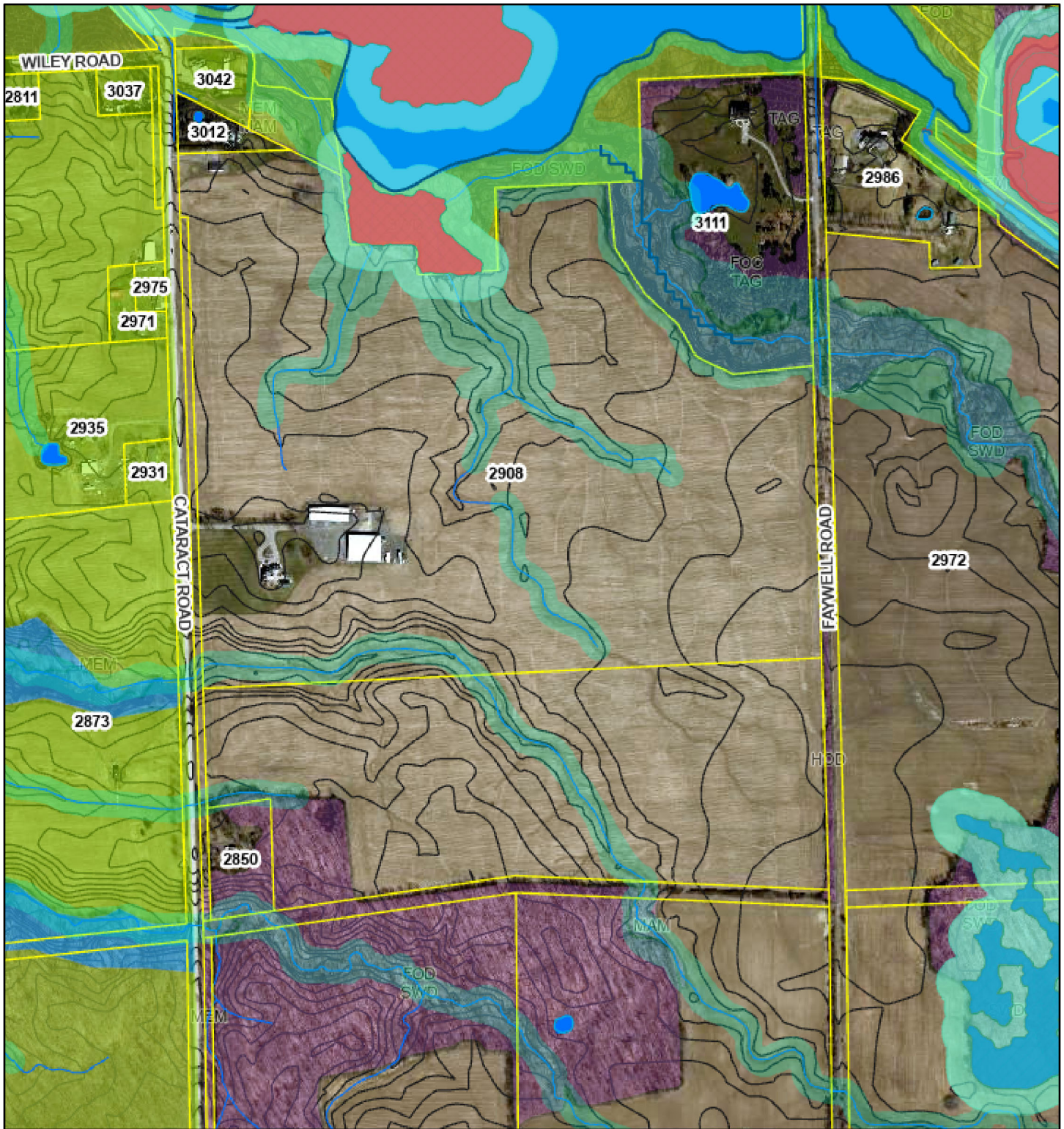
I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,



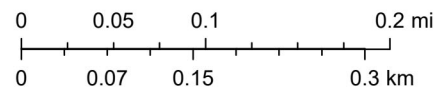
Paige Pearson
Watershed Planner
(905) 788-3135, ext. 205
ppearson@npca.ca

2908 Cataract Road, Thorold - NPCA Map



1:9,028

- | | |
|---|---|
| SWOOP 2020 NPCA | Roads |
| ■ Red: Band_1 | ■ NPCA APPROXIMATE REGULATION LANDS |
| ■ Green: Band_2 | SHORELINES Enhance Local Feature Type Shoreline |
| ■ Blue: Band_3 | — Culvert |
| LIO - Wetland DRAFT | — Pond - Other |
| ■ Evaluated-Provincial | — Side Channel |
| ■ Evaluated-Other | — Reservoir |



NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS



NIAGARA REGION COMMENTS

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

December 10, 2025

Region Files: PLCS202502101, PLCS202502102

Courtney Kaupp
Planning Clerk
City of Thorold
8 Carleton Street South
Thorold, ON L2V 5C2

Dear Ms. Kaupp:

**Re: Regional and Provincial Comments
Proposed Consent Applications
City Files: D10-16-2025 and D10-17-2025
Owner: Glen Gordon
Agent: Upper Canada Consultants (Eric Beauregard)
2908 Cataract Road
City of Thorold**

Regional Infrastructure Planning and Development staff has reviewed the proposed consent applications for lands municipally known as 2908 Cataract Road in the City of Thorold.

The consent applications propose to sever Parts 2 and 3 as demonstrated on the submitted sketch, prepared by Chambers and Associates Surveying Ltd. (dated Sept 17, 2025) from the remnant parcel (Part 1) for future agricultural uses.

A pre-consultation meeting was held to discuss the proposal on July 4, 2024, with City and Regional staff in attendance.

Planning Act Changes

Staff advise pursuant to the *Planning Act*, as of March 31, 2025, Niagara Region is 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. City Council approved entering into a Planning Services Agreement (PSA) with Niagara Region to continue providing support and advice to the City of Thorold for certain planning matters, including land use compatibility, archaeology, employment

areas/lands, record of site condition, former landfill sites, water protection screening, environmental planning review, and urban design (along Regional Roads).

Please be advised that through this change to the *Planning Act*, the *Niagara Official Plan, 2022* (NOP) is effectively an official plan of the City of Thorold, which remains in effect until the City revokes or amends it to provide otherwise. As such, City staff should be satisfied that the application conforms to NOP policies.

On this basis, the following comments pertaining to archaeology and environmental planning are provided as advice to assist the City in their review of the application.

Under the Memorandum of Understanding for Engineering Review between the City and the Region, the comments related to the private sewage system are considered Regional requirements.

Natural Environment System

The subject property is impacted by the Natural Environment System (NES) of the NOP, consisting of Lake Gibson Moodie Welland Canal Reservoir Provincially Significant Wetland Complex (PSW), Significant Woodland and a Permanent/Intermittent Watercourse. Portions of the property are also mapped within the Greenbelt Provincial Natural Heritage System (PNHS). As a result, these features are considered Key Natural Heritage Features (KNHF) and/or Key Hydrologic Features (KHF).

In accordance with NOP Policy 3.1.5.7.1, an Environmental Impact Study (EIS) is required when development or site alteration is proposed within 120 m of a KNHF/KHF. The NOP also requires that a minimum 30 m Vegetation Protection Zone (VPZ), measured from the outer boundary of any KNHF/KHF, be established and maintained as natural, self-sustaining vegetation. Development or site alteration is generally not permitted within a KNHF/KHF or its VPZ.

The proposed lot line is within this setback; however, Regional staff waived the requirement for an EIS provided that all new lot lines maintain a 30 m VPZ from all identified features. Further, consistent with NOP policies, lands within the 30 m VPZ are exempt from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes.

Staff note that although the proposed new lot lines provide a 30 m VPZ from the PSW, they do not provide the required 30 m VPZ from Significant Woodland. Therefore, staff recommend that the City request the lot line be adjusted to ensure conformity with the policies of the NOP.

Archaeological Potential

The *Provincial Planning Statement, 2024* (PPS) and the NOP 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 subject land is mapped as an area of archaeological potential in Schedule K of the NOP.

Staff note that while an agricultural consent constitutes development under the definition in the PPS and NOP, the primary use of the property will be for agriculture. NOP Policy 6.4.2.6 allows archaeological assessments to be scoped to areas where development is specifically proposed outside of the settlement area. Given the size of the lot, an archeological assessment can be completed through a future *Planning Act* application should physical development or site alteration be proposed.

Private Sewage System

No records were found for the current class 4 sewage system servicing the existing dwelling (3000 Cataract Road) along the north property line. The existing septic tank is located West of the dwelling, the exact location of the inground leaching field is unknown but suspected to also be located East of the dwelling. The existing septic system is considered legal non-conforming, as it is inground in clay soils and does not meet the setback to the well on-site. During the inspection it was noted that the septic tank lid for the second chamber is damaged and will be required to be replaced to prevent the infiltration of ground water into the system as well as prevent sewer gases from escaping. No other defects were noted with the existing septic system during the inspection.

A permit was issued by Regional Niagara Public Health Department in 2001 for a class 4 sewage system servicing the dwelling known as 2908 Cataract Road. The permit approved a double chamber septic tank connected to a double filter bed. The permit was never finalized. During the inspection a double chamber septic tank was exposed southwest of the dwelling. The cut and fill double filter bed is not visible on-site but assumed to be located southwest of the dwelling. No defects were noted with the existing septic system.

The proposed property lines appear to meet the setbacks required by the Ontario Building Code to both existing septic systems on the lot. There also appears to be enough useable area on Part 1 to accommodate replacement septic systems should either of the existing septic systems be required to be replaced in the future.

Therefore, Regional Private Sewage System staff has no objection to the proposed consent application provided that the applicant replaces the existing septic tank lid on the second chamber of the septic tank servicing the dwelling known as 3000 Cataract Road. Staff advise this was previously flagged when the septic system had been rebuilt.

Conclusion

From a Provincial and Regional policy perspective, it is the responsibility of City staff to determine whether the proposed applications are consistent with the PPS and conform to the *Greenbelt Plan, 2017* and the NOP.

To assist staff with their evaluation, as detailed above under 'Natural Environment System', Regional staff recommend the lot line be adjusted to be outside the required 30 m vegetation protection zone from the Significant Woodland for the applications to be in conformity with the natural environment policies of the NOP. Currently the lot line only provides a 30 m vegetation protection zone from the Provincially Significant Wetland.

Based on the MOU for Engineering Services between the City and Region, staff offer no objection to the applications provided the applicant replaces the existing septic lid on the second chamber of the septic tank servicing the dwelling known as 3000 Cataract Road as a condition of consent.

Should you have any questions regarding the above comments, please contact the undersigned at Katie.Young@niagararegion.ca. Please send notice of the Committee's decision on the application when available.

Kind regards,



Katie Young, MCIP, RPP
Senior Planner

cc: Lori Karlewicz, Planning Ecologist
Devon Haluka, Private Sewage System Inspector



PUBLIC COMMENTS

December 9, 2025

Committee of Adjustment,
Development Services Department,
8 Carleton St. South,
Thorold, ON,
L2V 5C2

Subject: Response to Notice of Public Hearing for Consents D10-16-2025
& D10-17-2025 Cataract Road, Thorold

Attention: Secretary Treasurer –

On Dec. 4/25, we received a copy of the Notice of Public Hearing in our mail. In checking with our immediate neighbors, we discovered that a number of them did not receive the mailing, including Diane Gordon, the mother of Glen Gordon who, through his representative Eric Beauregard, is making application. This means that many people in the immediate area of this proposed development have had little notice or time to respond.

A copy of the Consent Applications was requested from the Thorold Planning Department. A couple of things to note. Question 9B identifies existing structures on the Part 1 remnant parcel being proposed and notes a farm help house. This house was built by and is lived in by Nathan Gordon – one of Glen Gordon's two sons. He currently works the farm. The other house identified on Part 1 is the home of Glen Gordon. The application makes no real mention of the intention for the two proposed severances, but it would seem unlikely they are necessary for his sons to live on the farm. One is already living on the farm and the other son turned down an offer to inherit his 84 year-old grandmother's house at 2850 Cataract Rd – immediately adjacent to the south of the proposed part 2 severance.

Another point of note in the application, question 13, asks if any land has been severed from the parcel originally acquired by the owner of the subject land. The applicant answered no. It is our understanding that there have been 2 severances; at 3012 Cataract Rd., immediately next to the gun club and 2850 Cataract Rd., immediately next to part 2. These areas were part of the original Shelvock farm purchased by the Gordon family. Again, it is our understanding that when the severance was requested for what would become 3012 Cataract, the stated purpose was for housing farm help. Once the severance was approved, however, the land was immediately sold and has been in non-farm related residential use ever since. The other severance, at 2850 Cataract, was a retirement lot for Gilbert Gordon – Glen's father. Finally, it is our understanding that after 3012 was sold, another severance application was made for a lot at what is now 3000 Cataract Rd., again for farm help, but was turned down, as there had already been 2 severances off of the farm and it was considered important to discourage further development and "carving up" of an agriculturally designated property.

The application also notes that the intended purpose for the proposed parcels to be severed is agriculture (question 8A). In fact, all of the lands making up part 2 and part 3 are already under

agricultural use (specialty crop), in keeping with the land use designation, and have been for a period of decades. If the intention is to continue using the lands for agricultural purposes (question “8A – Proposed Use: Agriculture”) then why are severances necessary, unless the actual purpose is to immediately sell the parcels, just as 3012 Cataract Rd was sold. We understand that 17.5 hectares is the minimum agricultural severance allowed in Thorold on which a house can then be constructed. Undoubtedly, any house built on this land will be substantial, further reducing the acreage still available for farming. Glen Gordon’s house on part 1, we believe, is 7200 sq feet. How viable would, say 15 hectares, be as a farm, when the average viable farm in Niagara is 51 hectares?

According to the City of Thorold Official Plan, from April 28, 2016, the lots now affected by these proposed severances have been zoned a mix of agriculture (specialty crops) and environmental protection, with an overall goal “to maintain, support and enhance agricultural opportunities”, in addition to “maintain(ing), enhance(ing) or restore(ing) ecosystem health and integrity”. We firmly believe that the ultimate intentions behind these proposed severances are utterly inconsistent with ANY OF THE CITY’S STATED designs for this important and vulnerable property. Consequently, these severance applications should be firmly rejected!

Under “applicant checklist”, a sign post is to be placed on the property, at least 14 days prior to the hearing, notifying the public of the severance applications. While a sign has been erected, its size and distance from the road makes it virtually unreadable for people passing by and it is in an area difficult for people to pull over. Couple this with the failure to notify certain people in the area and even the fact that the hearing takes place a week before Christmas, when most people are busy and otherwise distracted and one is left sensing a lack of general transparency in the process. Given the potential issues at stake, would at least a deferral of the matter not be possible? A postponing of a decision for 2 or 3 months would allow other interested stakeholders to respond.

Then, there are the problems posed by the building of houses on this property. There is no residential infrastructure in place. No proper access, no lights, no sewers, no water. Faywell Rd – the only access for Part 3 – is impassible from the south. From the north, there is a bridge which cannot accommodate emergency vehicles and, again, the road is in need of serious upgrade. There is one house to the east on Faywell Rd. Necessary closures, to do extensive work on Faywell Rd. and its bridge, would make this house virtually inaccessible, for an extended period of time, for the owner.

On a related point, this lack of existing infrastructure is a similar reality for those people living in areas immediately surrounding the property under consideration. We do without many urban amenities, such as sewers, street lights, city water systems, fire hydrants etc. – yet we pay high taxes for the privilege of living in a rural, protected (?) greenbelt area. If the City is prepared to open development, with approval of these severances, can area residents then expect a significant drop in their taxes, as reasonable compensation for the devaluing of their property?

In 2007, Grey Gables School proposed development in the same area as Part 3 and was turned down; the reasons including the condition of Faywell Rd., lack of fire and emergency protection, sewage concerns, drainage concerns, added traffic in the area, proximity to sensitive areas/conservation land. All of these concerns remain today. While large areas of this farm drain toward the Ontario Power Generation reservoirs, Part 3, in particular, is immediately adjacent to Lake Gibson, used for hydro electric power generation and St. Catharines drinking water. Public access to the Lake Gibson area is strictly prohibited, so any adjacent residential development would pose security/control issues. Of possible concern to the NPCA, in addition to drainage issues, this area also includes important wetland area. We believe there is also a section of the properties under consideration which have a National Heritage System designation.

If a house(s) is permitted on parcel 3, this will undoubtedly result in petitions for the closure of the DeCew Gun Club at 3042 Cataract Rd. Although a berm and other precautions make shooting completely safe, parcel 3 lies in a general line with the range and will inevitably prompt unjustified concerns involving safety – as well as noise. A gun range has operated on this site for 75 years and currently boasts hundreds of members. Many upgrades to the facility have taken place in recent years. Its potential forced move would be an injustice and impose unfair costs and demands on the club. All other arguments aside, we also believe there is merit and principle in the simple fact that “they were there first” and, consequently, should not be facing this real threat to their continued operation.

Thorold and Niagara in general has increasingly become a travel destination for its extensive hiking and bicycling trail systems. There has been frequent talk of extending access from the Mel Swart -Lake Gibson conservation park in Beaverdams, into the Short Hills Provincial Park via the reservoir corridor. How can this bid by Glen Gordon for development within the same green belt area be reconciled with City plans to utilize and market greater access for visitors to Thorold’s many, as-yet, unspoiled natural areas?

There is still another concern with the real potential that these proposed severances are merely the opening stages of something far more ambitious and, in our opinion, tragic. Glen Gordon, while his currency is agricultural land, is far more a land speculator and developer than a true farmer. His pattern, for decades, has been to purchase farm land and then either flip it, for quick profit, or package properties for larger developments, such as Rolling Meadows in Thorold South. These proposed severances are, we believe, merely part of a newly emerging pattern of speculation in the area of the Short Hills Park. For example, it is our understanding that Glen Gordon recently acquired another 17 hectares section of the McPherson farm, located just a mile or so south of the property now under consideration by your Committee. It is our belief that his intention is to either sever and then immediately sell these properties as million- dollar mansion sites or, potentially, hold them for possible large scale development opportunities.

As I am sure the Committee and City of Thorold is well aware, the Ford Government is clearly intent on eroding municipal and regional authority in administering and shaping their own planning, development, built and natural asset management. The Ford Government has introduced several legislative changes, primarily through Bill 23, the More Homes Built Faster Act, and a recent budget bill, to limit municipal authority and significantly reduce the powers of

conservation authorities, with the stated goal of increasing housing supply. The introduction and expansion of “strong mayor” powers in a number of communities allows Mayors to veto certain council votes and pass some bylaws with the support of only one-third of council, to align with provincial priorities like housing development. Bill 23 reduces development charges, parkland dedication fees and community benefits charges that municipalities can collect from developers. This shifts the financial burden of growth-related infrastructure onto existing taxpayers. In certain regions the Provincial government has already removed upper-tier planning authority, transferring land-use planning responsibilities from upper-tier municipalities (regions/counties) to lower-tier municipalities (cities/townships). This severs the link between planning and service development at the regional level, raising concerns about uncoordinated growth and infrastructure. The Provincial government has also placed increasing restrictions on appeals, limiting who can appeal planning and development decisions to the Ontario Land Tribunal, generally excluding environmental groups and many third parties who previously had standing.

Municipal Green building standards are being eliminated, hampering a municipality’s ability to regulate the design and aesthetic of new developments. The recent announcement that 36 local conservation authorities are to be centralized into just seven regional bodies, with a new provincial authority, the OPCA, to supposedly provide oversight, far from standardizing processes, is more likely to produce a further loss of local representation and autonomy in decision-making. In addition, the core mandate of conservation authorities is now restricted to a focus solely on natural hazards, like flooding and erosion, while no longer being allowed to consider broader environmental factors like pollution or general land conservation when making decisions. Conservation authorities may soon be compelled, as well, to identify and sell off lands they own that are deemed suitable for housing development. Finally, Conservation authorities can no longer enter into agreements with municipalities to provide environmental review on planning applications on their behalf. They are excluded from the definition of a “person” or “public body” for most planning appeals, restricting their ability to challenge development decisions at the Ontario Land Tribunal.

Glen Gordon is undoubtedly aware of these trends and their potential for speculators such as himself. These proposed severances sit squarely within the Provincial greenbelt established in 2005. It was intended to protect two million acres of valuable farmland, forests and wetlands from unnecessary urban sprawl. It was a wise, forward thinking and noble initiative – but it is under attack. The Ford government failed in its 2022/23 attempt to remove 7,400 acres from the greenbelt for housing development, at least to the extent that specific land removals were reversed, but important legislative loopholes were not closed; specifically, the repeal of the Growth Plan for the Greater Golden Horseshoe, in October 2024, dilutes protections for farmland and endangered species habitats. All of these troubling trends and developments merely serve to emphasize the importance of the decision now facing your committee and the City of Thorold; to either exercise what City authority still remains, to stand up for the protection of a valuable natural asset, or to open the door to this, and potentially future, ill-advised and unnecessary development.

In our opinion, this application has nothing to do with consolidating a family farming operation for the next generation, or even in laying the groundwork for more genuinely needed,

sustainable, affordable housing. It is a cash grab, through exploitation of a planning regulation loophole, to create more rich person's estates in the heart of the Provincial greenbelt, adjacent to Lake Gibson/reservoir system, wetlands and the Short Hills Provincial Park.

From the first establishing of the greenbelt in 2005, it has fallen to the City of Thorold to try and protect Lakes Gibson and Moodie and the lands surrounding them. This reservoir area was left out of the original greenbelt. Thorold's then senior planner, Eldon Darbyson, working with a City- established Lake Gibson preservation task force, were charged with recommending ways and means to protect and preserve "the natural heritage features in the lands around the two lakes". Concluding that this area does not support urban use, the City of Thorold, with the full support of the Niagara Region, recommended, as part of a made-in-Niagara report to the province in 2015, that the Provincial Greenbelt be extended to include lakes Gibson and Moodie. Regrettably, the Province chose not to act on this recommendation. Thorold, in response, adopted plans to protect these areas within their own official plan and reaffirmed this commitment in a 2023 review. It is now 2025 and this valuable natural resource is still in need of Thorold's protection. **Please don't allow these severances and the inevitable development to follow to happen on your watch!**

Thank you for your consideration in this matter.

Paul W. Justus

[Redacted]

DE Barnes

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Randy Barnes

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Royanne Cosby

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JA Cosby

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