



# LOWER TRENT CONSERVATION

714 Murray Street, R.R. 1, Trenton, Ontario K8V 0N1

■ Tel: 613-394-4829 ■ Fax: 613-394-5226 ■ Website: [www.ltc.on.ca](http://www.ltc.on.ca) ■ Email: [information@ltc.on.ca](mailto:information@ltc.on.ca)

Registered Charitable Organization No. 107646598RR0001

April 24, 2025

LTC File No. PL-25-064

Krista Metcalfe  
Planning Coordinator  
Township of Cramahe

**RE: Application for Zoning By-law Amendment – CLARKE for MCMURRAY  
494 Pine Grove Road, Township of Cramahe, Northumberland County  
Concession 10, Part Lot 12  
Application No: D14-CLA-08-25**

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Dear Krista,

Lower Trent Conservation (LTC) is in receipt of the above noted application, which was circulated to our office on April 23, 2025, for review and comment. We understand that the purpose of this application is to rezone the severed lands from Agricultural (A1) to Rural Residential (RR) Zone to bring the lands into zoning compliance per the conditions of approved Consent application D10- CLA-08-25.

#### Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted:

- Notice of a Complete Application & Public Meeting Concerning a Zoning By-Law Amendment, dated April 22, 2025;
- Completed application forms, dated April 22, 2025; and,
- Consent Sketch prepared by Gifford, Harris Surveying Ltd., dated April 22, 2024.

Staff have reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 5.2 of the *Provincial Planning Statement* (PPS, 2024) and as a regulatory authority under Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24. The application has also been reviewed through our role as a public body under the *Planning Act* as per our LTC Board approved policies. Finally, LTC has provided advisory comments related to policy applicability and to assist with implementation of the *Trent Source Protection Plan* under the *Clean Water Act*.

#### RECOMMENDATION

**Please be advised that Lower Trent Conservation (LTC) would have no objection to the approval of this application.**

Note: it is recommended that the agent and/or landowner be provided with a copy of this letter whereby they are advised of the applicability of Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24 on the retained lands and that, a permit from LTC may be required for development and/or site alteration prior to the commencement of any on-site work. Landowner(s) will need to contact LTC to confirm permitting requirements and restrictions.

*Refer to the following sections for context.*

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Representing Ontario's 36 Conservation Authorities*

## SITE CHARACTERISTICS

Existing mapping indicates that the retained lands contains unevaluated wetlands.

Portions of the subject lands are therefore situated within areas that are regulated by LTC pursuant to Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24. Mapping of known and potential areas subject to Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24 in LTC's jurisdiction is available to the public [here](#).

Further, the subject lands are currently designated Agriculture in the Cramahe Official Plan and zoned Agriculture (A) Zone.

## DELEGATED RESPONSIBILITY AND STATUTORY COMMENTS

### 1. LTC has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 5.2 of the PPS.

- It is our opinion that the application is consistent with Section 5.2 of the PPS as no natural hazards were identified on the subject lands.

### 2. LTC has reviewed the application as per our responsibilities as a regulatory authority under Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24. Section 28 of the *Conservation Authorities Act* enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, unstable soil, or unstable bedrock are not affected. LTC also regulates the changes to or interference in any way with a watercourse or wetland.

- Portions of the subject lands are situated within areas that are subject to Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24. Specifically, multiple unevaluated wetlands are present on the subject lands.

In accordance with Section 28(1) of the *Conservation Authorities Act*, no person shall:

- 1) Straighten, change, divert or interfere in any way with the existing channel or a river, creek, stream or watercourse, or change or interfere in any way with a wetland; OR
- 2) Undertake development activities (including site alterations), or permit another person to undertake development in or on areas within the jurisdiction of the Conservation Authority that are: wetlands; and other areas within 30 metres of a wetland without the prior written approval of the Authority (i.e., LTC).

Any development activity\* within 30 metres of all wetlands, and/or any activities that would interfere in any way with the wetlands on site would require a permit from our office prior to the commencement of any on-site work.

\*Development activity is defined in Ontario Regulation 41/24 as:

- i. The construction, re-construction, erection or placing of a building or structure of any kind,
- ii. Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. Site grading; or,

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- iv. The temporary or permanent placing, dumping, or removal of any material, originating on the site or elsewhere.
- LTC Board-approved policies for the administration of the *Conservation Authorities Act* and Ontario Regulation 41/24 state that development and interference shall not be permitted within a wetland nor within 30 metres of the boundary of the wetland. This area is intended to remain as a natural vegetated buffer area to mitigate impacts of adjacent development and activities on the hydrologic function of the wetland.
- It is noted that unevaluated wetlands have not been evaluated by the Ministry of Natural Resources (MNR) and have not been designated as provincially significant. They have been mapped by the MNR using the best available information (e.g., air photographs and topographic mapping) but have not been assessed on the ground. LTC has incorporated the MNR unevaluated wetland mapping into our screening mapping to identify areas of potential wetland across the watershed.
- It is important to note that not all features or areas described in Ontario Regulation 41/24 have been mapped in the LTC watershed and included in our screening mapping. The *Conservation Authorities Act* and Ontario Regulation 41/24 are text-based legislation. This means that if a feature or area exists on the landscape that meets the description of a regulated feature or area in the Regulation, it is subject to the Act and Regulation regardless of whether or not it is included in the LTC screening mapping.
- **The severed lands appear to be outside of features and areas regulated by LTC.**  
**Any future proposed development activities on the retained lands should be circulated to LTC for regulatory review and approval.**
- Landowner(s) are encouraged to contact LTC to discuss this matter directly if they have any questions or concerns. It is anticipated that the Municipality will share these comments with the landowner(s) so that they are aware of the applicability of Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24 on their property. LTC's permitting policy document is available to the public [here](#).

#### ADVISORY COMMENTS

3. **Pursuant to Ontario Regulation 596/22: Prescribed Acts, LTC will not be providing comments regarding Sections 4.1 (Natural Heritage) and 4.2 (Water) of the PPS.**
4. **LTC has reviewed the application through our role as a public commenting body, pursuant to the *Planning Act*.**
  - We have no further comments to add in this role.
5. **LTC has reviewed the application in terms of the *Trent Source Protection Plan*, prepared under *Clean Water Act*, 2006. The Source Protection Plan came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water from existing and future land use activities.**
  - The subject lands are not located within an identified drinking water source protection area.

#### SUMMARY

Given the above comments, it is the opinion of the LTC that:

1. Consistency with Section 5.2 of the PPS has been demonstrated;

2. Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24 do apply to the retained lands. A permit or formal clearance from LTC may be required prior to any development activities taking place (refer to the Ontario Regulation 41/24 definition of development activity); and,
3. The subject lands are not located within an area that is subject to the policies contained in the Trent Source Protection Plan.

**LTC would therefore have no objection to the approval of this application.** Informing landowner(s) of the applicability of Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24 is important and has been reflected in our recommendation above.

The above comments reflect our understanding at the time of writing of applicable policies, legislation, and the development proposal. I trust this letter meets your information requirements. However, should you require any further information or have any questions please do not hesitate to contact me.

Please inform this office of any decision made by the Committee with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Sincerely,



Ashley Anastasio, MCIP, RPP  
Environmental Planner  
613-394-3915 ext. 220