



# 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

March 18, 2025

LTC File No. PL-25-039

Krista Metcalfe  
Planning Coordinator  
Township of Cramahe

**RE: Application for Consent – RFA PLANNING CONSULTANT INC. for COCHRANE & MCGRATH  
280 Bellamy Road, Township of Cramahe, Northumberland County  
Concession 1, Part Lot 19  
Application No: D10-COC-04-25**

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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 March 7, 2025, for review and comment. We understand that the purpose of the consent application is to sever 1.22 hectares of vacant land for future residential purposes, retaining 8.99 hectares of land developed with a dwelling and detached accessory structure.

#### Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted:

- Notice of a Hearing of the Committee of Adjustment, dated March 7, 2025;
- Copy of Application for Consent;
- Planning Rationale prepared by RFA Planning Consultant Inc., dated January 25, 2025;
- Environmental Impact Study prepared by Cambium Inc., dated November 11, 2024;
- Draft Plan of Survey by Monument-Urso Surveying Ltd.

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: the agent has been 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 subject lands and that, a permit or formal clearance from LTC may be required for development and/or site alteration prior to the commencement of any on-site work on both resultant parcels. Landowner(s) will need to contact LTC to confirm permitting requirements and restrictions.**

*Working with Local Communities to Protect our Natural Environment*



Member of Conservation Ontario  
Representing Ontario's 36 Conservation Authorities

Refer to the following sections for context.

#### SITE CHARACTERISTICS

Existing mapping indicates that the subject property contains the Spencer Point Provincially Significant Wetland (PSW), field-verified wetlands, unevaluated wetlands, and a Lake Ontario tributary stream.

Portions of the subject lands are 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 Rural and Provincially Significant Wetland in the Township of Cramahe Official Plan and zoned Special Rural 240 (RU-240) Zone and Environmental Conservation (EC) 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.**

- Policies 5.2.2 and 5.2.3 of the PPS apply to this application. Here it is stated:
  - 5.2.2 *Development* shall generally be directed to areas outside of:
    - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*;
    - c) *hazardous sites*.
  - 5.2.3 *Development* and *site alteration* shall not be permitted within:
    - d) a *floodway*...
- Floodplain mapping is not currently available for the Lake Ontario tributary stream Creek and as such, the extent of potential flooding on the property that may be associated with these watercourses are unknown. Based on our review of the characteristics of the watercourse and the contributing drainage areas, engineered floodplain mapping would not be warranted to define the flooding hazard.
- It is the opinion of LTC that this application is consistent with Section 5.2 of the PPS.

**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, wetlands and a watercourse 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: hazardous lands; river or stream valleys; 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, or within 15 metres of the stable top of bank or delineated floodplain of a watercourse (whichever is greater), any watercourse alterations (e.g., dredging, culvert installation, bridge construction, etc.), 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,
  - 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.

There appears to be sufficient room on the proposed severed lands to situate a residential envelope outside of regulated features and areas.

- It is important to note that 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 it is included in the LTC screening mapping. Similarly, if a feature has been demonstrated to *not* meet the definition, it would *not* be regulated.

LTC staff did a cursory review of the Environmental Impact Study (EIS) prepared by Cambium Inc. and dated November 11, 2024. It is important to note that the report did not include soils information, which is required for wetland identification under the regulation. Specific to the proposal, the report appears to identify portions of mapped wetland north of the berm as upland communities but has not included specific vegetation and soils information from the area being 'removed' from wetland mapping. The more conservative wetland mapping will be used by LTC for determination of the regulatory limit until such a time that site-specific information is provided to substantiate the updated mapping. However, as noted above, there appears to be sufficient space for development outside of the features and setbacks.

- **Any proposed development activities on the severed or retained lands will require a formal clearance letter or permit from our office.**
- Landowner(s) are encouraged to contact LTC to discuss this matter directly if they have any questions or concerns. It is anticipated that the agent 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 subject lands. A permit or formal clearance from LTC would be required prior to any development activities taking place on either resultant parcel (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,



Kim Stephens, M.Env.Sc  
Acting Environmental Planner  
613-394-3915 ext. 238