



# LOWER TRENT CONSERVATION

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Registered Charitable Organization No. 107646598RR0001

May 15, 2025

LTC File No. PL-25-071

Victoria Heffernan  
Manager of Planning and Development  
Township of Cramahe

**RE: Application for Consent – CLARK for MIEDEMA FARMS INC**  
**374 County Road 27, Township of Cramahe, Northumberland County**  
**Concession 9, Part Lot 13**  
**Application No: D10-MIE-13-25**

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Dear Victoria,

Lower Trent Conservation (LTC) is in receipt of the above noted application, which was circulated to our office on April 28, 2025 for review and comment. We understand that the purpose of the consent application is to sever a 1.13 hectare developed lot with a dwelling and accessory structures that is surplus to the farm operation. Approximately 37 hectares of land developed with agricultural buildings will be retained.

#### 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 April 28, 2025;
- Planning Justification Report by Clark Consulting Services, dated April 2025;
- Copy of Application for Consent, deemed completed April 22, 2025; and,
- Severance Sketch by IBW Surveyors, dated March 3, 2025.

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 provided that site-specific zoning be implemented (e.g., Holding symbol or exception zone) on the severed lands which requires a slope stability/erosion hazard assessment prior to any future development proposals to ensure activities take place outside of *hazardous lands* and their associated access setbacks.**

**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 subject lands and that, a permit from LTC may be required for development and/or site alteration on both resultant lots prior to the commencement of any on-site work. Landowner(s) will need to**

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*Member of Conservation Ontario  
Representing Ontario's 36 Conservation Authorities*

**contact LTC to confirm permitting requirements and restrictions.**

*Refer to the following sections for context.*

#### **SITE CHARACTERISTICS**

Existing mapping indicates that the subject property contains two tributaries of Salt Creek. The southernmost tributary is within a considerable stream valley.

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 Township of Cramahe's Official Plan and zoned Agriculture (A) Zone and Environmental Protection (EP) 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*;
  - 5.2.3 *Development* and *site alteration* shall not be permitted within:
    - d) a *floodway*...
- Floodplain mapping is not currently available for the mapped tributaries of Salt 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.
- LTC attended the site visit on August 20, 2024. A considerable stream valley with steep slopes in locations was observed surrounding the stream to the rear of the dwelling. The approximate apparent top of valley slope is depicted in the consent sketch. It is important to note that the apparent top of valley does not necessary reflect the stable top of valley due to the slope characteristics, and the *erosion hazard* may therefore be more extensive.

Due to the proximity of the existing dwelling, septic and accessory structures to the stream valley, the location of the lot lines appears to have been situated with consideration for the hazard. It does not appear to be possible for the *development* (i.e., lot creation) to take place entirely outside of the *erosion hazard*.

LTC recommends that site-specific zoning (e.g., Holding symbol or Exception Zone) be applied to the severed lands which requires a slope stability/erosion hazard assessment prior to any future development proposals to ensure activities take place outside of *hazardous lands* and their associated access setbacks.

- **It is the opinion of LTC that this application can be considered consistent with Section 5.2 of the PPS, provided that site-specific zoning is applied which prohibits future development on the severed lands in the absence of a slope stability/erosion hazard assessment.**

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, tributaries of Salt Creek and their stream valleys 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 any wetlands 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.
- 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.

In the case of the subject lands, the regulated area associated with the stream valley is not fully reflected in the regulatory screening mapping due to the depth and slopes of the valley.

A site assessment was undertaken to confirm whether the vegetation communities within the southern stream valley met the definition of a wetland. No wetlands were observed in this portion of

the valley. Other areas of stream valley on the subject lands were not investigated, and aerial imagery suggests wetland vegetation may be present.

- Any proposed agricultural expansion on the retained lands, or development activities near the agricultural buildings, would need to be reviewed by our office for regulatory conformity.

An entrance is existing for the retained lands. Any activities to upgrade or modify the entrance would be subject to stream valley, erosion hazard, and watercourse crossing policies.

- LTC acknowledges that the dwelling, septic, and accessory structures on the proposed severed lands are to the south of the apparent top of stream valley. However, given the steep slope of the valley lands, they may be within the erosion hazard (i.e., the stable top of slope may be further south than some of the structures). LTC is not requiring a relocation of the structures or septic.

**However, LTC recommends that site-specific zoning be put in place to require a slope stability/ erosion hazard assessment if any future development activities are proposed on the severed lands, to ensure they are outside of the hazard and associated access setback. Access permission on the retained lands will need to be obtained to undertake this assessment.**

There appears to be considerable space in the southwestern field where future development activities could be situated with consideration for the hazard.

**Any future development activities on the proposed severed lands will require a permit or formal clearance from LTC.**

- 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 agent and 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, provided that site-specific zoning is put in place to prohibit additional activities on the severed lands in the absence of a slope stability assessment;
2. Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24 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, subject to the zoning noted above. 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  
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