



LOWER TRENT
CONSERVATION

APPENDIX C

ONTARIO REGULATION 41/24

May 31, 2024

Conservation Authorities Act

ONTARIO REGULATION 41/24 PROHIBITED ACTIVITIES, EXEMPTIONS AND PERMITS

Consolidation Period: From April 1, 2024 to the [e-Laws currency date](#).

No amendments.

This is the English version of a bilingual regulation.

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Definitions

1. (1) In section 28 of the Act and in this Regulation,

“development activity” means,

- (a) the construction, reconstruction, erection or placing of a building or structure of any kind,
- (b) 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,
- (c) site grading, or
- (d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere; (“activité d’aménagement”)

“hazardous land” means land that could be unsafe for development because of naturally occurring processes associated with flooding, erosion, dynamic beaches or unstable soil or bedrock; (“terrain dangereux”)

“watercourse” means a defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs; (“cours d’eau”)

“wetland” means land that,

- (a) is seasonally or permanently covered by shallow water or has a water table close to or at its surface,
- (b) directly contributes to the hydrological function of a watershed through connection with a surface watercourse,
- (c) has hydric soils, the formation of which have been caused by the presence of abundant water, and
- (d) has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which have been favoured by the presence of abundant water. (“terre marécageuse”)

(2) The definition of “wetland” in subsection (1) does not include periodically soaked or wet land used for agricultural purposes which no longer exhibits a wetland characteristic referred to in clause (c) or (d) of that definition.

Prohibited activities, subparagraph 2 iii of s. 28 (1) of the Act

2. (1) For the purposes of subparagraph 2 iii of subsection 28 (1) of the Act, river or stream valleys include river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined as follows:

1. Where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of the bank, plus 15 metres, to a similar point on the opposite side.
2. Where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side.
3. Where the river or stream valley is not apparent, the valley extends,
 - (i) to the furthest of the following distances:
 - A. the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard to a similar point on the opposite side, and
 - B. the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard to a similar point on the opposite side, and
 - (ii) an additional 15-metre allowance on each side, except in areas within the jurisdiction of the Niagara Peninsula Conservation Authority.

(2) For the purposes of subparagraph 2 iv of subsection 28 (1) of the Act, areas adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beach hazards include,

- (a) the area starting from the furthest offshore extent of the authority's boundary to the furthest of the following distances:
 - (i) the 100-year flood level, plus the appropriate allowance for wave uprush, and, if necessary, for other water-related hazards, including ship-generated waves, ice piling and ice jamming, except in respect of Wanapitei Lake in the Nickel District Conservation Authority, the applicable flood event standard for that lake being the one set out in item 1 of Table 16 of Schedule 1,
 - (ii) the predicted long-term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period, and
 - (iii) where a dynamic beach is associated with the waterfront lands, an allowance of 30 metres inland to accommodate dynamic beach movement, except in the areas within the jurisdictions of the Mattagami Region Conservation Authority, the Nickle District Conservation Authority and the North Bay-Mattawa Conservation Authority where the allowance is 15 metres inland; and
- (b) the area that is an additional 15 metres allowance inland from the area described in clause (a).

(3) For the purposes of subparagraph 2 v of subsection 28 (1) of the Act, other areas in which development activities are prohibited are the areas within an authority's area of jurisdiction that are within 30 metres of a wetland.

Applicable Flood Event Standards

3. The applicable flood event standards with respect to an authority, for the purposes of paragraph 3 of subsection 2 (1) and to determine the maximum susceptibility to flooding of lands or areas in the area of jurisdiction of an authority are the standards specified in Schedule 1 as those standards are described in Schedule 2.

Maps of regulated areas

4. (1) An authority shall develop maps depicting the areas within the authority's area of jurisdiction where development activities are prohibited under paragraph 2 of subsection 28 (1) of the Act which shall be filed at the head office of the authority and made available to the public on the authority's website, and by any other means that the authority considers advisable.

- (2) At least once annually, the authority shall,
 - (a) review the maps referred to in subsection (1) and determine if updates to the maps are required;
 - (b) make and file such updates to the maps at its head office if required; and
 - (c) make the updated maps available to the public on its website and by any other means it considers advisable.

(3) Where new information or analysis becomes available that may result in significant updates to the areas where development activities are prohibited under paragraph 2 of subsection 28 (1) of the Act, including enlargements or reductions to such areas, the authority shall ensure that stakeholders, municipalities and the public are notified of the proposed changes

in any manner that the authority considers advisable, including making any relevant information or studies available online at least 30 days prior to an authority meeting during which the proposed changes are on the agenda.

(4) Where significant changes to the areas where development activities are prohibited have been made in accordance with subsection (3), the authority shall promptly update the maps described in subsection (1).

(5) For greater certainty, in case of a conflict regarding the boundaries of the areas where development activities are prohibited under paragraph 2 of subsection 28 (1) of the Act, the description of those areas in that paragraph and in section 2 of this Regulation prevail over the depiction of the areas in the maps referred to in subsection (1) of this section.

Exceptions

5. Paragraph 2 of subsection 28 (1) of the Act does not apply to,

- (a) the construction, reconstruction, erection or placement of,
 - (i) a seasonal or floating dock that,
 - (A) is 10 square metres or less,
 - (B) does not require permanent support structures, and
 - (C) can be removed in the event of flooding,
 - (ii) a rail, chain-link or panelled fence with a minimum of 75 millimetres of width between panels, that is not within a wetland or watercourse,
 - (iii) agricultural in-field erosion control structures that are not within and that do not have any outlet of water directed or connected to a watercourse, wetland or river or stream valley,
 - (iv) a non-habitable accessory building or structure that,
 - (A) is incidental or subordinate to the principal building or structure,
 - (B) is 15 square metres or less, and
 - (C) is not within a wetland or watercourse, or
 - (v) an unenclosed detached deck or patio that is 15 square metres or less, is not placed within a watercourse or wetland and does not utilize any method of cantilevering;
- (b) the installation of new tile drains that are not within a wetland or watercourse, within 30 metres of a wetland or within 15 metres of a watercourse, and that have an outlet of water that is not directed or connected to a watercourse, wetland or river or stream valley, or the maintenance or repair of existing tile drains;
- (c) the installation, maintenance or repair of a pond for watering livestock that is not connected to or within a watercourse or wetland, within 15 metres of a wetland or a watercourse, and where no excavated material is deposited within an area where subsection 28 (1) of the Act applies;
- (d) the maintenance or repair of a driveway or private lane that is outside of a wetland or the maintenance or repair of a public road, provided that the driveway or road is not extended or widened and the elevation, bedding materials and existing culverts are not altered;
- (e) the maintenance or repair of municipal drains as described in, and conducted in accordance with the mitigation requirements set out in the Drainage Act and the Conservation Authorities Act Protocol, approved by the Minister and available on a government of Ontario website, as it may be amended from time to time; and
- (f) the reconstruction of a non-habitable garage with no basement, if the reconstruction does not exceed the existing footprint of the garage and does not allow for a change in the potential use of the garage to create a habitable space.

Pre-submission consultation

6. (1) Prior to submitting an application for a permit under section 28.1 of the Act, an authority and the applicant may engage in pre-submission consultation for the purposes of confirming the requirements of a complete application to obtain a permit for the activity in question, which may include,

- (a) requests by the authority to the applicant for,
 - (i) initial information on the proposed activity such as a description of the project and any associated plans, or
 - (ii) details about the property upon which the activities are proposed to be carried out, including copies of plans, maps or surveys; or
- (b) meetings between the authority and the applicant prior to the submission of an application, including any site visits to the property where the activities are proposed to be carried out.

(2) If the applicant requests a pre-submission consultation under subsection (1), the authority is required to engage in the pre-submission consultation.

Application for permit

7. (1) An application for a permit under section 28.1 of the Act shall be submitted to an authority and shall include,

- (a) a plan of the area showing the type and location of the proposed development activity or a plan of the area showing plan view and cross-section details of an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;
- (b) the proposed use of any buildings and structures following completion of the development activity or a statement of the purpose of an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland;
- (c) the start and completion dates of the development activity or other activity;
- (d) a description of the methods to be used in carrying out an activity to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;
- (e) the elevations of existing buildings, if any, and grades and the proposed elevations of any buildings and grades after the development activity or other activity;
- (f) drainage details before and after the development activity or other activity;
- (g) a complete description of any type of fill proposed to be placed or dumped;
- (h) a confirmation of authorization for the proposed development activity or other activity given by the owner of the subject property, if the applicant is not the owner; and
- (i) any other technical information, studies or plans that the authority requests including information requested during pre-submission consultations between the authority and the applicant.

(2) Upon receipt of the information required under subsection (1) and payment by the applicant of the fee charged by the authority under subsection 21.2 (4) of the Act, the authority shall notify the applicant in writing, within 21 days, whether or not the application complies with subsection 28.1 (3) of the Act and is deemed to be a complete application.

(3) If the authority notifies an applicant under subsection (2) that the application is complete, the authority shall not require new studies, technical information or plans under clause (1) (i) from the applicant to make a determination on the application, unless agreed to by the authority and the applicant. For greater certainty, the authority may ask the applicant for clarification or further details regarding any matter related to the application.

Request for review

8. (1) An applicant may request a review by the authority if,

- (a) the applicant has not received a notice from the authority within 21 days in accordance with subsection 7 (2);
- (b) the applicant disagrees with the authority's determination that the application for a permit is incomplete; or
- (c) the applicant is of the view that a request by the authority for other information, studies or plans under clause 7 (1) (i) is not reasonable.

(2) A review requested by an applicant under subsection (1) shall be completed by the authority no later than 30 days after it is requested and the authority shall, as the case may be,

- (a) confirm that the application meets the requirements of subsection 7 (1) and is complete or provide reasons why the application is incomplete; or
- (b) provide reasons why a request for other information, studies or plans under clause 7 (1) (i) is reasonable or withdraw the request for all or some of the information, studies or plans.

Conditions of permits

9. (1) An authority may attach conditions on a permit issued under section 28.1 of the Act only if, in the opinion of the authority, the conditions,

- (a) assist in preventing or mitigating any effects on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- (b) assist in preventing or mitigating any effects on human health or safety or any damage or destruction of property in the event of a natural hazard; or
- (c) support the administration or implementation of the permit, including conditions related to reporting, notification, monitoring and compliance with the permit.

(2) In addition to the conditions referred to in subsection (1), the Lake Simcoe Region Conservation Authority may attach conditions to a permit that relate to designated policies and other policies in the Lake Simcoe Protection Plan that apply to the issuance of the permit.

Lake Simcoe Protection requirements

10. For the purpose of clause 28.1 (1) (c) of the Act, a decision to issue a permit within the area of jurisdiction of the Lake Simcoe Region Conservation Authority shall,

- (a) conform with any designated policies in the Lake Simcoe Protection Plan that apply to the issuance of the permit; and
- (b) have regard to any other policies in the Lake Simcoe Protection Plan that apply to the issuance of the permit.

Period of validity of permits and extensions

11. (1) The maximum period of validity of a permit issued under sections 28.1, 28.1.1 and 28.1.2 of the Act, including any extension, is 60 months.

(2) If a permit is issued for less than the maximum period of validity, the holder of a permit may, at least 60 days before the expiry of the permit, submit an application for an extension of the permit to,

- (a) the authority that issued the permit, in the case of permits issued under section 28.1 or 28.1.2 of the Act; or
- (b) the Minister, in the case of permits issued under section 28.1.1 of the Act.

(3) An authority or the Minister, as the case may be, may approve an extension of the period of validity of a permit that was issued for a period of less than 60 months but the total period of validity of the permit, including the extension, shall not exceed 60 months.

(4) If an authority intends to refuse a request for an extension, the authority shall give notice of intent to refuse to the holder of the permit, indicating that the extension will be refused unless the holder requests a hearing under subsection (5).

(5) Within 15 days of receiving a notice of intent to refuse a request for an extension, the holder of the permit may submit a written request for a hearing to the authority.

(6) If a request for hearing is submitted under subsection (5), the authority shall hold the hearing within a reasonable time, and shall give the holder at least five days notice of the date of the hearing.

(7) After holding a hearing under subsection (6), the authority may,

- (a) confirm the refusal of the extension; or
- (b) grant an extension for such period of time as it deems appropriate, as long as the total period of validity of the permit does not exceed the applicable maximum period specified in subsection (1).

Policy and procedure documents re permits

12. Each authority shall develop policy and procedure documents with respect to permit applications and reviews that, at a minimum, include the following:

1. Additional details regarding the pre-submission consultation process described in section 6 as well as additional details related to complete permit application requirements.
2. Procedures respecting the process for a review under section 8.
3. Standard timelines for the authority to make a decision on permit applications following a notification that an application is complete under subsection 7 (2), as the authority determines advisable.
4. Any other policies and procedures, as the authority considers advisable, for the purpose of administering the issuance of permits under Part VI of the Act.
5. A process for the periodic review and updating of the authority's policy and procedure documents, including procedures for consulting with stakeholders and the public during the review and update process, as the authority considers advisable.

13. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

**SCHEDULE 1
FLOOD EVENT STANDARDS**

1. For the following conservation authorities, the applicable flood event standards are those specified in Table 1 below:

1. Ausable Bayfield Conservation Authority.
2. Catfish Creek Conservation Authority.
3. Credit Valley Conservation Authority.

4. Ganaraska Region Conservation Authority.
5. Grand River Conservation Authority.
6. Halton Region Conservation Authority.
7. Kettle Creek Conservation Authority.
8. Maitland Valley Conservation Authority.
9. Saugeen Valley Conservation Authority.
10. Toronto and Region Conservation Authority.

TABLE 1

Item	Areas	Applicable Flood Event Standards
1.	All areas	The Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100-year flood level plus wave uprush

2. For the following conservation authorities, the applicable flood event standards are those specified in Table 2 below:
1. Cataraqui Region Conservation Authority.
 2. Long Point Region Conservation Authority.
 3. Quinte Region Conservation Authority.
 4. Raisin Region Conservation Authority.
 5. South Nation River Conservation Authority.

TABLE 2

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard and the 100-year flood level plus wave uprush

3. For the following conservation authorities, the applicable flood event standards are those specified in Table 3 below:
1. Mississippi Valley Conservation Authority.
 2. Rideau Valley Conservation Authority.

TABLE 3

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard

4. For the following conservation authorities, the applicable flood event standards are those specified in Table 4 below:
1. Mattagami Region Conservation Authority.
 2. Nottawasaga Valley Conservation Authority.
 3. Sault Ste. Marie Region Conservation Authority.

TABLE 4

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard, the Timmins Flood Event Standard, and the 100-year flood level plus wave uprush

5. For the Crowe Valley Conservation Authority, the applicable flood event standards are those specified in Table 5 below:

TABLE 5

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard, the Timmins Flood Event Standard, the Hurricane Hazel Flood Event Standard and the 100-year flood level

6. For the Kawartha Region Conservation Authority, the applicable flood event standards are those specified in Table 6 below:

TABLE 6

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 100 Year Flood Event Standard and the Timmins Flood Event Standard

7. For the Central Lake Ontario Conservation Authority, the applicable flood event standards are those specified in Table 7 below:

TABLE 7

Item	Areas	Applicable Flood Event Standards
1.	Pringle Creek and Darlington	The 100 Year Flood Event Standard
2.	Lake Ontario in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Hurricane Hazel Flood Event Standard

8. For the Essex Region Conservation Authority, the applicable flood event standards are those specified in Table 8 below:

TABLE 8

Item	Areas	Applicable Flood Event Standards
1.	The main branch and the east branch (Silver Creek) of the Ruscom River, and its tributaries within the Town of Lakeshore and the Town of Kingsville and the main and north branch of Canard River in the Town of LaSalle, Concessions I and II, and on the main branch of the Canard River in the Town of Amherstburg, Concessions I, II, III and IV	The March 1985 Flood Event Standard
2.	All other areas	The 100 Year Flood Event Standard

9. For the Grey Sauble Conservation Authority, the applicable flood event standards are those specified in Table 9 below:

TABLE 9

Item	Areas	Applicable Flood Event Standards
1.	The Sauble River Watershed	The 100 Year Flood Event Standard
2.	Lake Huron and Georgian Bay in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other watersheds	The Timmins Flood Event Standard

10. For the Hamilton Region Conservation Authority, the applicable flood event standards are those specified in Table 10 below:

TABLE 10

Item	Areas	Applicable Flood Event Standards
1.	Watercourses WCO, WCI, WC2, 3, 4, 5.0, 5.1, 6.0, 6.1, 6.2, 6.3, 6.4, 7.0, 7.1, 7.2, 7.3, 8.0, 9.0, 10.0, 10.1, 10.2, 11.0 and 12.0 as indicated on Map Figure 1 of Project 98040-A, Stoney Creek, Stormwater Management Assessment, prepared by Philips Engineering and located at the Hamilton Region Conservation Authority head office and	The 100-year flood level

	Hamilton Harbour in the Great Lakes-St. Lawrence River System	
2.	Lake Ontario in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Hurricane Hazel Flood Event Standard

11. For the Lake Simcoe Region Conservation Authority, the applicable flood event standards are those specified in Table 11 below:

TABLE 11

Item	Areas	Applicable Flood Event Standards
1.	Bunker's Creek and Sophia Creek	The 100 Year Flood Event Standard
2.	Talbot River and the Trent-Severn waterway	The Timmins Flood Event Standard
3.	Lake Simcoe	The 100-year flood level plus wave uprush
4.	All other areas	The Hurricane Hazel Flood Event Standard

12. For the Lakehead Region Conservation Authority, the applicable flood event standards are those specified in Table 12 below:

TABLE 12

Item	Areas	Applicable Flood Event Standards
1.	The main channel of the Kaministiquia River	The 100 Year Flood Event
2.	Lake Superior in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	Timmins Flood Event Standard

13. For the Lower Thames Valley Conservation Authority, the applicable flood event standards are those specified in Table 13 below:

TABLE 13

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 1937 Regulatory Flood Event Standard and the 100-year flood level plus wave uprush

14. For the Lower Trent Region Conservation Authority, the applicable flood event standards are those specified in Table 14 below:

TABLE 14

Item	Areas	Applicable Flood Event Standards
1.	The main channels of Rice Lake and Trent River	The rainfall, snowmelt, or a combination of rainfall and snowmelt, that would produce the water surface elevations above Canadian Geodetic Datum described in Table 1 of Schedule 3
2.	Lake Ontario in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Timmins Flood Event Standard

15. For the Niagara Peninsula Conservation Authority, the applicable flood event standards are those specified in Table 15 below:

TABLE 15

Item	Areas	Applicable Flood Event Standards
1.	The watersheds associated with Shriner's Creek, Ten Mile Creek and Beaverdam Creek (including Tributary W-6-5) in the City of Niagara Falls	The Hurricane Hazel Flood Event Standard
2.	Lake Ontario and Lake Erie in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The 100 Year Flood Event Standard

16. For the Nickel District Conservation Authority, the applicable flood event standards are those specified in Table 16 below:

TABLE 16

Item	Areas	Applicable Flood Event Standards
1.	Wanapitei Lake	The maximum flood allowance elevation of 267.95 metres Canadian Geodetic Datum (in accordance with Ontario Power Generation's Licence of Occupation Agreement #6168)
2.	All other areas	The Timmins Flood Event Standard and the 100 Year Flood Event Standard

17. For the North Bay-Mattawa Conservation Authority, the applicable flood event standards are those specified in Table 17 below:

TABLE 17

Item	Areas	Applicable Flood Event Standards
1.	Chippewa Creek and its tributaries below the North Bay Escarpment, Parks Creek, the Mattawa River in the Town of Mattawa and the La Vase River	The 100 Year Flood Event Standard
2.	Lake Nipissing	100-year flood level plus wave uprush
3.	All other areas	The Timmins Flood Event Standard

18. For the Otonabee Region Conservation Authority, the applicable flood event standards are those specified in Table 18 below:

TABLE 18

Item	Areas	Applicable Flood Event Standards
1.	Rice Lake, Stony Lake, Clear Lake, Lovesick Lake, Deer Bay, Buckhorn Lake, Chemong Lake, Pigeon Lake, Katchiwanooka Lake and Lower Buckhorn Lake	The rainfall, snowmelt, or a combination of rainfall and snowmelt, that would produce the water surface elevations above Canadian Geodetic Datum described in Table 2 of Schedule 3.
2.	All other areas	The Timmins Flood Event Standard

19. For the St. Clair Region Conservation Authority, the applicable flood event standards are those specified in Table 19 below:

TABLE 19

Item	Areas	Applicable Flood Event Standards
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1.	Perch Creek	The 100 Year Flood Event Standard
2.	Lake Huron, Lake St. Clair and St. Clair River in the Great Lakes-St. Lawrence River System	The 100-year flood level plus wave uprush
3.	All other areas	The Hurricane Hazel Flood Event Standard

20. For the Upper Thames Region Conservation Authority, the applicable flood event standards are those specified in Table 20 below:

TABLE 20

Item	Areas	Applicable Flood Event Standards
1.	All areas	The 1937 Flood Event Standard

SCHEDULE 2
DESCRIPTION OF STANDARDS

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 is modified by the percentage amount shown in Column 2 of Table 2 opposite the corresponding size of the drainage area set out Column 1 of Table 2.

TABLE 1

73 millimetres of rain in the first 36 hours
6 millimetres of rain in the 37th hour
4 millimetres of rain in the 38th hour
6 millimetres of rain in the 39th hour
13 millimetres of rain in the 40th hour
17 millimetres of rain in the 41st hour
13 millimetres of rain in the 42nd hour
23 millimetres of rain in the 43rd hour
13 millimetres of rain in the 44th hour
13 millimetres of rain in the 45th hour
53 millimetres of rain in the 46th hour
38 millimetres of rain in the 47th hour
13 millimetres of rain in the 48th hour

TABLE 2

Column 1 Drainage Area (square kilometres)	Column 2 Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7

2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

2. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 3; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 3 is modified by the percentage amount shown in Column 2 of Table 4 opposite the corresponding size of the drainage area set out in Column 1 of Table 4.

TABLE 3

15 mm of rain in the 1st hour
20 mm of rain in the 2nd hour
10 mm of rain in the 3rd hour
3 mm of rain in the 4th hour
5 mm of rain in the 5th hour
20 mm of rain in the 6th hour
43 mm of rain in the 7th hour
20 mm of rain in the 8th hour
23 mm of rain in the 9th hour
13 mm of rain in the 10th hour
13 mm of rain in the 11th hour
8 mm of rain in the 12th hour

TABLE 4

Column 1 Drainage Area (km ²)	Column 2 Percentage
26 to 50 both inclusive	97
51 to 75 both inclusive	94
76 to 100 both inclusive	90
101 to 150 both inclusive	87
151 to 200 both inclusive	84
201 to 250 both inclusive	82
251 to 375 both inclusive	79
376 to 500 both inclusive	76
501 to 750 both inclusive	74
751 to 1000 both inclusive	70
1001 to 1250 both inclusive	68
1251 to 1500 both inclusive	66
1501 to 1800 both inclusive	65
1801 to 2100 both inclusive	64
2101 to 2300 both inclusive	63
2301 to 2600 both inclusive	62
2601 to 3900 both inclusive	58
3901 to 5200 both inclusive	56
5201 to 6500 both inclusive	53
6501 to 8000 both inclusive	50

3. The 100 Year Flood Event Standard means rainfall, snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

4. The 100-year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for inland lakes and the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

5. The March 1985 Flood Event Standard means the flood levels observed, surveyed and mapped, and located at the Essex Region Conservation Authority head office, along portions of the relevant prescribed watercourses that exceeded the 100 Year Flood Event Standard.

6. The 1937 Flood Event Standard means the historical observed 1937 flood on the Thames River. This event is equivalent to the combination of events that caused the flood event on the Thames River in April of 1937. The 1937 flood event is estimated to be equivalent to a 1 in 250-year return flood.

7. The 1937 Regulatory Flood Event Standard means the historical observed 1937 flood on the Thames River. This event is equivalent to a flow of 1,540 cubic metres per second (cms) commencing at Delaware and proportionately reducing until 1,160 cms at Thamesville and 1,125 cms at Chatham. The 1937 flood event is estimated to be equivalent to a 1 in 250-year return flood.

**SCHEDULE 3
WATER SURFACE ELEVATIONS**

1. The water surface elevations above Canadian Geodetic Datum applicable to Item 1 in Table 14 of Schedule 1 are shown in Table 1.

**TABLE 1
LOWER TRENT REGION CONSERVATION AUTHORITY**

Location	Water Surface Elevation
Rice Lake	187.9 metres
Trent River below Dam #1 (Trenton)	77.2 metres
Trent River below Dam #2 (Sidney)	81.3 metres
Trent River below Dam #3 (Glen Miller)	87.7 metres
Trent River below Dam #4 (Batawa)	95.7 metres
Trent River below Dam #5 (Trent)	101.7 metres
Trent River below Dam #6 (Frankford)	107.9 metres
Trent River below Dam #7 (Glen Ross)	113.5 metres
Trent River below Dam #8 (Meyers)	117.9 metres
Trent River below Dam #9 (Hagues Reach)	128.1 metres
Trent River below Dam # 10 (Ranney Falls)	143.4 metres
Trent River below Dam #11 (Campbellford)	148.3 metres
Trent River below Dam #12 (Crowe Bay)	154.3 metres
Trent River below Dam #13 (Healy Falls)	175.5 metres
Trent River below Dam #14 (Hastings)	186.7 metres

2. The water surface elevations above Canadian Geodetic Datum applicable to Item 1 in Table 18 of Schedule 1 are shown in Table 2.

**TABLE 2
OTONABEE REGION CONSERVATION AUTHORITY**

Water Body	Water Surface Elevation
Rice Lake	187.90 metres
Stony Lake	235.95 metres
Clear Lake	235.95 metres
Lovesick Lake	242.16 metres
Deer Bay	244.31 metres
Buckhorn Lake	247.12 metres
Chemong Lake	247.12 metres
Pigeon Lake	247.12 metres
Katchiwanooka Lake	233.68 metres
Lower Buckhorn Lake	244.31 metres

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