



**LOWER TRENT**  
CONSERVATION

**LOWER TRENT REGION CONSERVATION AUTHORITY  
HEARING BOARD**

**for**

**O. Reg. 41/24 PERMIT APPLICATION #RP-25-002**

**MINUTES**

**DATE:** March 17, 2025

**TIME:** 2:35 p.m.

**LOCATION:** Administration Office, 714 Murray Street, Trenton / Virtually

**PRESENT:**

ON SITE		REMOTE SITE
Eugene (Gene) Brahaney (Chair)	Rick English	Lynda Reid
Sherry Hamilton (Vice-Chair)	Bob Mullin	
Jim Alyea	Eric Sandford	
Jeff Wheeldon		

**ABSENT/REGRETS:** Mike Ainsworth, Bobbi Wright

**STAFF:** Rhonda Bateman, Chitra Gowda, Gage Comeau, Scott Robertson, Kim Stephens

**APPLICANTS:** Property Owners – Mike Voskamp, Randy Voskamp  
Agent – Steve Blakey (Greer Galloway Group)

**GUESTS:** Victoria Hefferman (Township of Cramahe), Nicholas Fischer (Conservation Ontario)

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**1. Meeting called to order by the Chair**

The meeting was called to order by Chair Brahaney at 2:35 p.m.

**2. Motion for the Board of Directors to sit as the Hearing Board**

RES: HC11/25

Moved by: Bob Mullin

Seconded by: Jim Alyea

THAT the Board of Directors sit as the Lower Trent Conservation Hearing Board.

Carried

### 3. Opening Remarks by Chair for RP-25-002

Chair Brahaney made the following remarks:

We are now going to conduct a hearing under Section 28.1 of the Conservation Authorities Act in respect of an application by Steve Blakey of Greer Galloway on behalf of Mike Voskamp, for permission for development works as part of a future plan of subdivision which includes the removal and alteration of a Colborne Creek tributary, the removal and alteration of wetland features, and the placement of fill material within the Colborne Creek floodplain on Spencer Street, Village of Colborne – Spencer Street Subdivision Lands, Geographic Township of Cramahe, Concession 2, Part of Lot 28.

The Authority has adopted regulations under section 28.1 of the Conservation Authorities Act which requires the permission of the Authority for development within an area regulated by the Authority in order to ensure no adverse effect on the control of flooding, erosion, dynamic beaches, unstable soils or bedrock, or to permit alteration to a shoreline or watercourse or interference with a wetland. This Hearing is about granting permission to develop under the Authority regulations; a separate matter from approvals under the Planning Act.

The Staff has reviewed this proposed work and a copy of the staff report has been given to the applicant.

The Conservation Authorities Act (Section 28.1 [5]) provides that:

“(5) An authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority.”

While holding this hearing, the Hearing Board is to determine whether or not a permit is to be issued, with or without conditions. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing is to be presented at the hearing. It is not our place to suggest alternative development methods.

It is to be noted that if the Hearing Board decision is “to refuse” or not support the proposed work within the permit submission, the Chair or Acting Chair shall notify the owner/applicant of his/her right to appeal the decision to the Ontario Land Tribunals.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under Section 5 of the Canada Evidence Act, a witness may refuse to answer any question. The procedure in general shall be informal without the evidence before it being given under oath or affirmation. If the applicant has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chair of the Board.

At this time, if any member of this Board has intervened on behalf of the Applicant with regards to this matter, they should recuse themselves so there is no apprehension of bias and that a fair and impartial Hearing may be conducted.



#### **4. Disclosure of pecuniary interests**

There was no disclosure of pecuniary interests for this Hearing.

#### **5. Staff Report and Presentation**

Gage Comeau, Manager, Watershed Management, Planning and Regulations presented the comprehensive staff report to the Hearing Board as provided in the agenda package.

#### **6. Applicant Presentation**

The property owner's agent Steve Blakey (Greer Galloway Group) presented on the application. He explained that the proposal is for 45 new homes on the property, and that a wetland and creek located centrally across the property impacts the proposal by taking away area needed for the development. Steve said that the request to the LTC Hearing Board is to remove the centrally located wetland. He clarified that the proposal does not include any change to the wetland located at the north end of the property. He added that the two existing wetlands are approximately half an acre in area combined and not connected to other wetlands.

Steve Blakey said that flood issues affecting a neighbouring property could be addressed through a stormwater management pond. He proposed placing a pipe under the road for drainage and indicated that there would be no impacts to the creek nor to the hydrologic function of the wetlands. Steve Blakey said that there is a 3.5-meter level difference in ground elevation from east to west and that the property is relatively flat with no dynamic beaches. The applicant is requesting permission to alter the property as explained, in order to create 45 new homes on the property.

#### **7. Additional Information Sharing**

##### **a. Additional Questions from the Board**

Director Jim Alyea noted his visit to the property that morning and asked what the proposed drainage plan is for the centrally located wetland. Gage Comeau responded that a swale is proposed to be constructed to convey drainage to the west during construction of the homes. The property will eventually be piped to convey the flow. Steve Blakey added that a stormwater management facility is needed in order to mitigate impacts to neighbouring properties.

Director Eric Sandford asked if the centrally located wetland is proposed to be removed entirely. Steve Blakey confirmed the same. Director Sandford asked how a wetland could be removed. Gage Comeau said that it would start by removing the organic soils first; however, there are groundwater considerations. He added that the groundwater table varies throughout the subject lands with test pits indicating groundwater presence at or near the surface. Sump pumps and engineered and graded fill would be needed. Director Sandford noted that the proposal does not include a stormwater management pond and asked if it was planned to fill the entire lowland. Steve Blakey explained that the fill would not be level across the property, and that drainage would need to occur properly, and that pipes would need to be placed where the centrally located wetland is currently located.

Director Sherry Hamilton asked for an elaboration of the extensive dewatering required as noted in the proposal. Steve Blakey explained that the north creek sometimes seeps into the north wetland, and the geotechnical report refers to artesian conditions in that area. Director Sherry Hamilton asked how artesian conditions would be managed. Steve Blakey responded that French drains would need to be installed. Director Hamilton noted that such details were undetermined at this time. She sought clarity on what the Hearing Board is being asked to allow. Gage Comeau responded that the ask to the Hearing Board is to allow the construction of 45 new homes on the subject property.

Gage Comeau summarized that the Hearing Board's three choices: approve the permit for the proposal, or approve the permit with conditions, or deny the permit. Gage Comeau noted that Victoria Heffernan, Manager of Planning at the Township of Cramahe, was present at this meeting of the LTC Hearing Board. Victoria Heffernan said that a planning application has not been received yet and that she is hearing about the details only at this LTC Hearing Board meeting. Victoria Heffernan would like to know about the downstream impacts of the proposal.

**b. Comments or Questions from the Applicant**

There were no additional comments or questions from the Applicant.

**c. Comments or Questions from Staff**

There were no additional comments or questions from Staff.

**8. Deliberation (In-Camera/Closed Session)**

RES: HC12/25

Moved by: Eric Sandford

Seconded by: Bob Mullin

THAT the Hearing Board move to in-camera session.

Carried

Guests and Staff left the meeting for the Board to carry out deliberation in closed session.

Time 3:35 pm

RES: HC13/25

Moved by: Eric Sandford

Seconded by: Jeff Wheeldon

THAT the Lower Trent Conservation Hearing Board move out of closed session.

Carried

Time 3:53 pm

Guests and Staff returned to the Hearing Board meeting.

**9. Motion on the Hearing Board Decision for RP-25-002**

Chair Brahaney thanked the applicants for their patience and indicated that the Hearing Board cannot approve the permit. The Board felt that the development proposal did not meet the legislative and policy requirements. Specifically, it is in the opinion of the Board that the proposal does not adequately address concerns of unstable soils or flooding, and the proposed activities could jeopardize the health and safety of persons and property.

RES: HC14/25

Moved by: Eric Sandford

Seconded by: Jeff Wheeldon

THAT the permit application RP-25-002 be denied and staff be directed to inform the applicant.

Carried

**10. Motion to adjourn the Hearing Board**

There being no further business, the meeting was adjourned.

RES: HC15/25

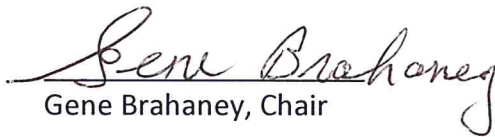
Moved by: Gene Brahaney

Seconded by: Sherry Hamilton

THAT the Hearing Board meeting for permit application RP-25-002 be adjourned.

Carried

Time: 3:58 pm

  
Gene Brahaney, Chair

  
Rhonda Bateman, CAO/ST