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## Report 2025-070

**Report Title:** Cramahe Official Plan Amendment No. 19  
218 Orchard Road

**Committee Name:** Economic Development, Tourism and Planning

**Committee Meeting Date:** April 2, 2025

**Prepared by:** Ashley Yearwood  
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Economic Development, Tourism and Strategic Initiatives

**Reviewed by:** Dwayne Campbell  
Director  
Economic Development, Tourism and Strategic Initiatives

**Approved by:** Jennifer Moore, CAO

**Council Meeting Date:** April 16, 2025

**Strategic Plan Priorities:**  Innovate for Service Excellence  
 Ignite Economic Opportunity  
 Foster a Thriving Community  
 Propel Sustainable Growth  
 Champion a Vibrant Future

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### Recommendation

**“That** the Economic Development, Tourism and Land Use Planning Committee, having considered Report 2025-070 ‘Cramahe Official Plan Amendment No. 19, 218 Orchard Road’, recommend that County Council approve Cramahe Official Plan Amendment No. 19; and

**Further That** the Committee recommend that County Council direct staff to provide a decision notice to the Township of Cramahe and all prescribed persons in accordance with the *Planning Act*.”

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### Purpose

The purpose of this report is to recommend approval for Cramahe Official Plan Amendment No. 19 (OPA 19) – 218 Orchard Road.

## Background

The subject property is located on the north side of Orchard Road, west of Big Apple Drive (County Road 25). The property is 12.95 hectares (32.0 acres) in size and was recently purchased and merged with The Big Apple property (a commercial tourist attraction), supporting the following temporary land uses:

- A commercial parking lot;
- A dog park; and
- A petting zoo (see Attachments 1 and 2).

Surrounding land uses include:

North: Highway 401 (abutting property), agricultural (most including a detached dwelling in conjunction with an agricultural operation), woodlands, watercourses, and wetlands;

East: The Big Apple (east side of the subject property), Union Cemetery, Big Apple Drive (County Road 25), industrial, and wetlands;

South: Orchard Road, agricultural (most including a detached dwelling in conjunction with an agricultural operation), commercial (gas station and restaurants), woodlands, a watercourse, and wetlands; and

West: Woodlands, a watercourse, the Township of Alnwick/Haldimand; agricultural (most including a detached dwelling in conjunction with an agricultural operation), and rural residential (see Attachment 1).

On July 19, 2022, the Township of Cramahe passed a zoning by-law to temporarily permit a commercial parking lot, dog park and petting zoo for up to two years. On June 25, 2024, the Township passed a second temporary zoning by-law, which granted a one-year extension to these land uses. The extension was conditional upon a Cramahe Official Plan amendment to permanently allow the land uses on the property.

In January 2024, Fotenn Planning and Design Inc. (the applicant) submitted a Cramahe Official Plan Amendment proposing text and schedule changes to recognize the existing commercial parking lot, dog park and petting zoo land uses on the subject property within the existing 'Employment Areas' designation.

It is our understanding that the owner also proposes to construct a storage warehouse facility with additional parking on the subject property. These land uses will be within the Township's 'Employment Areas' designation and will require a zoning by-law amendment (rezoning). It is our understanding that the applicant intends to submit a rezoning application to the Township following approval of this official plan amendment.

On April 30, 2024, the Township of Cramahe adopted Official Plan Amendment No. 19 (OPA 19). In accordance with the Planning Act, OPA 19 was submitted to Northumberland County for approval (see Attachment 3).

If the County grants approval to OPA 19, the applicant will be required to submit a zoning by-law amendment and site plan applications to permanently allow the land uses and approve the technical aspects of the development.

## **Consultations**

On March 12, 2024, the Township of Cramahe held a hybrid public meeting (virtual and in person) to obtain public input on OPA 19. Notice for the meeting was posted on the subject property and mailed to property owners within 120 metres of the property.

Township of Cramahe staff advised that the Township did not receive any public comments on this application.

The proposed amendment was also circulated to prescribed agencies, including County Planning for review prior to Cramahe Council considering the amendment.

Following Cramahe Council's adoption of OPA 19, notice of the adoption was sent to the County in accordance with the requirements of the *Planning Act*.

## **Discussion / Options**

The Cramahe Official Plan establishes land uses to guide development throughout the Township, and to ensure the protection of rural employment land uses. Cramahe Official Plan Schedule "A" – Land Use Plan illustrates the land use designations on the subject property and surrounding area.

Cramahe's Official Plan designates the subject property as "Employment Areas", which permits industrial land uses. The proposed commercial land uses are not listed in the Township's "Employment Areas" designation and as such, a special Employment areas policy is proposed to allow the uses.

In support of the development, Fotenn prepared a Functional Servicing Report (FSR) and a Species-at-Risk (SAR) Screening Report, which were reviewed by the Township and the Ministry of the Environment, Conservation and Parks.

The Township was satisfied with the findings and conclusions of the FSR, whereas the Ministry required additional information to ensure that the proposed development will not adversely impact identified endangered species (e.g., Eastern Meadowlark and Bats). Despite these concerns, the Ministry advised that in accordance with the Endangered Species Act, development applications such as official plan and zoning by-law amendments, which would not result in physical development can be processed, since they do not pose any contraventions to the Act. However, development applications such as site plan review must receive assurance from the Ministry since approval could directly lead to damaging or destroying endangered species habitat.

OPA 19 would add a new site specific "Special Employment Areas" policy on the property to recognize an existing commercial parking lot, dog park and petting zoo.

## **Legislative Authority / Risk Considerations**

The adopted text and mapping amendments were assessed for its conformity to the Northumberland County Official Plan (OP). The proposed changes conform to the County OP, since the proposed development will support the longevity and viability of a rural commercial tourism land use.

The adopted mapping change was also assessed for consistency with the Provincial Planning Statement (PPS). County Planning determined that the proposed change is consistent with the PPS, which provides opportunities to support diversified tourism within designated Rural Areas.

The adopted amendment is being approved by the Council of the County of Northumberland in accordance with the provisions of the *Planning Act* and Council By-law 2016-58.

The recommendations of the Economic Development, Tourism and Planning Committee are scheduled to be considered by County Council on April 16, 2025. Once County Council has rendered a decision regarding Cramahe Official Plan Amendment No. 19, and the County Clerk has issued the decision notice, a 20-day appeal period will begin during which time any interested party can submit an appeal to the Ontario Land Tribunal. If no appeals are received, County Council's decision will become final.

### **Financial Impact**

N/A

### **Member Municipality Impacts**

If County Council grants final approval, the applicant is required to submit additional development applications (zoning by-law amendment and site plan review) to the Township of Cramahe to facilitate the longevity of the current land uses before they expire. Prior to receiving final site plan approval, the applicant will also be required to satisfy the requirements of the Ministry of the Environment, Conservation and Parks to ensure the proposed development will not adversely impact endangered species that were identified on the subject property.

### **Conclusion / Outcomes**

Cramahe Official Plan Amendment No. 19 includes a text amendment and a land use mapping change on the property 218 Orchard Road located south of Highway 401, west of County Road 25 in Cramahe Township's rural employment area. The amendment will facilitate the expansion of The Big Apple.

The adopted amendment is in accordance with County Official Plan policies and applicable Provincial land use policies. As such, it is appropriate for County Council to approve the amendment.

### **Attachments**

1. Report 2025-070 ATTACH 1 'Map – Location Sketch'
2. Report 2025-070 ATTACH 2 'Proposed Conceptual Plan'
3. Report 2025-070 ATTACH 3 'Cramahe Official Plan Amendment No. 19'