

AMENDMENT NO. 17

TO THE

OFFICIAL PLAN OF THE TOWNSHIP OF CLEARVIEW

2136889 ONTARIO LIMITED
EAST PART OF LOT 31, CONCESSION 2
NOTTAWASAGA, NOW IN CLEARVIEW
5836 COUNTY ROAD 64

September 2015

AMENDMENT NO. 17

TO THE

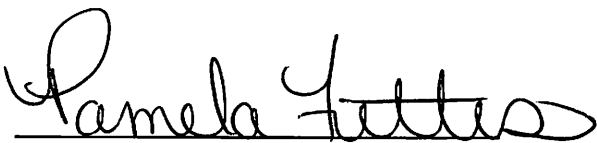
OFFICIAL PLAN OF THE TOWNSHIP OF CLEARVIEW

The attached text and Schedule "A" constituting **Amendment No. 17** to the Official Plan of the Township of Clearview, was adopted by the Council of the Corporation of the Township of Clearview by **By-law No. 15-70** in accordance with the provisions of Section 21 of the Planning Act, on the 14th day of September, 2015.



Chris Vanderkruys
Mayor/County Councillor

CORPORATE SEAL OF MUNICIPALITY



Pamela Fettes
Clerk

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

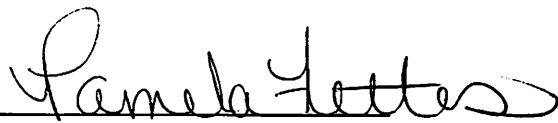
BY-LAW NO. 15-70

Being a By-law to adopt amendment Number 17 to the Official Plan of the Township of Clearview.

1. The attached text and schedule "A", which constitutes Amendment No. 17 to the Official Plan of the Township of Clearview, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the County of Simcoe for approval of Amendment No. 17 to the Official plan of the Township of Clearview.
3. This By-law shall come into force and take effect on the day of final passing thereof.

BY-LAW NUMBER 15-70 READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14th DAY OF SEPTEMBER, 2015.

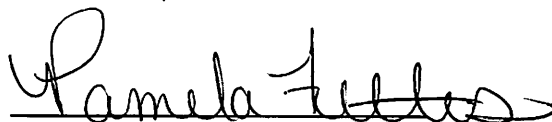
Chris Vanderkruys
Mayor/County Councillor



Pamela Fettes
Clerk

"CERTIFICATION"

I, Pamela Fettes, Clerk of the Township of Clearview, do hereby certify under my hand and the Corporation Seal that the foregoing is a true copy of By-law Number 15-70 of the Township, which was duly passed in open Council on September 14th, 2015.



Pamela Fettes, Clerk

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THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan of the Township of Clearview consists of three parts.

PART A – THE PREAMBLE, consisting of the title, purpose, location and basis for the amendment, does not constitute part of this amendment.

PART B – THE AMENDMENT, consisting of the actual text, constitutes Amendment No. 17 to the Official Plan of the Township of Clearview.

PART C – THE APPENDICES which do not constitute part of this amendment but are referenced for information purposes. The appendices include:

- APPENDIX 1 – Notice of Public Meeting
- APPENDIX 2 – Minutes of Public Meeting
- APPENDIX 3 – Comments Received
- APPENDIX 4 – Consultants Reports
- APPENDIX 5 – Planning Department Report

AMENDMENT NO. 17

TO THE

OFFICIAL PLAN OF THE TOWNSHIP OF CLEARVIEW

PART A – THE PREAMBLE

1. Title

The title of this amendment is “Amendment No. 17 to the Official Plan of the Township of Clearview”; hereinafter referred to as “Amendment No. 17”.

2. Purpose

The purpose of this Amendment to the Official Plan of the Township of Clearview, is as follows:

- (a) To re-designate a portion of the subject lands from Waste Disposal Industrial Special Policy 4.11.7.3., to Rural – Policy Exception 4.4.6.5;
- (b) to modify Schedule A – Map 4 – North Central Land Use and Transportation Plan of the Official Plan to the Township of Clearview in accordance with Schedule “A” to this Official Plan Amendment, and;
- (c) to establish additional requirements with respect to stand-alone industrial uses within the Rural designation.

3. Location

The lands affected by this amendment are located at East Part of Lot 31, Concession 2, formerly in the Township of Nottawasaga, now Township of Clearview. The property is approximately 18.8ha (46.4 acres). The site is located to the south of the Town of Wasaga Beach, it is north-west of the County of Simcoe Nottawasaga Landfill. It is located on the County Road 64. The extent of the amendment is shown on Schedule “A” attached hereto.

4. Basis of Amendment

The policies of the Township of Clearview Official Plan provide for stand-alone industrial uses in the Rural designation. The applicant would like to change the designation on the subject lands to Rural. The subject lands are currently designated 4.11.7.3 Waste Disposal Industrial Special Policy to permit a privately owned reuse recycling and transfer station. The purpose of the transfer station was to recycle construction materials. More specifically it would accept, process, and distribute non-hazardous solid recyclables/waste. The materials would be collected from construction, demolition and renovation projects.

While all the planning approvals for the reuse, recycling and transfer station were obtained, including a site plan approval and execution of the site plan agreement. The previous owner never developed the site. A new owner has purchased the property with the intention of operating a truck terminal. The truck terminal is not a permitted use within the 4.11.7.3 Waste Disposal Industrial Special Policy and requires an Official Plan Amendment to Rural designation.

An application for development for a truck terminal was received April 2, 2015. Specifically the proposed truck terminal would consist of the following:

- Parking area for 30 large trucks;
- 650 square metre (7000 square foot) building to be occupied by a shop, office space and washrooms;
- Employee parking for approximately 30 persons;
- Fuel tank;
- Well and septic system; and
- Landscaping buffers.

The subject lands require approvals from the Township of Clearview for a site specific Official Plan Amendment to allow a truck terminal. In addition, they will require a Zoning By-law Amendment and Site Plan Approval.

When considering any application to the Official Plan, the proposal should be consistent with the Provincial Policy Statement and Places to Grow, Growth Plan. The application will designate the subject lands to Rural to allow for a standalone industrial use. The Provincial Policy statement Section 1.1.4. Rural Areas in Municipalities state that Rural Areas are important to the economic success of the province of which Rural Lands are an important component. Section 1.1.5 Rural Lands allows for diversification of uses and the truck terminal would be considered under f) other rural land uses. In this case the truck terminal is an opportunity to diversify the rural economy, it has a large land area and separation from other land uses due to the nature of the business.

Under the Places to Grow, Section 2.2.9 Rural Areas, development outside of rural settlement areas is permitted except where necessary for development related to the management or use of resources, resource-based recreational activities and rural land uses that cannot be located in settlement areas. The truck terminal will require a large amount of land as well as generate larger amounts of truck traffic. The designation to Rural will be less invasive than the Waste Disposal Industrial Special Policy, and is more in keeping with the surrounding lands uses.

The policies of the County of Simcoe Official Plan and the Township of Clearview Official Plan provide for stand-alone industrial uses, within the Rural designation. Specifically section 4.4.2.4 Non-Agricultural Industrial and Commercial Uses, 3. Stand-Alone Industrial Use are permitted within the Rural designation and maybe considered by amendment to the implementing Zoning By-law provided the use complies with all applicable policies of the plan and meets one or more of the following criteria:

- The industrial use engages in the primary processing of land-related resources found on the proposed site or in close proximity to the site;
- The proposed use is not compatible with other industrial uses, such as those that might be located within a business park;
- The proposed use has large land requirements that cannot be easily satisfied in an urban settlement area or business park; and
- The proposed use is directly related to agricultural and/or services the agricultural industry (e.g. fertilizer mixing and sales establishments).

The proposed use of a truck terminal meets one or more of the above criteria. The proposal to designate a portion of the lands to Rural will be less invasive and more fitting land use in this area. The site will be serviced by private services and does not require municipal services to operate. The site is on a County Road 64 which provides a sufficient road infrastructure. As part of zoning amendment application and site plan approval the applicant will be required to address the drainage and grading, stormwater management, landscaping, traffic, noise, dust and D4 requirements. The planning justification report and addendum report submitted by D.C. Slade Consultants Inc. support and justify that this is the appropriate location for the truck terminal.

The previous Official Plan Amendment 7 to allow a Waste Disposal Special Industrial Policy on the subject lands also considered natural heritage features on the site. As a result of the Official Plan Amendment 7, the Lamont and Trillium Creek Flood Plains were identified and designated. In addition, a significant tree buffer was designated Greenland – Natural Heritage. This designation is along the rear of the property, directly abutting the Town of Wasaga Beach. These designations will remain unchanged.

The public meeting for this Official Plan Amendment was held on May 25, 2015. A record of the comments is included in the appendix. A number of comments were received from the County of Simcoe, Town of Wasaga Beach and their residence. They have concerns about the change in land use due to the increase of noise, dust and possibly adversely impacting the drainage on the site. As a result of these comments the attached policies have addressed these concerns.

The information provided in support of this amendment would indicate that it maintains the intent and purposes of the County of Simcoe Official Plan and maintains the intent and purposes of the Township of Clearview Official Plan. It is consistent with the direction provided by the Places to Grow and the Provincial Policy Statement and is compatible with adjacent land uses and adjacent properties.

PART B – THE AMENDMENT

This part of the document, entitled “Part B – The Amendment”, consisting of the attached text and map schedule, constitutes Amendment No. 17 to the Official Plan of the Township of Clearview, applicable to the East Half of Lot 31, Concession 2 formerly Township of Nottawasaga, now in the Township of Clearview as shown on Schedule “A” attached.

Details of the Amendment

Item 1 - Schedule “A-1 North Central” *Land Use and Transportation Plan* of the Township of Clearview Official Plan is hereby amended as shown on Schedule “A” to this amendment.

Item 2 - The lands identified on Schedule “A- Map 4 - North Central” of the Township of Clearview Official Plan and shown on Schedule “A” attached hereto hereby re-designate a portion of the subject lands from Waste Disposal Industrial Special Policy 4.11.7.3., to Rural – Policy Exception 4.4.6.5;

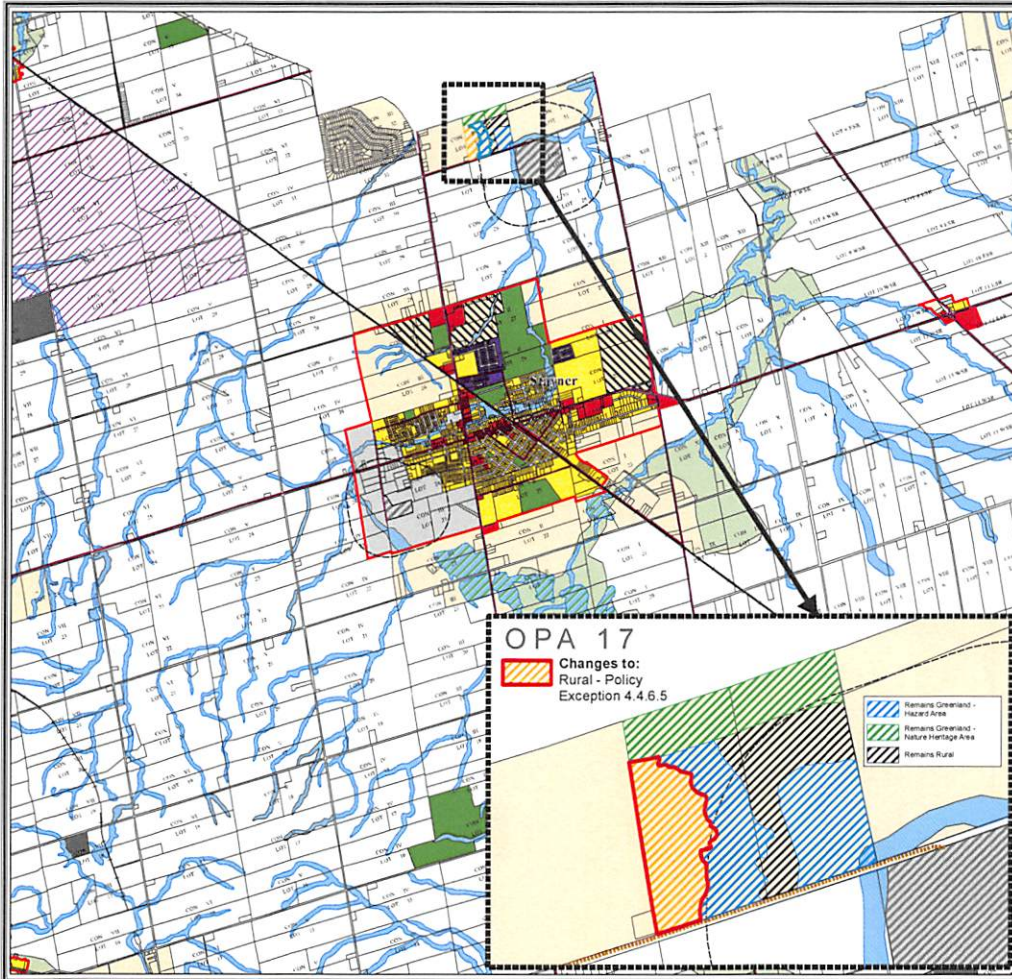
Section 4.4.6. Rural – Policy Exceptions is amended by adding a new Section 4.4.6.5. as follows:

4.4.6.5 Stand-Alone Industrial Use - Truck Terminal (OPA 17)

The lands subject to the amendment will be designated Rural and notwithstanding any permitted uses and provisions of the Rural designation of the Official Plan the following additional requirements are required to establish a Stand-Alone Industrial Use – Truck Terminal:

- Environmental Noise Assessment Report to be completed and implemented to the satisfaction of the Township;
- Appropriate noise attenuation measures which would prevent the exceedance of Ministry of Environment and Climate Change noise thresholds for residential uses in proximity to industrial uses;
- Dust Impact Analysis to be completed and implemented to the satisfaction of the Township; and
- These lands are subject to site plan approval. Specifically, detailed engineering design will ensure that drainage and stormwater management for the site will not result in an increase to the flow and volume of water into the Tributary of the Trillium Creek.

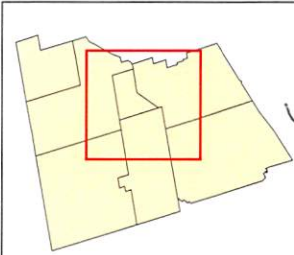
Schedule “A” – Amendment to Schedule “A-1” of the Township of Clearview Official Plan


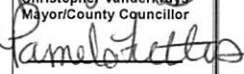


OFFICIAL PLAN
of the
TOWNSHIP OF CLEARVIEW
Schedule A - Map 4 - North Central
Land Use and Transportation Plan
OFFICIAL PLAN AMENDMENT #17



- | | |
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| Land Use - General | Land Use - Niagara Escarpment Plan Area |
| <ul style="list-style-type: none"> Greenland - Hazard Land Areas Greenland - Natural Heritage Areas Greenland - Wetland Areas Open Space Agriculture Rural Residential Estate Residential Special Policy Residential Future Development Commercial Commercial Transition Area Future Commercial Extractive Industrial Industrial Mineral Aggregate Resource Area Waste Disposal Industrial | <ul style="list-style-type: none"> Escarpment - Natural Area Escarpment - Protected Area Escarpment - Recreational Area Escarpment - Rural Area Mineral Resource Extraction Area Public Land in the Parks System |
| Boundary Classifications | |
| <ul style="list-style-type: none"> Waste Disposal Assessment Area Boundary of the Niagara Escarpment Plan Urban Settlement Area Boundary Special Servicing Area Recreation District | |
| Transportation | |
| <ul style="list-style-type: none"> Provincial Highways Arterial Roads Collector Roads Local Roads Railway Lands/ Water Transmission Line | |




 Christopher Vanderkuy
 Mayor/County Councillor

 Pamela Fettes, Clerk
 September 2, 2015
 Date

NOTE: This Map is not a legal survey

PART C – APPENDICES

The following appendices do not constitute part of Amendment No. 16 but are included as information supporting the amendment.

- APPENDIX 1 – Notice of Public Meeting
- APPENDIX 2 – Minutes of Public Meeting
- APPENDIX 3 – Comments Received
- APPENDIX 4 – Consultants Reports
- APPENDIX 5 - Planning Department Report