
To: Mayor and Council

From: Nick Ainley, Community Planner

Meeting Date: June 2, 2025

Subject: PB-022-2025 – Lilacpark Inc. Official Plan Amendment and Zoning By-law Amendment

Recommendation

Be It Resolved that Council of the Township of Clearview hereby receive report PB-022-2025 (Lilacpark Inc. Official Plan Amendment and Zoning By-law Amendment) dated June 2, 2025; and,

- 1) That Council finds that the applications are consistent with and conform to Provincial policies, as well as with the objectives and intent of the County and Township Official Plans, and has considered all comments received; and,
- 2) That By-law 25-38, adopting Official Plan Amendment No. 28 to the Clearview 2001 Official Plan and adopting Official Plan Amendment No. 3 to the Clearview 2024 Official Plan, be presented at the June 2, 2025, for approval; and,
- 3) That Council directs written notice of the adoption of the Official Plan Amendment in accordance with Sec. 17 of the Planning Act; and,
- 4) That Council directs staff to forward the Official Plan Amendment along with all supporting material to the County of Simcoe for approval; and,
- 5) That Council directs staff to bring forward a By-law consistent with the draft included as Schedule 'G' to amend Zoning By-law No. 06-54 at such time as the Official Plan Amendment area approved by the County of Simcoe; and,
- 6) That Council directs staff to give notice of the passing of the Zoning By-law Amendment located in Schedule 'G' in accordance with Section 34 of the Planning Act at such time the By-laws are adopted.

Background

A complete Official Plan Amendment (OPA) application and Zoning By-law Amendment (ZBA) application have been submitted by Lilacpark Inc., for a multi-building commercial development at 7391, 7395, 7399, 7403, 7407, and 7411 County Road 91, 1018 County Road 42, 207 and 209 Quebec Street, and 200 Sutherland Street South, Clearview.

Property Description

The lands subject to the current OPA & ZBA application(s), referred to the 'subject lands' throughout this report are comprised of a total of ten (10) existing individual properties. Combined, the subject lands are approximately 1.1 ha in size and are bounded by County Road 91 to the north, County Road 42 to the east, Quebec Street to the south and Sutherland Street South to the west. The subject lands contain one (1) existing six-plex residential dwelling with the remainder of the site vacant of development and generally flat in nature.

The subject lands are located centrally within the Urban Settlement Area of Stayner. The following is an overview of the surrounding lands and land uses:

North	The northern limits of the subject lands are bounded by County Road 91. Lands directly north of the subject lands are comprised primarily of existing low density residential development (i.e. single-detached and semi-detached dwellings). Lands further to the north support a mix of residential, commercial as well as industrial development. Lands northeast of the subject lands support an existing commercial plaza (retail and restaurant units) as well as a gas station (Esso).
East	The eastern limits of the subject lands are bounded by County Road 42. Lands east of the subject lands support low density residential development (i.e. single-detached dwellings) as well as an existing multi-building commercial plaza, including retail units as well as dine-in and drive-through restaurant uses.
South	The southern limits of the subject lands are bounded by Quebec Street. Lands south of the subject lands are comprised of residential land uses including, single-detached and semi-detached dwellings.
West	The western limits of the subject lands are bounded by Sutherland Street South. Lands west of the subject lands are comprised of residential land uses including, single-detached and semi-detached dwellings.

Please refer to Schedule 'A' of this report for a visual description of the subject lands and surrounding lands and land uses.

Existing Policy Framework

The subject lands are designated as 'Commercial' and 'Residential' in the Clearview 2024 Official Plan (OP) and are zoned 'Residential Low Density' (RS2), 'Residential Multiple Medium Density' (RS5) and 'General Commercial Hold-3' (C1(H3)) in the

Township Zoning By-law (06-54, as amended). The subject lands are also located within the Specific Policy Area 13.1.1 of the Township Official Plan, the 'Hazard Land Special Policy Overlay' of Township Zoning By-law and within the limits of the Nottawasaga Valley Conservation Authority (NVCA) regulatory area.

Proposal

The applicant is proposing a multi-building commercial development, including a mix of restaurants and retail/service commercial uses on the subject lands. To facilitate the proposed development and commercial use across the entire site, the submitted OPA application proposes to redesignate the portions of the subject lands presently designated 'Residential' to a 'Commercial' land use designation. The ZBA application seeks to rezone the existing portions of the subject lands zoned as 'Residential Low Density (RS2)', 'Residential Multiple Medium Density (RS5)' and 'General Commercial Hold (C1(H3))' within the Township Zoning By-law to a single 'General Commercial Exception Hold (C1-XX(HX))' Zone. The following site-specific amendments and exceptions are also proposed as part of the current OPA and ZBA application(s):

OPA: Proposed Official Plan No. X Redesignation

- To redesignate the lands from 'Residential' to 'Commercial'

OPA: Proposed Official Plan No. X Altered Policy Wording

- That s. 7.4.7.2 of the Official Plan pertaining to 'D-4 Assessment Areas' is deleted and replaced with the following:
 - Anyone proposing development in a D-4 Assessment Area shall be required to provide a D-4 Study as part of a complete application, unless it has been determined through the pre-submission application process that a D-4 Study is not required.

ZBA: Proposed Zoning Provisions C1-XX

- Additional Permitted Uses:
 - Restaurant including a drive-through restaurant
- Altered Site & Building Regulations:
 - Maximum Front Yard Setback: 8 m
 - Minimum Number of Storeys: 1
 - Landscape Requirements: Where a parking area contains nine or more spaces, one tree shall be planted for every three parking spaces. If on-site planting is not feasible, required trees may be planted on public lands or addressed through cash-in-lieu.
 - Minimum Number of Parking Spaces: 1 per 28 sq. metres of gross floor area

- Minimum Barrier-free Parking Space Size: 2.4 m wide + 1.5 m wide shared access aisle
- No on-site snow storage is required
- Bicycle parking requirement: 1.0 spaces per 300 sq. metres of gross floor area

ZBA: Proposed Holding Provision (HX)

- To apply a Holding Symbol (H) to the subject lands.
- The Holding Symbol (H) shall only be removed from the lands when the Town is satisfied that:
 - 1) Safe access and egress are provided.
 - 2) Appropriate floodproofing measures, if required, are implemented.

A conceptual site plan of the proposed commercial development of the site is contained in Schedule ‘C’ of this report.

Submission & Process Details

As part of a complete application, the applicant has submitted the following materials for consideration:

Submission Item Title	Submission Item Detail
Cover Letter	Prepared by Ventawood Management Inc.
Conceptual Site Plan	Prepared by Petroff
Draft Official Plan Amendment	Prepared by Ventawood Management Inc.
Draft Zoning By-law	Prepared by Ventawood Management Inc.
Entry into the Ontario Public Register of Archaeological Report letter	Dated June 23, 2023, from the Ministry of Citizen and Multiculturalism (MCM).
Entry into the Ontario Public Register of Archaeological Report letter	Dated May 13, 2022, from the Ministry of Citizen and Multiculturalism (MCM).
Natural Heritage Assessment	Dated August 2024, prepared by Urban Watershed Group Ltd.

Submission Item Title	Submission Item Detail
Parking Justification Study	Dated November 12, 2024, prepared by Tatham Engineering
Planning Justification Report	Dated February 7, 2025, prepared by Ventawood Management Inc.
Pre-consultation Application Comment Response Matrix	Prepared by Ventawood Management Inc.
Preliminary Geotechnical Investigation and Groundwater Level Assessment	Dated July 14, 2022, revised February 28, 2023, prepared by Soil-Mat Engineers & Consultants Ltd.
Functional Servicing Report	Dated November 8, 2024, prepared by Walterfedy.
Topographic Survey	Dated February 6, 2025, prepared by Raikes Geomatics Inc.
Stage 1 & 2 Archaeological Assessment (Additional Lands)	Dated June 19, 2023, prepared by S & G Archaeological Consulting.
Stage 1 & 2 Archaeological Assessment	Dated May 10, 2022, prepared by S & G Archaeological Consulting.
Supplemental Groundwater Monitoring	Dated August 21, 2022, prepared by Soil-mat Engineers & Consultants Ltd.
Traffic Impact Study	Dated November 12, 2024, prepared by Tatham Engineering.
Landscape Concept Plan	Dated March 3, 2025, prepared by Envision Tatham

The applicant engaged the Township in the Pre-consultation process in May 2023. Subsequently, the process relating to the formal application(s) has proceeded as follows:

Date	Step
February 14, 2025	Submission of complete application (OPA & ZBA) and fees
February 21, 2025	Letter of Complete (OPA) Application to Applicant
February 21, 2025	Letter of Incomplete (ZBA) Application to Applicant
March 4, 2025	Letter of Complete (ZBA) Application to Applicant
March 19, 2025	Notice of Complete Application given to public via newspaper notice and mailed courtesy notice to landowners within 120 m of subject property
April 17, 2025	Request for comment to internal department and external commenting agencies issued.

Comment and Analysis

The Planning Act and the Township Official Plan establish criteria for evaluating applications to amend the Township’s Official Plan and Zoning By-law.

All applicable criteria, policies, standards, and comments received are analyzed below in the context of the subject applications.

Provincial Planning Statement (2024)

The Provincial Planning Statement (2024) provides policy direction on matters of provincial interest related to land use and development and has been reviewed with regard to the subject proposal. Municipal decisions on planning matters are required to be consistent with the PPS (2024). The policies of the PPS (2024) promote the building of strong and competitive communities, the wise use and management of resources, and the protection of public health and safety.

Section 2.1 of the PPS (2024) speaks to planning for people and homes, indicating in part that planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance or may continue to forecast growth using population and employment forecasts previously issued by the

Province for the purposes of land use planning. The policies of Section 2.1 PPS go onto direct the majority of growth and development to fully serviced urban settlement areas and specifies that the achievement of complete communities should be supported in part by accommodating an appropriate range and mix of lands uses including but not limited to housing and transportation options, employment, public servicing facilities, institutional uses, and other uses to meet long terms needs.

In 2018 the County of Simcoe (the upper-tier authority to the Township) initiated a Municipal Comprehensive Review (MCR) process for the County. The MCR process was required under the then in effect A Place to Grow: Growth Plan (2019) to ensure that Official Plans (i.e. County OP) conform with updated provincial plans and policies. The first phase of the MCR process established population, employment and housing forecast for all municipalities within the County, with the Township of Clearview projected to be required to plan for a total of 21,820 people and 6,470 jobs by 2051. The above referenced MCR forecasts were accepted by the County via the adoption of County OPA No. 7 and its enactment through By-law No. 6877 on August 9th, 2022. However, and although adopted by County Council, with changes to provincial legislation enacted through Bill 23 (More Homes Built Faster Act) in 2022, OPA No. 7 has not been approved the Ministry of Municipal Affairs and Housing (MMAH) to date. As such, the growth management policies of the Township OP (2024) utilized the forecasts contained within the County of Simcoe's existing Official Plan document of a total of 19,700 people and 5,100 jobs by 2031, for the Township of Clearview

In late 2020, and in support of recent comprehensive review and update of the Township OP document, the Township planning consultant at the time (GSP Group) prepared a ['Key Planning Issues Discussion Paper'](#) which included an analysis of the 2017 land budgeting exercise undertaken by the County of Simcoe with the support of Hemson Consulting. A Land Budget is a planning tool used to assist the County and its member municipalities to sustainably accommodate population and employment growth. Based on the finding of the of the analysis, the Township of Clearview was identified as maintaining a surplus of lands already designated for both 'Residential' and 'Commercial' land uses that are required to meet forecasted growth until 2031. As of the last update to the County's land budgeting exercise undertaken by Hemson Consulting in 2020, the Township maintains a surplus of 'Residential' designated lands able to support a total of 9,542 residential units (5,202 units of which are located within the Urban Settlement Area of Stayner) as well as a total surplus of approximately 101 ha of land already designated for 'Commercial' land uses including 'population-related employment' such as, retail, medical and professional offices, personal care, restaurants, banks, etc.

Therefore, and although the current OPA & ZBA application(s) will result in increasing the already surplus supply of 'Commercial' designated lands within the Township,

removal of lands from the 'Residential' designation as currently proposed is not anticipated to impact the Township's ability to plan for the amount of people projected in current growth management (population) forecasts.

Additionally, and with the lands subject to the current proposal being located centrally within the Urban Settlement Area of Stayner and increasing access to local retail stores and commercial services as well as employment opportunities, the current application(s) can also be considered supportive of the achievement of complete communities.

Section 2.8 of the PPS (2024) speaks specifically to Employment, indicating in part that planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs as well as providing opportunities for a diversified economic base. It is noted that the lands are not currently or proposed to be designated as an Employment Area as defined by the PPS (2024), given that retail uses are not permitted in designated Employment Areas.

The proposed OPA & ZBA application(s) seek the redesignation and rezoning of the subject lands entirely for commercial land uses. The specific configuration and layout of the site will be determined through a future detailed design process (i.e. Site Plan Control). However, the conceptual site plan provided in support of the current OPA & ZBA application(s) contemplates a total of four (4) individual commercial buildings supporting a combined gross floor area of approximately 2,696 m² (29,000 sq. f) intended to accommodate a mix of restaurant (including drive-thru) and retail/service commercial uses. The proposed commercial redevelopment of the site is consistent with the PPS goal of increasing and diversifying Stayner's existing economic base.

The PPS also directs that planning authorities shall plan to reduce greenhouse gas (GHG) emissions and prepare for the impacts of a changing climate through multiple approaches. The comprehensive redevelopment of the subject lands as a single commercial site will result in a more compact and efficient design and use of the site, including the sharing of required infrastructure (i.e. stormwater management, utilities, parking, landscaping, drive aisles, waste collection, etc.). Although the additional 'drive-through restaurant' use requested as part of the current ZBA application has the potential to increase GHG emissions by its nature, the subject lands central location within the Township and proximity to existing residential areas will also promote active transportation and pedestrian access to the site. Furthermore, opportunities to improve energy conservation on the site through the use of Low-Impact Development (LID), LED lighting and other green infrastructure measures will also be explored through the subsequent detailed design process.

The transportation policies outlined under Section 3.3 of the PPS (2024) state in part transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and

support the use of zero and low-emission vehicles. The subject lands maintain frontage onto two (2) arterial roadways within the Township (i.e., County Roads 42 & 91). The Traffic Impact Study (TIS) submitted in support of the current proposal will be comprehensively reviewed by the Township's expert peer-review consultant as part of subsequent detailed design process, ensuring that ultimate design and layout of the commercial site will function appropriately, safely and not result in impacts to the existing road network.

In accordance with the policies of Section 4.6 of the PPS (2024), planning authorities (i.e., the municipality) shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved. Stage 1 & 2 archaeological assessments were conducted on the subject lands, concluding that no archaeological resources or sites requiring further assessment or mitigation of impacts were identified, with a recommendation that no further archaeological assessment of the property be required. The reports were subsequently entered into the Ontario Public Register of Archaeological Report. There are no outstanding archaeological concerns with the subject lands.

The protection of public health and safety is another a key policy consideration of the PPS (2024), with Section 5.2 – Natural Hazards directing all forms of development and/or site alteration outside of flooding, erosion and/or dynamic beach hazard(s) unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. Section 5.2.7 going onto specify that where the two-zone concept for floodplains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry. The PPS (2024) defines the 'two-zone concept' as meaning an approach to flood plain management where the flood plain is differentiated in two parts: the floodway and the flood fringe.

The subject lands contain flooding hazard associated with the Lamont Creek watercourse located north of the property as well as the King Street Drain running along the east side of the site. The subject lands are also located within regulatory area of the Nottawasaga Valley Conservation Authority (NVCA). A Natural Hazard Assessment was completed in the support of the current proposal, the finding of which summarize:

"That entire subject site is located in the flood fringe and may be developed in accordance with the two-zone floodplain policy with the 1:100 year storm peak flow able to be conveyed entirely in the 1500mm diameter storm sewer between Quebec Street and Brock Street.

As part of the detailed design of the proposed commercial development, a proposed condition flood model should be prepared to demonstrate the impact of

the development of upstream and downstream flooding. The development must also demonstrate that it is floodproofed and provides for safe access and egress in accordance with the NVCA *Natural Hazard Technical Guide (2013)*”

Under their delegated responsibility 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 Ontario Regulation 41/24, the NVCA is presently peer-reviewing the submitted NHA. At the date of this report, formal comment has not been received from the conservation authority. However, to ensure all recommendations of the Natural Hazard Assessment as well as all requirements of the NVCA will be carried forward and included as conditions as part of any future site plan approval issued for the subject lands. Additionally, the Holding (HX) Symbol provisions included as part of the current ZBA application will also contain verbiage to ensure that these conditions are satisfied prior to development.

The proposed OPA & ZBA applications(s) as amended by the staff are consistent with the Provincial Planning Statement (2024) issued under the *Planning Act*.

County of Simcoe Official Plan

The subject lands are designated as ‘Settlements’ within the County of Simcoe Official Plan (SCOP).

The SCOP broadly speaks to the growth management strategy for the County, promoting a full range of residential, commercial, industrial, recreational, and institutional land uses within Primary Settlement Area. The SCOP also “recognizes the need to enable and encourage the development of a wide range of business and employment opportunities to meet the needs of a growing population and changing global economics”.

Table 1 under Section 3.2 of the SCOP, forecasts that the Township of Clearview (lower-tier municipality to the County) is projected to support a total population of 19,700 residents and 5,100 jobs by 2031. Section(s) 3.2.3 & 3.2.4 go onto provide further direction stating that the majority of projected population and employment growth will be directed to settlement areas with full municipal water services and municipal sewage services.

The subject lands are located within the (primary) Urban Settlement Area of Stayner, with all development to proceed on full municipal services. Furthermore, and consistent with the Section 3.2.12, through the proposed OPA & ZBA application(s) the proposed commercial redevelopment of the site will increase employment opportunities as well as improve access to a mix of retail and services commercial uses within Stayner to both surrounding residents as well as the travelling public. Located within approx. 300 m of three (3) transit (bus) stops and also supporting the inclusion of a minimum bicycling

parking standard through the proposed ZBA application, the proposal also provides enhanced transit and transportation opportunities for pedestrians and cyclists.

In support of the County's growth management policies, Section 3.2.15 expands on the County's land budget policies, indicating in part that in consultation with local municipalities the County will maintain a land budget that will provide a comprehensive basis of information to assist, inform and monitor progress towards the forecasts and targets established by the SCOP. As indicated earlier within this report, based on the previous land budgeting exercise(s) undertaken by the County (with the support of Hemson Consulting) in 2017 and 2020, the Township retained a surplus of both 'residential' and 'commercial' designated lands necessary to accommodate projected growth (population & employment) until 2031.

Section 3.3 of the SCOP speaks broadly to the general development policies that apply in all County land use designations, including but not limited to natural heritage, stormwater management as well as traffic impact studies. Conformance of the current OPA & ZBA application(s) with these general policies themes are assessed in further detail throughout the following sections of this report.

Section 3.5 speaks specifically to the 'Settlements' designation within the SCOP, stipulating that the general objectives of the designation is to develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services; develop mixed use settlements as strong and vibrant places; and promote development forms and patterns which minimize land consumption and servicing costs.

Section 3.5.6 expands on these objectives, stating that the 'Settlements' designation applies to all lands within the settlement area boundary, with Section 3.5.8 further reinforcing that settlement areas (such as Stayner) shall be the focus of growth (population & employment) and that their regeneration shall be promoted. Land uses, including commercial land uses shall be development within settlement area boundaries on lands land appropriately designated in a local municipal official plan for the use. Land use designation changes within settlement area boundaries do not require a County Official Plan Amendment.

The subject lands are comprised of a total of ten (10) mostly vacant parcels of land located within Stayner, a fully serviced Urban Settlement Area within the Township. The current proposal to redevelop of the entirety of the subject lands as a single property for commercial land uses conforms with the SCOP's objectives to promote regeneration and focus growth (employment) within the 'Settlements' designation. However, as portions of the subject lands are presently designated and zoned for 'Residential' lands uses within local planning documents, the OPA & ZBA application(s) are required to amend the Township Official Plan and Zoning By-law in order to redesignate and

rezone the entirety of the subject land for commercial land uses. In accordance with Section 3.5.8, amendment to the SCOP is not required.

Sections 3.5.27 to 3.5.29 of the SCOP goes on to outline the general form that settlements are intended to maintain, with downtowns and main streets being promoted as focal points for residential, commercial and institutional uses, through among other items:

- Establishing safe and pleasant pedestrian environments which encourage movement by foot and bicycle and transit
- Development of attractive streetscapes
- Encouragement of community support services and health care services
- Encouragement of opportunities for affordable and reliable transit access within communities and between communities for people of all ages and all abilities.

Further indicating that settlement form and building design shall consider conservation in energy, water and wastewater management, the current use or eventual introduction of public transit, the integration of paths and trails, bicycle routes, a compact and convenient design which encourages walking, the incorporation of natural heritage features and areas, public safety including the impact on policing services.

Although located approx. 150 m to the west of the downtown core and outside of the Community Hub area of Stayner as defined within the local OP document, the subject lands are situated centrally within the Township and are well positioned to provide surrounding/area residents with increased access (pedestrian, bicycle or transit) to range and mix of retail and service commercial uses. Although the ultimate design and layout of the subject lands will be determined through a future Site Plan Control application process, the 'General Commercial Exception' (C1-X) sought for the subject lands through the current ZBA application will establish a general street-oriented character for the site with the proposed commercial building(s) permitted to be sited in close proximity to the property's existing frontages with parking to be internal to the site to greatest extent possible.

Part 4 of the SCOP explores a wide range of policy statements intended to supplement the policies stated within Section 3 (as assessment above) and are generally grouped into the categories of land use and community development, resources and environment, infrastructure, local municipal official plans, and implementation. With many of the policies outlined under Part 4 either not having direct application to the current proposal and/or also being reflected in the policies of local planning documents (i.e. Township OP), the following provides a brief overview and assessment of applicable Part 4 policies, with additional assessment complete through other sections of this report.

Section 4.5 speaks to resource conservation with the County with a particular focus on water resources, both quality and quantity. The subject lands are located outside of identified highly vulnerable aquifer and/or significant groundwater recharge areas within the Township. Through formal circulation of the OPA & ZBA application(s) comment was received from the the risk management official for the Township (NVCA) confirming that source water protection policies are not applicable to the subject lands and that they have no concern with the proposal (refer to Schedule 'D'). Section(s) 4.5.9 to 4.5.18 go onto address flood plains and other hazard lands and closely mirror the Natural Hazard policies outlined under Section 5.2 of the PPS. As specified earlier within this report, a Natural Hazard Assessment was completed in support of the current proposal to evaluate the flood hazard impacting the subject lands due to the Lamont Creek located to the north of the subject land as well as the King Street Drain to the east. The findings of the NHA concluded that based on observed flood depths and velocities during regional storm scenarios the lands are wholly located within the flood fringe and able to be developed under the two-zone concept. The NHA is presently under peer-review by the NVCA under the regulatory authority granted to them by the province. All recommendations of the Natural Hazard Assessment as well as all requirements of the NVCA will be carried forward and included as conditions as part of any future site plan approval issued for the subject lands. Additionally, the Holding (HX) Symbol provisions included as part of the current ZBA application will also contain verbiage to ensure that these conditions are satisfied prior to development as specified in more detail later within this report.

Section 4.7 of the SCOP outlines the general objectives and policies intended to guide infrastructure development within the County, particularly as it relates to sewage and water services. To promote sewage and water service systems that are efficient and facilitate the conservation and protection of water sources (surface and ground), local municipalities are to direct growth to Settlement Areas where full municipal sewage and water servicing infrastructure is available. The subject lands will proceed on full municipal services utilizing existing servicing infrastructure available to the site from previous land uses. A Functional Servicing Report (FSR) prepared by the applicant supports the servicing feasibility of the proposed redevelopment of the site for commercial use, the finding of which will be comprehensively reviewed and confirmed by the Township through the subsequent Site Plan Control process.

Section 4.8 provide direction on the transportation polices of the SCOP, which in part indicated that transportation considerations shall be integrated with land use planning and development decision and that local municipalities (Township of Clearview) should seek to reduce traffic congestion and minimize the length and number of vehicle trips through traffic management techniques. All County Roads are considered arterial roads and are classified as one of controlled access, primary, or secondary arterials. The main

function of County Roads is to provide for through traffic movements between activity areas across the County and external to the County.

The subject lands maintain frontage onto two (2) County roads (i.e. County Roads 42 & 91) which are classified as primary arterial roadways. The submitted conceptual site identifies access to the site being provide by single entrances from both County Road 42 and County Road 91. Although County roadways, as the portions of County Roads 42 & 91 having application to the site are located within the boundaries of the Urban Settlement Area of Stayner they remain under the jurisdiction of the Township of Clearview. This has been confirmed by County staff in comments submitted as part of the circulation of OPA & ZBA application(s) (refer to Schedule 'D'). A more comprehensive analysis of the proposal general conformance with applicable with transportation policies is included under the following section of this report. However, provided access to the subject lands is designed in accordance with the transportation policies of the Township OP and to the satisfaction of the Township during the detailed design process, it is advised that the current OPA & ZBA applications(s) do not offend the transportation policies of the SCOP.

Section 4.9.13 of the SCOP outlines polices for D-4 Assessment Areas within the County, which are areas recognized as being within 500 m of a waste management site (either active or inactive) where landfilling-related impacts may be present. Schedule 5.6.2 – Private, Local Municipality and Provincial Government Waste Management Sites of the SCOP identifies an existing waste disposal site under private ownership (i.e. Site No. 505) being located centrally within the Stayner Settlement Area. In accordance with Section 4.9.19 where development is proposed within the D-4 Assessment Area of a private or local municipality owned waste management site, the local municipality will determine the need for D-4 Studies and peer-reviews as contained in the local municipal official plan.

The current OPA application, seeks to amend the Township OP in part by altering the wording associated with the requirement for the completion of a D-4 Study within a D-4 Assessment Area as part of a complete application. Similar to the transportation policies of the SCOP outlined above, a more comprehensive analysis of the proposal conformity with D-4 Assessment requirements associated with Site No. 505 is included under the following section of this report. However, it is advised that the current OPA & ZBA does not offend the waste management policies of the SCOP as they pertain to D-4 Assessment Areas.

The proposed OPA & ZBA applications(s) as amended by the staff conform to the policies of the County of Simcoe Official Plan.

Township of Clearview Official Plan (2024)

The subject lands are designated as 'Residential' and 'Commercial' within the Township OP (2024) and are located within the Urban Settlement Area of Stayner. Urban Settlement Areas are intended to serve as focal points for the majority of the population and employment growth projected for the Township.

The proposed OPA application seeks to redesignate the portions of the subject lands presently designated as 'Residential' within the Township OP (2001) to a 'Commercial' land use designation. For additional context, the current OPA application seeks to amend the land use designation policies of the Township 2001 OP and not those of the Township's recently approved and current 2024 OP. This is due to the land use designation policies of the Township's current OP having application to the subject lands being under site-specific appeal at the Ontario Land Tribunal (OLT). While all other policies of the Township current 2024 OP remain in force and effect, the specific land use designation policies of the Township OP (2001) still technically apply to the subject lands. However, should the current OPA application be adopted and approved, and the current site-specific appeal of Township OP (2024) be withdrawn, the land use designations of both the Township OP (2001) and OP (2024) would be amended relative to the proposed development. The draft OPA's are attached hereto as Schedule 'F'.

The proposed OPA also proposes a site-specific amendment to alter the wording of Township OP (2024) not presently under OLT appeal, by deleting and replacing Section 7.4.2.7 – D-4 Assessment Area with the following:

“Anyone proposing development in a D-4 Assessment Area shall be required to provide a D-4 Study as part of a complete application, unless it has been determined through the pre-submission application process that a D-4 Study is not required”.

As previously referenced, the policies of Section 7.4.2.7 of the Township OP (2024) apply to the subject lands due the eastern portion of the site being located within the 500 m D-4 Assessment Area as identified within Schedule 'F' – Waste Management Sites of the Township OP (2024).

Assessment of the current OPA & ZBA application(s) conformity with the policies of the Township of Clearview Official Plan (2024) and the planning objectives they are intended to achieve, is more comprehensively examined below:

Section 2.0 – Community Structure & Growth Management

Section 2.0 of the Township OP broadly speaks to the intended community structure and municipal growth strategy for the Township, touching on a number of the overarching goals & principles that form the basis of the more specific land use and

development policies contained within the Township's OP. These include but are not limited to managing new population and employment growth to make optimal uses of infrastructure and municipal services, directing a majority of growth and development to the Township Urban Settlement Areas in a manner that also respects and maintain the historical character of each Settlement Area as well as support for development that will foster the growth of complete communities.

The subject lands are located centrally within the Urban Settlement Area of Stayner, bounded by and maintain frontage onto a total of four (4) individual roads and are situated just west (approx. 150 m) of the 'Community Hub' of Stayner. The current proposal would result in the comprehensive redevelopment of the subject lands for commercial use, including a mix of restaurants and retail/service commercial uses within four (4) commercial building as currently proposed within the submitted conceptual site plan (refer to Schedule 'C'). Based on proximity to arterial roadways as well as established residential neighbourhoods, the site is well positioned to offer both Stayner residents as well as the travelling public convenience access to an increased range of retail and service commercial uses. The final design and layout of the subject land will be established through a future Site Plan Control application process ensuring that development of the site will support a compact urban form and be compatible with general scale and character of the surrounding area. Development of the subject lands will proceed on full municipal services utilizing existing municipal servicing infrastructure.

Section 2.3 speaks directly to growth management within the Township, including population and employment forecasts as well as providing direction on intensification and density for development within the Township.

The population and employment forecasts utilized by the Township are based on the projections contained in Table 1 (Section 3.2) of the SCOP, which directs the Township of Clearview to plan for a total population of 19,700 people and for total employment of 5,100 jobs by 2031. Of the total population projected by 2031, Table 2.1 of the Township OP directs approx. 52% of that population (i.e. 5,056 residents) to Stayner. Table 2.2 of the Township OP outlines projected employment growth within the Township based on the forecasts contained within the SCOP. Table 2.2 does not allocate jobs to specific Settlement Areas, instead breaking down the total forecasted employment numbers by job type. Approx. 53% (i.e. 2,726) of all jobs within the Township by 2031 projected to be 'population-related' type employment, which are jobs primarily intended to serve the resident population, including jobs in the service industry, retail, and education. A growth of 365 'population-related' jobs between 2021 and 2031 is also forecasted within Table 2.2.

As outlined within previous sections of this report, the Township maintains a surplus of both 'Residential' and 'Commercial' designated lands required to accommodate project

growth by 2031. The current OPA & ZBA application(s) which seek conversion of the entirety of the subject lands for commercial land uses is not anticipated to impact the Township's ability to plan for the amount of people projected in current growth management (population) forecasts. The proposed redevelopment of the subject lands for commercial use will also support in increasing the total number of population-related type jobs (i.e., retail & service commercial) available within the Urban Settlement Area of Stayner, contributing to the achieving the forecasted demand of the need for an additional 365 'population-related' type jobs by 2031.

The proposal also supports conformance with the Township OP intent to direct most commercial uses and activity to the Township Community Hubs (subject lands are within 150 m of Stayner's Community Hub) and locations along arterial roads, while also providing access to commercial uses intended to serve the needs of residents of Settlement Areas as directed by Section 2.3.1.4 of the Township OP.

Section 2.3.2 of the Township OP goes onto direct that redevelopment and intensification efforts will be predominantly focused on Urban Settlement Areas. Section 2.3.2.11 outlines the requirements for commercial infilling, stating that commercial infilling may be permitted in circumstances where the Township is satisfied that among other requirements, the development will proceed on full municipal services and does not require the extension or expansion of municipal infrastructure, will have direct access to and from a public road that is maintained on a year round basis and that access to the site can be provided without unduly impeding the flow of traffic along Arterial and Collector Roads or creating a traffic hazard. The proposal conformance with the tests outlined under Section 2.3.2.11 are analyzed and expanded upon by staff in greater detailed in the following section of this report.

Section 4.0 – Land Use Designation

The 'Residential' and 'Commercial' designations represent two of the Township OP's core land use designations. Both designations permit a wide range of land uses across the Township and include a particular focus on directing intensification and/or higher density of residential growth as well as major forms of commercial development to the Township's Urban Settlement Areas (i.e., Stayner and Creemore).

When proceeding with development within the 'Residential' or 'Commercial' designations, a general goal of the OP is to ensure that development happens where it makes the most sense, in terms of the relationship of development with adjacent uses and the surrounding area; the availability of infrastructure and of appropriate water and wastewater services; and the role development will play in supporting the life of the community.

The current OPA application seeks the redesignation of the existing ‘residential’ designated portions of the subject lands to a ‘commercial’ designation, resulting in the entirety of the subject lands being utilized for commercial land uses.

Section 4.3 of the Township OP speaks directly to land uses within the ‘Commercial’ designation indicating that commercial areas play a crucial role in the Township’s economic well-being. The overall intent of the Township OP is to direct major commercial growth to the Township’s Urban Settlement Areas (i.e. Stayner) and to promote commercial development that will support and complement the role of Community Hubs as primary activity centres and to support the needs of residents.

Section 4.3.1.1 goes onto outline the specific uses that are permitted within the designation, indicating that full range of commercial uses, including but not limited to retail stores, offices, personal and professional services may be permitted in the “Commercial” designation, subject to all applicable policies in this Official Plan and to the provisions of the implementing Zoning By-law.

The subject lands are located approx. 150 m west of the defined downtown core and Community Hub area of Stayner and are unique in that they are both situated in close proximity to existing and established residential areas and are also traffic oriented in nature with direct frontages onto two (2) arterial roadways. The current proposal seeks to leverage the unique characteristics of the property by increasing access to and the availability of retail and service commercial related uses to surrounding/area residents while also supporting the site’s general nature of also being oriented to vehicular traffic through the request to include a ‘drive-through restaurant’ as an additional permit commercial land use on the site.

Further, and mirroring some of the tests listed under commercial infilling policies of Section 2.3.2.11, Section(s) 4.3.1.7 to 4.3.1.14 of the Township OP establish a number of development principles intended to guide new commercial development within the Township. An overview of the development principles having application to the current proposal and analysis of the proposal conformity is outlined in the following table:

Policy Number	Policy Test	Planning Analysis
4.3.1.7	All new commercial development in Urban Settlement Areas shall be provided with municipal water services and municipal wastewater services.	The subject lands are located within the Urban Settlement Area of Stayner and will proceed on full municipal services. Although affected by the current limited water capacity issue impacting the Stayner Settlement area as a whole (Media Release: Stayner Water Supply at

Policy Number	Policy Test	Planning Analysis
		<p>Capacity) it is advised that the subject lands presently support a total of ten (10) existing individual water and sanitary servicing connections from past land uses.</p> <p>Confirmation of whether the existing servicing capacity available to the site is sufficient to accommodate the proposed commercial redevelopment will be completed during the detailed design (site plan control) process. This will include the comprehensive review and analysis of the Functional Servicing Report (FSR) submitted in support of the current OPA & ZBA application as well as any additional technical studies required during the detailed design phase of the project by the Township’s expert peer-review consultant.</p> <p>The current ZBA application is also subject to a Holding (HX) Symbol, which among other items will prevent development from the site until such time “that sufficient municipal servicing capacity and allocation required to service the permitted uses be confirmed in a manner to the satisfaction of the Township”.</p>
4.3.1.8	Commercial uses in Urban Settlement Areas will be encouraged to make effective and optimal use of existing parking facilities and to provide facilities for bicycle parking.	In support of the proposed commercial development of the subject lands, the applicant seeks to establish a site-specific minimum parking calculation for all commercial development on the site of 1 parking space per 28 m² of commercial GFA . The requested site-specific standard would result in a total reduction

Policy Number	Policy Test	Planning Analysis
		<p>in the minimum number of parking spaces presently required under the existing commercial parking standards of the Township ZB, from a total of 172 parking spaces to approx. 97 parking spaces.</p> <p>In support of the requested reduction, a Parking Justification Study (PJS) was provided by the applicant.</p> <p>For a comprehensive analysis of the requested amendments to the minimum parking requirements of the Township ZB, please refer to the 'Township of Clearview Zoning By-law' section of this report. Final parking requirements and layout to be determined through the future detailed design (Site Plan Control) process.</p> <p>With respect to the provision of on-site bicycle parking. It is noted that the Township ZB does not presently contain a minimum bicycle parking standard. The ZBA application also proposed a minimum bicycle parking space standard of 1 space per 300 m of commercial gross floor area.</p>
4.3.1.9	Buildings used for commercial purposes shall be designed to be sensitive to, and maintain compatibility with, the historical and architectural character of adjacent properties and of the surrounding area	<p>As identified within the conceptual site plan provided in support of the current OPA & ZBA application, the proposed redevelopment of the site is to consist of a total of four (4) commercial buildings on the subject lands.</p> <p>Elevation plans were not provided in support of the current OPA & ZBA application(s) but will be required and assessed for conformance with the site</p>

Policy Number	Policy Test	Planning Analysis
		design and architectural control policies of Section 8.3 of the Township OP as permitted by Section 41 of the Planning Act.
4.3.1.11	<p>Before it approves an application for commercial development, the Township shall be satisfied that:</p> <p>(a) the proposed use is appropriate for the area in which it is located and will be compatible with neighbouring uses;</p> <p>(b) the proposed development will be adequately provided with water and wastewater services in accordance with standards established by the Township;</p> <p>(c) the proposed use will not have an undue impact on traffic in the area; and</p> <p>(d) any other matters identified as relevant during pre-submission consultation have been adequately addressed.</p>	<p>The subject lands are located centrally within the Urban Settlement Area of Stayner and are bounded by municipal roads on all sides and do not <u>directly</u> abut adjacent land uses and/or zones. Lands located across from subject lands to the north, south and west are comprised primarily of existing residential land uses, including single and semi-detached dwellings. Lands to the east and northeast comprising predominantly of existing commercial uses (i.e. retail plazas, gas station, restaurants, including drive-throughs).</p> <p>The ultimate design and layout of the subject lands will be determined through a future Site Plan Control application process and will require compliance with the requirements and provisions of the 'General Commercial Exception' (C1-X) Zone sought for the subject lands through the current ZBA application.</p> <p>The (C1-X) establishes a general street-oriented character for the site with the proposed commercial building(s) permitted to be sited in close proximity to the property's existing frontages with parking to be internal to the site to greatest extent possible. All buildings are proposed to be a maximum of one-storey in height, improving the site's compatibility with existing adjacent built</p>

Policy Number	Policy Test	Planning Analysis
		<p>forms as well as general consistency of massing on the site.</p> <p>Furthermore, the type and range of retail and service commercial related land uses permitted under the proposed (C1-X) zone are generally considered to be compatible with residential lands uses, with potential nuances (i.e. lighting, noise, visual) able to be addressed and mitigated through thoughtful site design, buffering and landscaping.</p> <p>As stated, development of the subject land will proceed on full municipal services utilizing existing servicing infrastructure. Comprehensive assessment of on-site and external traffic considerations, including potential impacts will be completed by the Township through the future detailed design provided (i.e. Site Plan control) as detailed within this report.</p>
4.3.1.13	<p>New commercial development shall be subject to site plan control, which among other things will ensure that:</p> <p>(a) the proposed development will be provided with sufficient parking facilities appropriate to the nature of the use and to the area in which it is located;</p> <p>(b) the proposed development will have adequate on-site loading facilities;</p>	<p>Subsequent any planning approval issued/granted through completion of the current OPA & ZBA application(s), development of the subject lands for commercial use will be subject to a Site Plan Control application process. While all items listed under Section 4.3.1.13, will be comprehensively reviewed and assessed for compliance during the future detail design process (i.e. Site Plan Control) it is advised that the current ZBA application does seeks to alter a number of the requirements of the Township ZB listed under Section 4.3.1.13, including but not limited to:</p>

Policy Number	Policy Test	Planning Analysis
	<p>(c) pedestrian and vehicular traffic movements on-site will be suitable and safe;</p> <p>(d) adequate provisions are made for snow storage, drainage, and stormwater management; and</p> <p>(e) the proposed development will provide enhanced landscaping and green spaces to contribute to the overall quality of the built environment.</p>	<ul style="list-style-type: none"> • Landscaping • Snow Storage • Parking <p>For a comprehensive analysis of the requested amendments to the Township ZB, please refer to the 'Township of Clearview Zoning By-law' section of this report.</p>

Section 6.0 – Community Healthy, Safety & Well-Being

The policies of Section 6.2 – Natural & Human-Made Hazards apply to areas of the Township that are subject to natural hazards and generally (but not exclusively) identified as using the “Greenlands – Hazard Lands Area” designation. The subject lands are not designated as ‘Greenlands – Hazard Lands Area’ but are regulated by the Nottawasaga Valley Conservation Authority (NVCA) as well as identified within Schedule SP-1 of the Township OP as being located within and subject to the policies of the Specific Policy Area 13.1.1 – Lamont Creek Hazard Lands section of the Township OP due to flood hazards associated Lamont Creek located north of the site as well as the King Street Drain which directs flows within the road side ditch (or culvert) on the east side of the site.

In accordance with Section 13.1.1 of the Township OP, the two-zone floodplain management concept as defined earlier within this report is to be used for all lands identified as being within the Specific Policy Area 13.1.1. Section(s) 13.1.1.3 to 13.1.1.5 of the Township OP go onto permit development within the identified flood fringe in accordance with the policies of the specific land use designation having application to the lands, which in the current circumstance would be the proposed ‘Commercial’ land use designation.

Determination of the specific limits of the floodway and/or flood fringe on the subject lands is evaluated through technical study. At the request of the NVCA during the pre-consultation application process for the proposal, a Natural Hazard Assessment (NHA) was prepared and submitted in support of the current proposal. The findings of the NHA asserting that based on the evaluated depth of flooding and velocities observed on site

during the regional storm and regional storm with 50% blockage scenarios, the entire subject site is located in the flood fringe and may be developed in accordance with the two-zone floodplain policy. The report goes on to recommend that as part of the detailed design of the proposed commercial development, a proposed condition of site plan approval that a flood model should be prepared to demonstrate the impact of the development of upstream and downstream flooding. The development must also demonstrate that it is floodproofed and provides for safe access and egress in accordance with the NVCA *Natural Hazard Technical Guide* (2013). These recommendations of the NHA are also consistent with the requirements specified under Section 13.1.1.7 of the Township OP.

Under their delegated responsibility 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 Ontario Regulation 41/24, the NVCA is presently peer-reviewing the submitted NHA. At the date of this report, formal comment has not been received from the NVCA.

Due to the lands already being designated and zoned for urban uses (i.e., residential and commercial) and not seeking to permit any uses prohibited to locate on hazardous lands or sites (i.e., institutional, essential emergency service and/or uses associated with the disposal, manufacture, treatment or storage of hazardous substances) the outcome of the evaluation and review of the NHA is not limiting to the assessment of the proposed land uses conversion contemplated as part of the current OPA & ZBA application(s). However, the recommendations of the NHA and outcome of NVCA peer-review do have the potential to affect the ultimate design and layout of the site in terms of required floodproofing measurement as well as safe access and egress to the site. As such, all recommendations of the Natural Hazard Assessment as well as requirements of the NVCA will be carried forward and included as part of any conditional site plan approval issued for the subject lands. The Holding (HX) Symbol provisions included as part of the current ZBA application will also contain verbiage to ensure that these conditions are satisfied prior to development occurring on the site. Furthermore, the subject lands will remain within the regulatory limits of the NVCA and subject to their approval and/or permitting.

Section 13.1.1.11 goes on to state that *“Any amendment to the Zoning By-law that permits development in Specific Policy Area 13.1.1 shall append an “(F)” suffix to the zoning symbol to indicate that the subject property is located within the flood fringe.”* To date, the Township ZB has not been updated to include reference to a (F) suffix. Therefore, the existing Hazard Land (FP) and Hazard Land Special Policies (FPSP) overlays currently having application to the subject lands will remain until such time that Township ZB is updated and the overlays are replaced with the (F) suffix to the satisfaction of the Township.

Section 7.0 – Infrastructure & Municipal Services

Section 7 of the Township OP presents the Township overall policy approach for the provision of infrastructure and municipal services for the Township, touching on a wide range of policies that address water and wastewater services, transportation infrastructure, stormwater management as well as waste management.

Section(s) 7.2 and 7.3 provide an overview of the Township approach for delivering water and wastewater services for development within the Township as well as associated requirements for stormwater management. As stated, all proposed development on the site will proceed on full municipal services while also utilizing existing servicing infrastructure. The proposed Hold (HX) Symbol being included as part of the proposed ZBA application will prohibit any development on the site from occurring until such time that sufficient municipal servicing capacity and allocation required to service the permitted uses be confirmed in a manner to the satisfaction of the Township.

Investigation and review of on-site stormwater management (SWM) facilities for the proposed commercial redevelopment of the site as required under Section 7.3 of the Township OP will be completed by Township and consulting engineer during the future Site Plan Control application process. Through this future process the submission of additional technical studies (i.e., stormwater management report, grading and drainage Plan, geo-technical investigation, etc.) will be required to address compliance with the Township's requirements for SWM facilities, including but not limited to, function, quality and quantity controls as well as the potential for utilization of green infrastructure techniques such as low-impact-development (LID). Furthermore, as the subject lands will remain in private ownership, any on-site SWM facilities will be operated by the Owner and will not be assumed by the municipality.

Section 7.4 – D-4 Assessment Areas

Similar to the Waste Management policies specific to D-4 Assessment Areas identified within the SCOP, Section 7.4 of the Township OP provides further direction on the D-4 Assessment Areas within the Township. Schedule 'F' – Waste Management Site of the Township OP identifies the eastern portion of the subject lands as being located within the 500 m D-4 Assessment Area of the privately owned waste management site known as Site No. 505. Based on available background and inventory mapping data provided by the County of Simcoe, it is understood that Site No. 505 is an inactive landfill site dating back to the 1930's. The precise boundaries of the site have not been confirmed but is generally understood to be located within the limits of the former Byng elementary school site located at 239 William Street.

Section 7.4.2.7 of the Township OP goes onto state that “anyone proposing development in a D-4 Assessment Area shall be required to provide a D-4 Study as part

of a complete application”. The current OPA application, seeks amend the Township OP in part by altering the wording of Section 7.4.2.7 and replacing it with the following:

“Anyone proposing development in a D-4 Assessment Area shall be required to provide a D-4 Study as part of a complete application, unless it has been determined through the pre-submission application process that a D-4 Study is not required”

A D-4 Study was not included as a requirement of a complete application for the current OPA & ZBA application(s). This was partly due to the pre-consultation application process for the current proposal having been concluded in October 2023, prior to the adoption and approval of the Township’s current Official Plan (2024) document and enactment of aforementioned policies of Section 7.4.

However, and although not originally requested as a requirement for completeness for the current OPA & ZBA application(s), the Township is not able to adequately address the requirements of Section 7.4.2.7 through amendment to the applicable policies of the Township OP, without express clearance or confirmation from the Ministry of the Environment, Conservation and Parks (MECP) that a D-4 Study is not required. Therefore, staff are not accepting of alteration to the wording of Section 7.4.2.7 of the Township OP as currently requested. Staff maintain that the wording of Section 7.4.2.7 of the Township remain unaltered and in effect, with the completion of a D-4 Study and/or MECP approval/clearance becoming a condition of any future Site Plan Approval for the site.

The requested altered policy wording of Section 7.4.2.7 of the Township OP is not supported by staff and has been removed from the draft OPA recommended for approval within this report (refer to Schedule ‘F’).

Section 7.5 – Transportation

Section 7.5 of the Township OP provide policy direction and general guidance for the planning and development of the Township’s overall transportation network. In accordance with Section 7.5.3, the Township’s road network is broken down into a functional classification system and hierarchy of roads as reflected on Schedule ‘G’ – Transportation System of the Township OP. Provincial, County and Township arterial roads are ranked at the top of the hierarchy, with the stated purposes of connecting Settlement Areas, accommodating the long-distance movement of people and goods as well as carrying large volumes of vehicular traffic at relatively high speeds between major traffic-generating areas and between other Arterial Roads. Conversely, local roads and laneways are ranked at the bottom of the hierarchy, with their primary purpose being to provide access to abutting properties and to carry vehicular traffic at relatively low operating speeds to other roads.

In addition to the submitted conceptual site plan, the Traffic Impact Study (TIS) provided in support of the current proposal identifies and provides justification for all access to the subject lands being provided by the existing arterial road network (i.e. County Roads 91 & 42). However, this proposed configuration does not conform to the policies of Section 7.5.3.19 which state that access to an abutting property from any road whose classification in the hierarchy is higher than “Local Road” shall only be permitted:

- (a) where alternate access from a road lower on that hierarchy is not possible; or
- (b) where the Township and the appropriate road authority are satisfied that the proposed access has been fully justified through expert review and will be implemented in a manner that is consistent with Township Engineering Guidelines and all other applicable policies and by-laws.

Section 7.5.3.21 of the Township OP reinforces these policies by specifying that access to an abutting property from any road shall not be permitted where such access would create a traffic hazard.

The intersection of County Road 42 & 91 represents only one of two locations within the Township where two (2) arterial roads intersect. Coupled with the intersection’s central location within the Urban Settlement Area of Stayner, during review of both the initial pre-consultation application and current OPA & ZBA application(s) the Township Public Works Department has consistently raised concerns with the proposal only providing site access from County Road 42 and County Road 91 and potential impacts to the long-term function of the adjacent arterial road network. Especially as alternative access from local roads (i.e. Quebec Street and Sutherland Street South) is readily available.

The ultimate design and final configuration of access points to and from the site will not be established through the current OPA & ZBA application(s) presently under considered, instead being comprehensively assessed and confirmed as part of the detailed design process. As such, staff are satisfied with the current OPA & ZBA application(s) as amended by staff proceeding but do advise that all ingress and egress to the site will be provided in accordance with the policies of the Township OP to the satisfaction of the Township. This has been included as a requirement of the Holding (HX) Symbol included with the draft zoning by-law.

Section 7.5.3 of the Township OP also provides direction on road widening requirements as well as parking and loading facilities within the Township. Through the pre-consultation application process, the requirement for road widening from all four (4) frontages of the site was identified and are shown on the conceptual site plan. Formal dedication of road widenings to the Township will be completed through the Site Plan Approval process.

As part of the current ZBA application, the applicant also seeks to establish a site-specific minimum parking space calculation for the subject lands (i.e., 1 parking space

per 28 m² of GFA) that would result in an approx. 45% reduction in the total number of parking spaces presently required by the standard parking calculation of the Township ZB. In accordance with Section 7.5.4 of the Township OP, within Urban Settlement Areas application to reduce parking requirements for new non-residential uses in commercial areas is supported as an approach that encourages 'Community Hubs' to support their role as vibrant centres for community activity. Whereas new non-residential uses located outside of Community Hubs and Commercial areas are requested to provide sufficient on-site parking facilities to accommodate normal levels of demand. The subject lands are located outside of the 'Community Hub' of Stayner, but through the current OPA & ZBA application(s) are seeking to redevelopment of the site for commercial land uses. A comprehensive analysis of the request to establish the new minimum parking standard for the site is outlined within the following section of this report.

Section 7.5.6 expands on the Township's active transportation policies, which include all forms of human-powered travel (including walking, cycling, inline skating, and travel with the use of mobility aids). Through the development approval process, Section 7.5.6.5 directs the Township to use such means at its disposal to ensure:

- a) that new development provides high-quality pedestrian and bicycle facilities on public rights-of-way;
- (b) that the design of new development prioritizes the safety and efficient movement of pedestrians and cyclists; and
- (c) that all new development is well connected to the Township's active transportation network, including sidewalks and trails systems.

Through future Site Plan Control process, the Township will explore opportunities to expand the existing sidewalk network in the area to context to the subject lands. All access to and within the subject lands will also be reviewed for compliance with AODA standard. The proposed zoning amendment also seeks to introduce a minimum bicycle parking requirement of 1.0 spaces per 300 sq. metres of gross floor area. Result in a minimum requirement of eight (8) bicycle parking spaces being located on the site.

Section 8.0 – Community Design & Placemaking

The Township OP sets out policies regarding the overall intended pattern of development and community design within the Township and the location of various land uses. The purpose of the section is to give more specific direction on what new development should look like and how it should relate to existing buildings, neighbourhoods, and communities.

Section 8 is broken down into a series of subsection providing specific policy direction on streetscape & public spaces, landscape design as well as site design & architectural

control, including design principles for new development, redevelopment and commercial infilling among others.

Staff are in general agreement with the applicants finding that the proposal represents a form of commercial infill within the Urban Settlement Area of Stayner and can also confirm that development of the site will be subject to Site Plan Control. Through the subsequent detail design (site plan control) process, staff will utilize the policies of Section 8.0 to guide review of the site design to ensure the final configuration is compliant with all applicable requirements and provisions, including but not limited to ensuring the development:

- is designed to complement the surrounding neighbourhood character and minimize potential conflicts with existing lands uses and built forms,
- provides safe and attractive streetscapes for pedestrians,
- promotes streetscape design along Arterial and Collector Road and commercial street frontage in Urban Settlement Areas that supports their role as major and minor focal points for community activity,
- incorporates appropriate landscaping and buffering as well as ensuring that off-street parking and loading facilities are be situated away from public streets and appropriately screened to the greatest extent possible.
- supports the safe and efficient movement of pedestrians and vehicles internal and external to the site including compliance with AODA requirements and barrier-free access to and on the site for everyone,
- supports the conservation of water and of energy,
- is dark sky compliant, and
- reduces the number of access point to public roads.

Through the current ZBA application and proposed implementing zoning by-law, the proposed commercial redevelopment of the subject lands will be subject to zone requirements and provisions of the (C1-X) Zone that regulate the among other standards, the height, size, location and orientation of building(s) on the site. Ensuring compliance with the design principles for commercial infilling specified under Section 8.3.2.

Section 9.3 – Archaeological Conservation

In accordance with Section 9.3 all development within the Township shall have regard for the conservation of archaeological resources within archaeologically sensitive areas and/or areas with archaeological potential. As stated, Stage 1 & 2 archaeological assessments were conducted on the subject lands, concluding that no archaeological resources or sites requiring further assessment or mitigation of impacts were identified. The reports were subsequently entered into the Ontario Public Register of

Archaeological Report. There are no outstanding archaeological concerns with the subject lands.

Section 10 – Economic Development

The economic development policies outlined under Section 10.0 of the Township OP are not intend to articulate a full economic development strategy for the Township but do encourage opportunities for economic development that respect the overall character of the Township and its Settlement Areas as well as promote the emergence of a healthy and diverse local economy that allows people to work, shop, and socialize close to the places where they live.

In accordance with the polices of Section, the current OPA & ZBA application(s) will facilitate the comprehensive redevelopment of the subject lands for commercial uses. Increasing the supply of lands available for projected growth in population-based employment. The central location of the property within the Urban Settlement Area of Stayner also contributes to goal of achieving complete communities by promoting pedestrian connectivity to the site as well as increasing access to necessary retail and service related commercial use as well as employment opportunities for Township residents.

The current proposal represents the comprehensive redevelopment and regeneration of largely underutilized parcel of lands for commercial land uses that is located within a central area of the Township, and Stayner more specifically. The proposal will increase access to retail and services commercial related uses to area residents and the traveling public alike. Development of the lands will utilize existing municipal infrastructure and proceed on full municipal services, with detailed design of the site being subject to future Site Plan Control.

Based on the comprehensive review and assessment of the application, supporting materials (technical studies and reports), public and external agency comments as well as the findings of peer-review consultants completed throughout this report. The proposed OPA & ZBA applications(s) as recommended conform to the general nature and intent of the Township OP.

Township of Clearview Zoning By-law

The subject lands are zoned 'Residential Low Density' (RS2), 'Residential Multiple Medium Density' (RS5) and 'General Commercial Hold' (C1(H3)) within the Township Zoning By-law (06-54, as amended).

Permitted uses within the portion of the lands zoned (C1(H3)) include a wide range of retail and service commercial uses. A Drive-through Restaurant is not permitted in the C1 zone. Furthermore, the existing Hold (H3) Symbol also having application to the existing (C1) zoned portions of the subject lands, restrict development of the lands until

the specific Holding symbol is removed “when joint commercial access arrangements are available to the satisfaction of the Township and when the lands are subject to a registered site plan agreement completed to the satisfaction of the Township of Clearview”.

The residential-zoned portions of the subject lands (i.e. (RS2) & (RS5) Zones) permit a range of low and medium density residential development forms (single-detached & semi-detached dwelling(s) as well as Townhomes) but exclude any commercial land uses. The applicant is proposing a multi-building commercial development, including a mix of restaurants (including drive-through) and retail/service commercial uses, tentatively contained in four (4) detached buildings. No new residential uses are proposed as part of the development.

The effect of the current ZBA application is to amend the Zoning By-law on the entirety of the subject lands to a single ‘General Commercial Exception Hold (C1-XX(HX))’ Zone. To provide greater clarity with respect to the proposed zone alterations being requested, a detailed overview of each of the requested special provisions for the (C1-X) Zone is outlined below:

- a) The proposed zoning amendment seeks to include **‘Restaurant, including a drive-through restaurant’ as an additional permitted use** on the subject lands. One (1) of the four (4) proposed commercial buildings (i.e. Building ‘C’) identified within the submitted conceptual site plan is to support a drive-through restaurant.

In support of the request to include a ‘drive-through restaurant’ as an additional permitted use on the subject lands the applicant has provided justification stating in part that, a drive-through is proposed to provide quick and convenient options for customers to make purchases as well as help manage higher volumes of customer traffic, serve the traveling public, operate the business more efficiently.

A ‘drive-through restaurant’ is not a permitted use under the General Commercial (C1) Zone and instead is permitted as-of-right within other commercial zone classifications of the Township ZB (i.e. Highway Commercial (C2) & Large Formal Commercial (C4)). These zones traditionally apply to properties within the Township that are larger in size (several hectares in size), located in closer proximity to the boundaries of Urban Settlement Areas and are also primarily oriented to support vehicle traffic.

The subject lands are located centrally within the Urban Settlement Area of Stayer and situated just west of the Stayner ‘Community Hub’ area which is meant to serve as primary activity centres for the community as defined by the Township OP (2024). The subject lands are also unique in that they are approx.

1.0 ha in size and also maintain frontage onto two (2) of the Township's primary arterial roadways (i.e. County Road 42 and County Road 91).

In accordance with the permitted uses of the existing 'General Commercial' (C1) Zone the proposed commercial redevelopment of the site is intended to primarily support retail and service commercial related uses (i.e. retail stores/plazas, restaurant, grocery store, etc.). However, at a size of approx. 1.0 ha as well as maintaining orientation onto two (2) arterial roadways, the inclusion of a 'drive-through restaurant' as an additional permitted use can be considered as reasonable and able to be adequately supported by the site. Specific matters regarding the location, layout, function and buffering of the proposed 'drive-through restaurant' use will be assessed and implemented through a future Site Plan Control application process to the satisfaction of the Township.

- b) The proposed zoning amendment seeks to reduce the **minimum number of storeys required for commercial buildings from a total of 2 storeys to 1 story**. Elevation Plans have not been provided in support of the current OPA & ZBA application(s). However, it is understood that all the proposed commercial buildings are not expected to exceed maximum of one (1) storey in height. Whereas a minimum of two (2) storey, of which the second storey gross floor area shall be no less than 50% of the gross floor area of the first storey is currently required under Section 3.20.2 of the Township ZB.

The general intent of requiring a minimum number of storeys within the 'General Commercial' (C1) Zone is in part to ensure that the density of an individual commercial property is maximized to the greatest extent possible and that the facade and massing of commercial buildings located on multiple properties in close proximity to one another are consistent. Through the current OPA & ZBA application(s), the entirety subject lands are proposed to be comprehensively redeveloped for commercial use. With the subject lands being developed as single commercial site, parking, access & movements (pedestrian and vehicle), stormwater management facilities, landscaping, etc. can be shared between all proposed buildings and commercial uses on the site. Maximising the commercial use and density of the site as well as increasing the overall efficiency of the site design.

The requested reduction in the minimum number of storeys from two to one will ensure that the overall massing of commercial development will be more compatible with the existing built form and development patterns on adjacent and surrounding lands.

- c) The proposed zoning amendment seeks to **alter landscaping requirements** of Section 2.13 of the Township ZB for the proposed commercial redevelopment of the site by including the following site-specific landscaping requirement provision:

“Where a parking area contains nine or more spaces, one tree shall be planted for every three parking spaces. If on-site planting is not feasible, required trees may be planted on public lands or addressed through cash-in-lieu”.

Based on the number of proposed parking spaces identified within the conceptual site plan, a total of 32 trees are required in accordance with the landscaping requirements of Section 2.13 of the Township ZB (i.e. 1 tree for every 3 parking spaces provided). The conceptual landscape plan provided in support of the complete ZBA application identifies a total of 10 trees internal to the site (i.e. within the property’s boundaries), with a total of 22 trees within the portions of the subject lands that are proposed to be dedicated to the Township for roading widening purposes (refer to Schedule ‘C’).

The general intent of the Township ZB requiring a landscaping ratio of 1 tree per 3 parking spaces is in part to ensure that any increased hard surfacing associated with the commercial development is matched by a certain level of landscaping that will assist with increasing and/or replacing any canopy and tree cover (i.e. shading) for the site, enhance buffering and screening of parking facilities to adjacent land uses and/or roadways, increasing permeable surfaces as well as assist with the general softening, greening and beautification of the commercial site.

Although the current conceptual landscape plan provided in support of the current ZBA application identifies a total of 32 tree plantings, staff do not support the request to have required on-site landscaping being located within the Township ROW. In accordance with Section 11.10.3.5 of the Township OP, dedication of lands along each of the site’s frontage for future road widening purposes have been required. As future road and intersection improvements are likely in this area of the municipality, permanent landscaping within the Township ROW cannot be guaranteed over the long term.

The Township Official Plan or Zoning By-law documents do not contain policies or provisions allowing for deficiencies in landscaping requirements to be addressed through a cash-in-lieu substitute. The landscaping requirements specified under Section 2.13 of the Township ZB are reasonable given the scale of the proposed commercial redevelopment, overall size of the subject lands and their proximity to existing sensitive land uses (i.e. residential). Staff recommend that through the future detailed design process all landscaping required in accordance with Section 2.13 of the Township is provided within the consolidated boundaries of the property.

The requested altered zone provision is not supported by staff and has been removed from the draft By-law recommended for approval within this report (refer to Schedule 'G').

- d) The proposed zoning amendment seeks to **increase the maximum front yard setback of the primary commercial building & use (i.e. drive-through restaurant) from 2 m to 8 m.** In several of the Township's existing commercial zones, limits are imposed on the maximum distance that the primary commercial building can be located from the front lot line of the property. The intent of this zone requirement is to promote a street-oriented design for commercial development where street sidewalk and pedestrian access to the building are generally emphasised over vehicular access and parking areas. This is typically achieved with having buildings sited close to the front lot line bordering the street.

Unlike many existing commercial properties with the municipality, the subject lands currently maintain frontage onto four (4) separate roadways with County Road 42 being recognized as the front lot line of the site in accordance with the definitions section of the Township ZB. The requested amendment is being sought to permit the proposed primary commercial building & use (i.e. drive-through restaurant) to be setback approximately 8 m from the County Road 42 frontage of the property. The requested increase in the maximum frontage setback is requested to facilitate the inclusion of a drive-through queuing lane between the proposed commercial building and the front property line of the site.

In support of the requested variance the applicant has provided justification stating in part that the placement of the drive-through at the main intersection, directly across from an existing drive-through (Tim Horton's on 7377 Highway 26) ensures the drive-through is situated away from residential properties and along the main arterial road, enhancing compatibility and accessibility for the travelling public. Going onto indicate that despite the increase in setback, the building has been positioned as close to the road as possible to maintain the intent of the provision, preserving the streetscape and ensuring a pedestrian-friendly environment while accommodating the functional needs of the development.

Through review and analysis of the OPA & ZBA application(s) and associated submission material, it is understood that revisions and further refinements to the overall layout and configuration of the site as currently depicted within the conceptual site plan will be required in order to address among other design elements, final entrance/access locations, landscaping placement, parking facilities, etc. as documented throughout this report. Although not unusual for changes between the conceptual and final site plan to occur during detailed design, addressing these specific design elements have the potential to result in

fundamental changes to the ultimate design and layout of the subject lands as well as possibly building placements and sizes.

As the current request to amend the maximum front yard setback provision from 2 m to 8 m is specific to a proposed site design/configuration that is likely to change, staff are not able to accurately assess the merits of the specific variance without first understanding the potential cumulative effects the variance will have on the site and whether the request can be considered as being in conformance with the general intent of the existing zone provision. Therefore, staff opine that the requested increase in the maximum front yard setback from 2 m to 8 m for the primary building and use is considered to be premature at this time.

If through future detailed design process it is determined that the final and/or near final site design/layout would benefit from an increase in the maximum front yard setback requirement and the specific request can be justified to the satisfaction of the Township, any Site Plan Approval issued for the site could be made conditional on the applicant applying for and receiving relief through a subsequent ZBA application or Minor Variance application depending on the specifics request.

The requested altered zone provision is not supported by staff and has been removed from the draft By-law recommended for approval within this report (refer to Schedule 'G').

- e) The proposed zoning amendment seeks to include a site-specific **minimum parking space requirement** for all commercial development on the site of **one (1) parking space per 28 m² of commercial gross floor area**, resulting in a reduction of the combined **minimum number of parking spaces requirement of 174 spaces to 97 spaces**. The minimum number of required spaces is determined through a standard calculation that is based on a defined number/ratio of spaces being required in relation to the overall gross floor area of each land use on the property. In the current circumstance the following standard parking calculations apply:

Section 2.14.2.2 – Non-residential Uses	Parking Requirement/Ratio	Area (Proposed GFA)	Number of Required Parking Spaces	Total Number of Parking Spaces Provided
a) Retail b) (retail store, grocery store, etc.)	1 space plus 1 parking space per	2,519.1 m ²	127	172

	20 m ² of gross floor area			
c) Restaurant, Take Out and Drive Through	5 parking spaces per 20 m ² of gross floor area	176.9 m ²	45	
*Note - in accordance with Section 2.14.1.1 of Township ZB, when the minimum number of parking space calculation results in a fraction, the required number of spaces shall be rounded to the next highest whole number.				

The intent of the minimum parking requirement is to ensure that adequate off-street parking facilities for patrons are provided and that safe ingress & egress and vehicle movements on the site are maintained at all times. Development of the subject lands will be subject to site plan approval, which will review and confirm that safe ingress, egress and vehicle movements on the site will be maintained at all times. In support of the request to alter the minimum parking standard requirements for the site, the Applicant has submitted a Parking Justification Study (PJS) that assessed the peak parking demand of the site based on a review of industry parking data in comparison to the Township's minimum Zoning By-law parking requirements, assessment of parking survey data from other proxy sites in Stayner, Collingwood and Barrie, parking standards adopted by other municipalities and other methodologies employed in establishing parking demand.

The site-specific parking space calculation requested as part of the current ZBA application (i.e., 1 parking space per 28 m² of commercial GFA) would result in a total of 97 parking spaces being required. However, the finding of the PJS concluded that the proposed parking supply of 94 parking spaces is sufficient to accommodate the expected demand on site as supported by parking demand survey data from other municipalities which are considered representative of the proposed land uses.

The proposed site-specific minimum parking space requirement for all commercial development on the site of 1 parking space per 28 m² of GFA represents an approx. 45% reduction in the minimum number of parking spaces presently required under the existing provisions of the Township ZB. The site's central location within Stayner and proximity to surrounding and existing residential neighbourhoods and areas is well placed to accommodate pedestrian access, which may assist in reducing overall parking demands for the site. However, a 45% reduction in minimum parking requirements is significant, especially as the site is also oriented to support vehicle traffic due to intended drive-through restaurant use and site's proximity to County Roads 42 & 91.

Through peer-review of the PJS, staff note that while the Township's By-law rate for restaurant use appears to be conservative, the rates for retail and grocery appear to be reasonable. As such, while a lesser reduction in the existing minimum parking requirement established by the Township ZB may be reasonable, further justification is required for the current request, including accounting for seasonal adjustment factors within the proxy site data to also reflect summer demand conditions.

Furthermore, and although the new parking standard requested for the site is based on the specific commercial land uses identified within conceptual site plan (i.e. retail, grocery store and restaurant, including drive-through) it is noted that 'General Commercial Exception' (C1-X) Zone allows for a range of additional commercial uses that have the potential to generate higher parking demands (i.e. fitness centre, professional office, etc.) than the specific uses assessed within the PJS, should tenure of the commercial building(s) change at a future date.

For these reasons, staff do not support the site-specific minimum parking space requirement for all commercial development on the site of 1 parking space per 28 m² of GFA as currently requested. If through future detailed design process, it is determined that a reduction in minimum parking requirements remains necessary and the specific request can be justified to the satisfaction of the Township, any Site Plan Approval issued for the site could be made conditional on the applicant applying for and receiving relief through a subsequent ZBA application or Minor Variance application depending on the specific request.

The requested altered zone provision is not support by staff and has been removed from the draft By-law recommended for approval within this report (refer to Schedule 'G').

- f) The proposed zoning amendment seeks to alter the **minimum barrier-free parking space size to a dimension of 2.4 m wide + 1.5 m wide shared access aisle**. Section 2.15.4 of the Township ZB requires each barrier-free parking space to be a minimum size of 4.6 m x 6 m. The conceptual site plan identifies four (4) of the proposed barrier-free parking spaces to be a sized 2.4 m with a 1.5 m shared access aisle x 6 m. The applicant notes that the reduction aligns with Ontario's AODA standards for Type 'B' parking stalls, ensuring compliance with provincial accessibility requirements.

Staff are able to confirm that the requested alteration to Township's standard dimensions for barrier-free parking space is consistent with current AODA design standard for a Type 'B' parking space. Staff are in agreement with the applicant justification and are accepting of the requested amendment as proposed. Through the required future Site Plan Control application process all on-site barrier-free parking will be compliant with AODA requirements.

- g) The proposed zoning amendment seeks to **remove the requirement for on-site snow storage**. Based on the total parking area identified within the conceptual site plan and in accordance with Section 2.15.7 of the Township ZB, a minimum of 1,100 m² of snow storage area is required on the site, 25% of which (i.e., 275 m²) can be trucked off-site as established through a future development agreement without the need for an amendment to the Township ZB.

The conceptual site plan identifies a 126 m² snow storage area within the southern portion of the site. In support of the request the applicant has advised that snow storage will be available on-site, where feasible, by designating areas that can be used during the winter months for accumulation. Further advising that “snow will be managed by a private contractor to ensure efficient and timely removal. When there is excess snow that cannot be accommodated onsite, it will be trucked off-site to designated locations that comply with municipal regulations”.

Due to the winter conditions experienced through the Township, on-site snow storage is an important design consideration to ensure that the effective and safe operation of a property is maintained on a year-round basis. However, staff opine that dedication of large areas of an urban site for snow storage for sites can result in the inefficient use of valuable land otherwise able to be utilized for commercial use. Provided provisions are included within the draft zoning by-law and future Site Plan agreement to ensure that the timely removal and haulage of snow storage is required in lieu of on-site storage and remains the responsibility of the applicant, staff are supportive of the request.

Staff have amended the Draft Zoning By-law recommended for approval within this report (refer to Schedule ‘G’) to state the following:

“No on-site snow storage is required. Snow storage requirements to be addressed through a Site Operations & Maintenance Manual to the satisfaction of the Township”.

- h) The proposed zoning amendment seeks to introduce a **minimum bicycle parking requirement of 1.0 spaces per 300 sq. metres of gross floor area**. The Township ZB does not specify a minimum bicycle parking spaces requirement. The proposed altered provision would result in a minimum requirement of eight (8) bicycle parking spaces for the proposed development depicted with the conceptual site plan.

The ‘Commercial’ designation development principles specified within the Township OP (2024) encourage providing bicycle parking facilities for commercial uses in Urban Settlement Areas. Staff are supportive of the request

to include a minimum bicycle parking requirement of 1.0 spaces per 300 m² of gross floor area for the site.

- i) The requested ZBA application also includes a separate Hold '(HX)' Symbol provision intended to provide clarity and assurance that safe access and egress to the site is provided and that appropriate floodproofing measures, if required, are implemented.

Through comprehensive analysis of the current OPA & ZBA application(s) and as outlined in the following table, staff have determined that amendment to the wording of the requested Hold '(HX)' Symbol provisions as well as the inclusion of additional provisions is required prior to development being able to proceed.

Proposed Holding 'HX' Symbol	Removal of Holding 'H' Symbol
<p>The Holding Symbol (HX) shall only be removed from the lands when the Town is satisfied that:</p> <ol style="list-style-type: none"> 1. That sufficient municipal servicing capacity and allocation required to service the permitted uses be confirmed in a manner to the satisfaction of the Township. 2. That all entrances and/or access points (ingress & egress) to the subject lands are provided in accordance the policies of the Township of Clearview Official Plan to the satisfaction of the Township. 3. That a Natural Hazard Assessment be completed and implemented to the satisfaction of the Township and the Conservation Authority, demonstrating that the proposed development conforms to all applicable provincial and NVCA policies, standards, and criteria for development within flood hazard areas. 4. That a site plan agreement has been entered into with the municipality and 	<p>Removal of the proposed Holding 'HX' Symbol from the subject lands would be subject to acceptance and approval from the Township of Clearview, specifically the Public Works Department, the Planning & Building Department and Nottawasaga Valley Conservation Authority and/or other approval authority as required.</p>

registered on title to the land for the development of the site.	
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The holding provisions ultimately ensure that development of the lands does not proceed prematurely or compromise the Townships transportation and/or servicing infrastructure and flood hazards.

It is the opinion of staff that the proposed Zoning By-law with its site-specific exceptions as amended by staff is appropriate, supportable, and conforms to the general intent and purpose of the Township’s Comprehensive Zoning By-law.

Site Plan Control Matters

The proposed development is subject to Site Plan Control in accordance with Section 41 of the Planning Act and Township Site Plan Control By-law 24-64. An application for Site Plan Approval has not been submitted at this time. Staff anticipate the submission of an application for Site Plan Approval for the proposed development once Official Plan and Zoning policy is in place to enable the proposed development with the approval of the Official Plan and Zoning By-law amendment(s).

Communication

The applications referenced herein were circulated in accordance with the Planning Act. Notice of a Complete Application and Public Meeting for the proposed Official Plan and Zoning By-law Amendments was circulated on March 19, 2025. A statutory Public Meeting for the OPA & ZBA application(s) was held September April 30, 2025. A brief presentation was provided by the Township Planner and followed by a presentation by the Applicant’s agent (Ventawood Management Inc.).

During the Public Meeting and as part of the overall consultation process associated with the current Zoning By-law Amendment comments were received with respect to the current proposal. Site access from local roads (i.e., Sutherland Street South & Quebec Street), privacy fencing, noise, location of loading spaces as well as general impacts to traffic were referenced as primary concerns by area residents. A complete summary of all received comments as well as municipal staff responses is appended to this report (refer to Schedule ‘E’). Taking the comments as summarized in Schedule ‘E’ into consideration, municipal staff have reviewed the proposed Official Plan and Zoning By-law Amendments and support their approval, as amended.

Financial Implications

None to the Township.

Clearview’s Strategic Plan

The strategic pillars of the Township of Clearview are not directly applicable to the proposed application(s).

Report Schedules

- Appendix A: Orthophoto
- Appendix B: Official Plan and Zoning Map
- Appendix C: Conceptual Site Plan & Landscape Plan
- Appendix D: Comments
- Appendix E: Response to Comments
- Appendix F: Draft Official Plan Amendment
- Appendix G: Draft Zoning By-law Amendment

Approvals

- Submitted by: Nick Ainley, B.U.R.PI, Community Planner
- Reviewed by: Rossalyn Workman, MURP, DIPL.MM, MCIP, RPP, Manager of Planning
Amy Cann, M. PI., MCIP, RPP, Director of Planning and Building
- Financial Implications Reviewed by: Kelly McDonald, Treasurer
- Approved by: John Ferguson, CAO